Joint Exhibit 13

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

September 19, 1997

Mr. Daniel L. Trescott
Principal Planner/DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive; 4th Floor
North Ft. Myers, FL 33918-3455

Re: Marsh Creek, DRI #11-9697-137
ADA Second Sufficiency Review

Dear Mr. Trescott:

This office has completed the review of the Application for Development Approval Second Sufficiency Report for the above referenced DRI. Concerns held by this department have been resolved and the referenced document is complete and satisfactory with regard to our issues.

If you have any questions regarding these comments, please contact me at (941) 534-1448.

Sincerely,

Dianne McCommons Beck
Greater Charlotte Harbor Ecosystem Management Area

cc: Steve Thompson, DEP-Ecosystem Management
Richard Garrity, Ph.D., DEP
Kathy Liles, DEP-Ecosystem Management
Pat Fricano, DEP-Ecosystem Management
Tiffany Lutterman, Charlotte Harbor NEP
Hans-Jurgen Reichardt, Marsh Creek Properties, Inc.
Betsy Benac, Wilson, Miller, Barton & Peek, Inc.

RECEIVED
SEP 22 1997
S.W. FLORIDA REGIONAL PLANNING COUNCIL

000442

Charlotte County-Punta Gorda
METROPOLITAN PLANNING ORGANIZATION
28000 Airport Road, A-6, Punta Gorda, Florida 33982 (941)639-4676 FAX 639-8153
EMAIL:CCMPO@PEGANET.COM

Mayor William F. Richards
Vice-Chairman

Commissioner Adam Cummings
Chairman

Lisa B. Beever, PhD
Director

September 25, 1997

Dan Trescott
Southwest Florida Regional Planing Council
4980 Bayline Dr.
4th Floor
N. Ft. Myers, Fl. 33918-3455

RE: Marsh Creek DRI 2nd Sufficiency

Dear Mr. Prescott:

We have reviewed, the Marsh Creek DRI second sufficiency and find it *sufficient* for the portion within Charlotte County. We note, however, that the level of service (LOS) criteria on I-75 within Charlotte County is LOS "C" rather than LOS "D", as assumed by the applicant's consultant. Should the Florida Department of Transportation request that this LOS level be maintained and should Marsh Creek adversely and significantly impact I-75, we suggest that this DRI development pay for its impacts within Charlotte County based on their proportionate share amount for the necessary improvements.

To address the multi-jurisdictional transportation impacts caused by the Marsh Creek DRI, we suggest that the City of North Port contact Charlotte County prior to the issuance of the Marsh Creek Development Order. As a suggestion, the governmental entities may want to enter into an interlocal agreement to address the Marsh Creek off-site transportation impacts across jurisdictional lines.

Thank you for giving us the opportunity to review the Marsh Creek DRI. We look forward to any suggestions you may have regarding the Marsh Creek DRI multi-jurisdictional transportation impacts.

Sincerely,

Robert Johnson

Robert Johnson

xc: Nancy Wagner, Charlotte County Community Dev. Dept.
Elliot Kampert, Charlotte County Community Dev. Dept.
Pam Brangaccio, Charlotte County Asst. County Adm.

marsh2.wpd
MPO\190

Post-it® Fax Note 7671	Date 9-25-97	# of pages ▶ 1
To Dan Trescott	From Robert Johnson	
Co./Dept. SWFRPC	Co. Charlotte MPO	
Phone #	Phone #	
Fax # 656-7724	Fax #	

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

FAX COVER SHEET

NAME/TITLE:	Robin Brandt
COMPANY:	Florida
DEPARTMENT:	DCA/BLRP
FROM:	[illegible] DATE: 9/24/97
NUMBER OF PAGES (including cover sheet):	5
NOTES:	

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

SEP 0 5 1997

CITY CLERK

SEP 18 1997

CITY OF NORTH PORT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jack Garbade, P.G.
Atlanta Testing & Engineering
2963 Gulf to Bay Blvd., Suite 267
Clearwater, Florida 34619

Mr. John J. Singer
Public Services Director
City of North Port
6650 North Port Boulevard
North Port, Florida 34287-3103

Subject: Landfill Stability Evaluation Report for the North Port Landfill

Dear Mr. Garbade and Mr. Singer:

The Solid Waste Section of the Florida Department of Environmental Protection (FDEP) has reviewed the Landfill Stability Evaluation Report for the North Port Landfill prepared by Atlanta Testing & Engineering. This report was received by the FDEP on June 10, 1997, and additional information and a revised report were received on August 11, 1997 in response to telephone discussions on July 30 and 31, 1997 between myself and Mr. Garbade. The stabilization report was prepared for the City of North Port (City) to evaluate if the landfill can be released from further long-term care activities in accordance with Rule 17-7.07, Florida Administrative Code (dated July 10, 1984). Guidance for this report was provided by the FDEP in a September 23, 1996 letter to the City and Atlantic Gulf Communities (AGC), attached.

The Department cannot accept the landfill as stabilized at this time due to the slow ground water flow velocity. The reported flow velocity for the upper portion of the surficial aquifer predicts movement of only 12 feet per year. At this flow rate, the downgradient wells may just be detecting movement of water from the nearest edge of the landfill. The responsible parties may wish to look into a revised monitoring plan with monitoring wells closer to the landfill.

Additional items of note in the report include the following:

1. Section 4.4, Landfill Cover, indicates that some areas of the landfill cap should be improved with additional cover to bring the cover thickness up to the required two feet. The FDEP agrees with this recommendation, and the City should proceed with this improvement. This improvement should be completed by October 1, 1997. Please contact Allison Amram at 813/744-6100, ext. 336 when this activity is complete.

2. The November 1996 sampling event detected chloromethane in several site wells, but was not addressed in the report. Although the concentrations were highest in the background well, MW-1, the guidance standard was exceeded in wells MW-2 and DW-2. Chloromethane is a carcinogen, and under Rule 62-520.400(b), F.A.C., ground water shall be free from any

carcinogenic compounds which do not have a set ground water standard. This compound will be included in the site's monitoring plan.

3. Surface water samples from SW-2 exceed the surface water general criteria of Rule 62-302.510, F.A.C. for gross alpha, radium 226+228, iron and turbidity. However, as this ditch does not discharge off the property, the Class III water quality criteria do not apply. These parameters will be included in the ground water monitoring.

4. As required by Rule 62-7.07(5), a copy of the recorded property deed(s) showing the location of the landfill must be submitted to the FDEP. Further detail requesting this was provided in the FDEP's letter dated September 23, 1996.

Once the additional cover has been placed, the FDEP does not see any obstacles that would prevent development of the site for an acceptable use. An acceptable use would account for potential gas accumulation, ground settlement, and would not disturb the waste (or cover over the waste) or increase recharge through the waste.

The FDEP requests that representatives of the City and AGC contact Ms. Allison Amram at 813/744-6100, ext. 336 in order to set up a meeting to discuss how the site will be monitored in the future. The FDEP anticipates issuing a 5-year Monitoring Permit for continued ground water monitoring. A plan for water quality monitoring will be necessary, and should contain the items listed in Rule 62-522.600, F.A.C. (copy available upon request). The FDEP anticipates that annual monitoring of all points would be an adequate sampling frequency. The responsible parties may also wish to evaluate whether field filtration is appropriate for the upper surficial aquifer samples.

Very truly yours,

Richard D. Garrity, Ph. D.
Director of District Management
Southwest District

Attachment (to all non-FDEP cc's)

cc: David Levin, Icard, Merrill, Cullis et al., P.O. Box 4195, Sarasota, FL 34230-4195
Lisa Anness, AGC, 2601 S. Bayshore Drive, Miami, FL 33133-5461
Tom Fraser, Dexter, Bender & Associates, 2052 Virginia Ave., Ft. Myers, FL 33901
John Ryan, Sarasota County Pollution Control, 1303 Cattleman Road, Bldg. A, Sarasota, FL 34232
David Thulman, FDEP - OGC, MS 35
William Kutash, FDEP - Waste Program Administrator
Bob Butera, P.E., FDEP - Solid Waste Section
Steve Morgan, FDEP - Solid Waste Section
Allison Amram, P.G., FDEP - Solid Waste Section

Presented 7/22/97
M. Hamm

5771 Espanola Avenue
North Port, Fl 34287

Date Copy Rec'd

Public Comment, THE NORTH PORT MYAKKAHATCHEE TASK FORCE, July 22, 1997

Re: North Port Landfill

The very existence of this task force was made possible through the foresight of the Department of Environmental Protection in the Consent Order with General Development Communities, signed in 1983, and provided funding for a Pollution Recovery Trust fund for the City of North Port.

It is well and good that the Myakkahatchee Creek be protected by purchasing additional lands surrounding the Creek, and by construction of settling ponds to insure the proper filtering and cooling from areas such as the Snover Waterway and Sumter Boulevard Evacuation Route, but an issue has recently come to the fore which I believe should be added to the scope of this committee: The North Port landfill and its impact on the environmental safety of the Creek as a water resource.

I am sure that several of you committee members will remember my concern when I found that the Marsh Creek Ltd. PCD was presented to the City in April of 1996, because the landfill had not been monitored since November of 1994, and it existed within the development boundaries.

Now, more than a year later, the landfill Stabilization Report has been sent to Tallahassee, but my concerns have not been answered to my satisfaction.

The comparison graphs do not include, with the exception of one, any 1996 test results; the Gross Alpha, measured in pico-Curies, showed an increase of between 400% to 667% on four of the six wells; the body of the report contains inconsistencies such as; "Trend analyses . . . indicate that Gross Alpha concentrations have been reducing in all wells overtime"; and 1994 testings were used with prior tests to give an overview or average of such test results, eliminating 1996 figures.

To add to my concern is the fact that the North Port Utilities has resumed using creek water in its potable water transmission, and in view of the fact that groundwater flows from Northeast to Southwest, brings up the possibility that there may be Gross Alpha in the Creek, hence the possibility of Gross Alpha in our potable water supply which is limited to 1.0 pico-Curies per liter by Florida Statutes.

I firmly believe that your involvement in this dillemma is of the utmost importance in order to define goals, objectives, and policies for the protection of the creek and the people in this city.

Sincerely

Encl. 14 pages

Maggie Hamm

CITY OF NORTH PORT, FLORIDA
PUBLIC SERVICES DEPARTMENT
SOLID WASTE DISTRICT

21-JAN-97 Dale Copy

Comparison of Test Results of Groundwater Sampling (11/94 vs. 11/96)

Parameter	DW-1 11/07/94	DW-1 11/15/96		MW-1 11/07/94	MW-1 11/15/96		MW-3 11/07/94	MW-3 11/15/96		MW-4 11/07/94	MW-4 11/15/96	
Gross Alpha	2.6	10.4	+ 1460%	<1.0	4.0	+ 400%	20.7	27.0	+	12.6	8.1	-
Gross Beta	8.4	12.2	+	13.9	10.1	-	8.9	18.0	+	7.6	11.3	+
Radium 226	2.83	3.3	+	3.23	1.3	-	3.29	6.1	+	1.18	1.5	+
Radium 228	1.78	0.0	-	1.66	0.7	-	1.77	1.0	-	1.76	0.9	+

Parameter	SW-1 08/02/93	SW-1 11/15/96		SW-2 08/02/93	SW-2 11/15/96	
Gross Alpha	1.6	9.6	+ 613%	6.0	40.0	+ 667%
Gross Beta	?	29.0		?	20.0	
Radium 226	4.6	4.8	-	1.0	16.8	+
Radium 228	<1.0	2.1	+	<1.0	5.7	+

Last known sampling for radioisotopes in surface water was 08/02/93.

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

September 26, 1997

RECEIVED
SEP 29 1997
RPM BSP
PLAN PROCESSING TEAM

Ms. Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh
Sarasota, FL 34232

RE: Sufficiency Report for "Marsh Creek" ADA, DRI #08-9697-136

Dear Ms. Benac:

Review of the DRI "Marsh Creek" ADA identified areas requiring clarification and/or additional information. A copy of the staff report requiring this information is attached. Please also consider the attached requests for further information from the regional review agencies as part of this sufficiency request.

Under Chapter 380.06, Section (10)(c), Florida Statutes, the applicant has the option of providing all, some, or none of the information requested. The Statute requires that the applicant inform the Southwest Florida Regional Planning Council's staff which option will be followed within five (5) working days of the receipt of this certified letter. Further review of this ADA will be delayed pending election of an option and performance thereto.

Upon receipt of all the requested information, and if staff's review determines it is sufficient, the Council staff will notify the City of North Port to set a DRI public hearing date. When the Council staff receives written notification that the City has so acted, the formal 50-day review period for the "Marsh Creek" project shall begin.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne E. Daltry
Executive Director

WED/DLT/dh

Enclosures

cc: Review Agencies

Printed on Recycled Paper

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Staff Suffiency Review
"MARSH CREEK" ADA, DRI #08-9697-136

INTRODUCTION

The following report is an analysis and identification of material required to clarify data provided and to remedy information deficiencies of the **"MARSH CREEK"** Application for Development Approval. In addition to the sufficiency review generated by the Southwest Florida Regional Planning Council (SWFRPC) staff, please note the attached questions of clarification identified by the Council's DRI review agencies.

SUFFICIENCY QUESTIONS

Question 12: Vegetation and Wildlife

The FGFWFC will be providing comments on the Wildlife and Habitat Management Plan under separate cover as soon as possible. We anticipate revisions to this Plan can be accomplished prior to completion of the SWFRPC staff assessment of the project.

Question 20: Solid Waste/Hazardous Waste/Medical

Question 20.1 The applicant notes that the fill cover will not be disturbed and that additional fill will be added to accommodate the proposed driving range. Are there any anticipated or possible problems with additional fills such as a decrease in ventilation that would result in a further buildup of gases in the landfill?

Question 20.3 Again, please address whether any venting of gases and fumes at the landfill will be done?

Question 20.5 As the applicant is aware, an environmental audit is much broader in scope than a water stabilization report. Again, will an environmental audit be conducted to determine whether the white goods or other waste products have contaminated the property?

Question 21: Transportation

1. Question 21.A:

   a. The text states that the level of service standard on Interstate 75 should be D due to the Transportation Concurrency Management Area status of the facility. To our knowledge, the City of North Port has not declared this area in its Comprehensive Plan to be a TCMA, therefore, the LOS D standard does not apply. The LOS standard is C. Please revise accordingly.

   b. The text states that using LOS C as the standard for US 41 through the City of North Port is "consistent with FDOT's adopted LOS standard." However, FDOT does not govern the level of service standard for any roadways except those on the Florida Intrastate Highway System. As US 41 is not on the FIHS and it is not specifically excepted by the City of North Port in its Comprehensive Plan from the LOS C standard, the applicable LOS standard is C. Please revised accordingly.

2. Question 21.B:

   a. It is inappropriate to apply the generalized roadway K_{100} factors and peak season factors to development traffic to convert daily to peak hour. This results in a peak hour percentage for the project's traffic which varies from 8.0% to 9.8%. Please note that the use of the FDOT Design Traffic Handbook is intended for use in the design of roadways, not the determination of DRI's impacts. A straight calculation from the peak season daily to the peak hour calculation obtained from the ITE Trip Generation Manual should be performed. Please revise accordingly.

   b. The table of land uses outlined in Table 21.B-1 differ from those which were previously submitted and reviewed. This is true for those uses in Phase 1 as well as the other phases. As Phase 1 is the subject to a Preliminary Development Agreement and was determined based on the original uses to not require transportation mitigation, will the PDA be amended to account for the additional trips associated with the changes?

3. Question 21.D:

   a. Once again, TAZ 846 which is to contain the City of North Port's government center does not contain sufficient socio-economic data to adequately represent the intense uses which are envisioned. In order to adequately represent the background traffic conditions in the vicinity of the Marsh Creek DRI, the ZDATA files should be modified to accommodate the entire North Port development. The model should be rerun and all analyses modified accordingly.

4. Question 21.E: Table 21E-2 contains several roadway volumes which were to be obtained from the FSUTMS output files which appear to be incorrect:

   a. River Road from CR 775 to US 41 = 17400;
   b. Sumter Boulevard from Sylvania Avenue to I-75 = 18000; and
   c. US 41 from Cranberry Boulevard to Sumter Boulevard = 29000,

   please review and modify accordingly.

5. Question 21.F: The calculation of the proportionate share has been performed using only the trips from the specific phase of development in question (i.e., Phase 2 trips only for calculation of proportionate shares for Phase 2). This is incorrect. The proportionate share shall be based on the cumulative impacts of all phases to the date of the calculation (i.e., Phase 1 and 2 trips for Phase 2 share). The text states that the SWFRPC "adopted the position that the method of proportionate share calculation was up to local government, provided the method was in conformance with Rule 9.J.2.045." This is not quite correct. The Riverwood Increment II traffic assessment, adopted by the SWFRPC in November 1996, states that:

   > "The mitigation option of determining a proportional share payment and/or pipeline improvements, consistent with mitigation requirements of earlier increments, must be stated in the incremental development order and must be consistent with Section 163.3220 of the Florida Statutes, which involves a local government development agreement. It should be noted that Riverwood Increment II is a part of an overall Master Development Approval. The overall Master Development Order (MDO) identifies buildout of the project as 2004. Increment I of the MDO was originally approved to buildout in 1994 and later requested and

was granted an extension to 1998. These steps in the phasing of the development are not conducive to projecting cumulative impacts for the project, especially when determining proportional share. Although Increment I calculated its proportional share on all roadways which failed regardless of the Increment's percentage of impact, these calculations were performed for the Year 1994. In addition, the calculation was not revised when the buildout was extended. The fact that the calculation was performed for 1994 rather than 2004, leaves ten years of background growth unaccounted for in the proportional share. In order to equitably remedy this inherent shortfall to the Incremental process, the Southwest Florida Regional Planning Council recommends that the County determine proportional share for each Increment cumulatively with previously approved Increment(s) for the year of buildout of the current Increment. This total proportional share may then be reduced by the proportional share of the previous Increment(s) to determine the dollars needed for the current Increment. In the alternative, an overall proportional share calculation for the Year 2004 (i.e., buildout of the Master) should be calculated and each Increment should pay its fair share of it. The Year 2004 figure would need to be reevaluated with each Increment to determine what changes may have developed with respect to pricing of the needed improvements. Any proportional share estimation or specific pipeline improvement should be approved by all review agencies."

This approach continues to be recommended by the Southwest Florida Regional Planning Council. Please revise the calculations accordingly.

000452

FLORIDA DEPARTMENT OF TRANSPORTATION
LAWTON CHILES
GOVERNOR
801 N. Broadway Avenue, Bartow, Florida 33830
Mailing Address: P. O. 1249, Bartow, Florida 33831-1249
Thomas F. Barry, Jr.
Secretary

September 24, 1997
TFB-L75-97

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive
North Ft. Myers, Florida 33918-3455

RE: Marsh Creek ADA, DRI #11-9697-137 - Second Sufficiency Report

Dear Mr. Trescott:

The Department has completed it's review of the applicant's second sufficiency response and has the following comments:

The applicant has based his analysis and proportionate share calculations on the assumption that the level of service standard for I-75 is "D". For it's entire length within Charlotte County, from the Lee County line to the Sarasota County line, Interstate 75, an FIHS facilty, is located within a transitioning urbanized area. Therefore, the level of service standard is "C" within these limits. In southeast Sarasota County Interstate 75 is partially within and partially outside of the urban area of Northport. Based on a strict interpretation of the criteria used to determine level of service standards, the level of service standard would vary between "C" and "B" in this area. The Department is currently developing a 2020 needs plan, and a 2020 cost feasible plan for the FIHS system. As a part of this plan development, the Department has examined this area of I-75. In the interest of maintaining logical continuity and reasonable breakpoints, we have determined that the area in Sarasota County from the Charlotte County line to River Road will be considered as either within the urban area of Northport, or sufficiently influenced by the urban area of Northport, so as to be assigned the level of service standard of "C". The area from River Road north to SR 72 is considered Rural, and the level of service standard is "B". From SR 72 north to SR 780, the area type is urban and the level of service standard is "C". From north of SR 780 to the Manatee County line, the area type is transitioning and the level of service standard is also "C". The analysis and proportionate share calculations should be revised based on the correct level of service standards for I-75.

Should you have any questions please contact John Czercpak of my staff at (941) 519-2343 or Suncom 557-2343. We appreciate the opportunity to participate in the review process.

Sincerely,

T. Franklin Black
District Planning Manager

TFB:GJC:gjc

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

SEP 05 1997

CITY CLERK

SEP 18 1997

CITY OF NORTH PORT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jack Garbade, P.G.
Atlanta Testing & Engineering
2963 Gulf to Bay Blvd., Suite 267
Clearwater, Florida 34619

Mr. John J. Singer
Public Services Director
City of North Port
5650 North Port Boulevard
North Port, Florida 34287-3103

Subject: Landfill Stability Evaluation Report for the North Port Landfill

Dear Mr. Garbade and Mr. Singer:

The Solid Waste Section of the Florida Department of Environmental Protection (FDEP) has reviewed the Landfill Stability Evaluation Report for the North Port Landfill prepared by Atlanta Testing & Engineering. This report was received by the FDEP on June 10, 1997, and additional information and a revised report were received on August 11, 1997 in response to telephone discussions on July 30 and 31, 1997 between myself and Mr. Garbade. The stabilization report was prepared for the City of North Port (City) to evaluate if the landfill can be released from further long-term care activities in accordance with Rule 17-7.07, Florida Administrative Code (dated July 10, 1984). Guidance for this report was provided by the FDEP in a September 23, 1996 letter to the City and Atlantic Gulf Communities (AGC), attached.

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Very truly yours,

Richard D. Garrity, Ph. D.
Director of District Management
Southwest District

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Tom Fraser, Dexter, Bender & Associates, 2052 Virginia Ave., Ft. Myers, FL 33901
John Ryan, Sarasota County Pollution Control, 1303 Cattleman Road, Bldg. A, Sarasota, FL 34232
David Thulman, FDEP - OGC, MS 35
William Kutash, FDEP - Waste Program Administrator
Bob Butera, P.E., FDEP - Solid Waste Section
Steve Morgan, FDEP - Solid Waste Section
Allison Amram, P.G., FDEP - Solid Waste Section

000455

Presented 7/22/97
M. Hamey

Margaret (Maggie) Hamey
5771 Espanola Avenue
North Port, FL 34287

File Copy MH

Public Comment, THE NORTH PORT MYAKKAHATCHEE TASK FORCE, July 22, 1997

Re: North Port Landfill

The very existence of this task force was made possible through the foresight of the Department of Environmental Protection in the Consent Order with General Development Communities, signed in 1983, and provided funding for a Pollution Recovery Trust fund for the City of North Port.

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Sincerely

Maggie Hamey

Encl. 14 pages

000456

CITY OF NORTH PORT, FLORIDA
PUBLIC SERVICES DEPARTMENT
SOLID WASTE DISTRICT

21-Jan-97 Duke Copy

Comparison of Test Results of Groundwater Sampling (11/94 vs. 11/96)

Parameter	DW-1 11/07/94	DW-1 11/15/96		MW-1 11/07/94	MW-1 11/15/96		MW-3 11/07/94	MW-3 11/15/96		MW-4 11/07/94	MW-4 11/15/96	
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Gross Beta	8.4	12.2	+	13.9	10.1	-	8.9	15.0	+	7.8	11.3	+
Radium 226	2.83	3.3	+	3.23	1.3	-	3.29	6.1	+	1.19	1.5	+
Radium 228	1.76	0.9	-	1.06	0.7	-	1.77	1.0	-	1.76	0.9	+

Parameter	SW-1 08/02/93	SW-1 11/15/96		SW-2 08/02/93	SW-2 11/15/96	
Gross Alpha	1.6	9.6	+ 613%	6.0	40.0	+ 667%
Gross Beta	?	29.0		?	26.0	
Radium 226	4.6	4.2	-	1.0	15.6	+
Radium 228	<1.0	2.1	+	<1.0	5.7	+

Last known sampling for radioisotopes in surface water was 08/02/93 .

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

RECEIVED
DEC 27 1996
BUREAU OF STATE PLANNING

December 19, 1996

Mr. Ron York
Marsh Creek Holdings, LTD
4524 SE 16th Place, Suite 3
Cape Coral, FL 33904

RE: Sufficiency Report for "MARSH CREEK" ADA, DRI #08-9697-136

Dear Mr. York:

Review of the DRI "Marsh Creek" ADA identified remaining areas requiring clarification and/or additional information. A copy of the staff report requesting this information is attached. Please also consider the attached requests for further information from the regional review agencies, as part of this sufficiency request.

Under Chapter 380.06, Section (10) (c), Florida Statutes, the applicant has the option of providing all, some, or none of the information requested. The Statute requires that the applicant inform the Southwest Florida Regional Planning Council's staff which option will be followed within five (5) working days of the receipt of this certified letter. Further review of this ADA will be delayed pending election of an option and performance thereto.

Upon receipt of all of the requested information, and if staff's review determines it is sufficient, the Council staff will notify City of North Port to set a DRI public hearing date.

When the Council staff receives written notification that City of North Port has so acted, the formal 50-day review period for the "Marsh Creek" ADA project shall begin.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

David L. Tremblett

Wayne E. Daltry
Executive Director

Assigned to Henry 12/27/96

WED/DLT/pla
Enclosures

Printed on Recycled Paper

TO: Mr. Ron York
DATE: December 21, 1995
PAGE: Two
RE: Sufficiency Report for Marsh Creek ADA, DRI #08-9697-136

cc: Mr. David Ferrell, Florida Game and Freshwater Fish Commission
Ms. Kathy Liles, Department of Environmental Protection
Ms. Deborah Parrish, Department of Environmental Protection
Mr. John Czerepak, Florida Department of Transportation
Mr. Roger Wilburn, Division of Community Affairs
Mr. Ian McDonald, Southwest Florida Water Management District
Mr. Max Forgey, Charlotte County Planning
Mr. Bob Repenning, Pine Island Sound State Aquatic Preserves
Mr. Jim Beever, Florida Game and Freshwater Fish Commission
Mr. Joe Bacheler, U.S. Army Corps of Engineers
Mr. Jerry Gray, Sarasota County Planning
Ms. Laura Kammerer, Div. Of Historical Resources
Myakka River Management Coordinating Council
Ms. Betsy Benac, Wilson, Miller, Barton and Peek, Inc.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Staff Sufficiency Review
Marsh Creek DRI # 08-9697-136

INTRODUCTION

The following report is an analysis and identification of material required to clarify data provided and to remedy information deficiencies of the Marsh Creek Application for Development Approval. In addition to the sufficiency review generated by the Southwest Florida Regional Planning Council (SWFRPC) staff, please note the attached questions of clarification identified by the Council's DRI review agencies.

SUFFICIENCY QUESTIONS

Question 10 - Project Description

1. Please provide an estimated construction cost for the DRI. This information will be utilized within the Southwest Florida Regional Planning Council's DRI Update Report.

2. The last sentence on page 10-2 and the "Note" on page 10-4 states that the development rates shown in Table 10.1.A-1 and Table 10.1.B-2, respectively shall be considered non-binding and provided for information only. Please be aware that these rates of development are binding and are being used to determine the level of impacts throughout the DRI application. This phasing schedule will also be used to define when extensions to phase end dates and buildout dates must be extended through the Notice of Proposed Change process. However, as you may know Chapter 380.06(19) does allow a so called "free" 5-year extension to these dates without further analysis. Beyond 5-years additional analysis of regional impacts may be required. Based on this discussion does the applicant understand that the proposed phasing schedules contained in the DRI are binding for impact review?

3. Map H should indicate that the closed landfill is an out parcel at this time, unless the applicant anticipates receiving title to the property prior to development order approval.

Question 12: Vegetation and Wildlife

Rule 9J-2.041(4)(c)3.b. & c. require the development of a management plan for the onsite scrub jay and gopher tortoise preservation areas. The applicant must submit this management plan as soon as possible so it can be incorporated into the development order. If it is not part of the development order a notice of proposed change will be required prior to development anywhere near the habitats of these species. Does the applicant understand the requirement of the above sited rule?

Question 13: Wetlands

1. Does the applicant plan to seek conceptual agency wetland permitting prior to development order approval?

2. If the applicant does not seek conceptual agency wetland permitting, please provide more detail in the DRI application on the locations and acreages of the proposed wetland mitigation plan discussed in the response to question B.

3. Will the applicant commit to preserving all or portions of the cabbage palm hammock (641-F) as part of the landscape plan for the development

Question 14 - Water

1. Will fertilizers, pesticides and lawn care chemicals be stored on the golf course, itself? If so, what safeguards will be utilized in order to prevent these materials from contaminating groundwater or surface water in the vicinity of the storage location?

2. On page 14-9, in the second paragraph, the narrative reads "...irrigation will be maximized between dusk and dawn to reduce the amount of water lost to evaporation." Is the applicant committing to performing most irrigation during dusk or dawn hours, as opposed to during daylight hours?

Question 17 - Water Supply

1. Please discuss the status of the studies underway with regard to source prioritization and quantification.

2. Please clarify the meaning/significance of the footnote to Table 17.B-1 regarding future supply equaling Marsh Creek's wastewater flows to the City.

Question 19 - Stormwater Management

1. According to the narrative on page 19-1, the Snover Waterway forms the northern boundary of the site. However, the waterway is not shown or referenced on either the "Existing Drainage Conditions" Map (Map I-1) or the Master Drainage Plan (Map I-2). Is the Snover Waterway the actual northern boundary of the site, or is there some distance between the Waterway and the boundary?

2. The applicant appears to be including the land areas immediately surrounding the Price Boulevard/Sumter Boulevard intersection in a single drainage basin (Basin 3). Are there existing hydrologic connections between these areas (despite the existing roadways) that warrant the areas being included within a single basin?

3. In conjunction with question 2, above, Regional staff notes that the proposed drainage plan appears to allow north/south connections for the subbasins of Basin 3 (as within Subbasin 3C on either side of Price Boulevard, and between Subbasins 3A and 3B), but no east/west connections. Why is this?

4. Map I-1 shows that certain portions of the site currently drain to the Cocoplum and Snover Waterways. However, no drainage to these waterways is shown on Map I-2. Is the applicant proposing to divert flows within these areas to the Blueridge Waterway?

5. Is the existing surface water management system, located in the southern portion of the property, planned to be utilized within the proposed Master Drainage Plan? If so, what modifications to this system may be necessary? If not, will this system be filled in?

6. The outfall point for Subbasin 3C does not appear to discharge directly to the Blueridge Waterway. How are flows from 3C to be conveyed to the Waterway?

Question 20 - Solid Waste / Hazardous Waste / Medical Waste

Q-20-A. Describe the project's recycling efforts. What recycling activities will be in place to aid in the reduction of solid waste potentially going to the Sarasota Landfill?

Q-20-A. Would the applicant be willing to explore the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the onsite needs?

Q-20-A. The City of North Port has indicated it can provide solid waste collection services to the development for both residential and commercial activities. Specifically, what site or location will the solid waste be disposed at?

Q-20-A. What products are currently in the abandoned and closed landfill? Has any excavation been done at the site?

Q-20-A What measures are being taken to ensure that the closed landfill will not give off any obnoxious fumes, gases, or toxic chemicals?

Q-20-A Has a hazardous waste assessment or hazardous waste profile been done at the site.

Q-20-A Has the Florida Department of Environmental Protection and the Water Management District been consulted regarding the need to monitor the site, on a continuous basis?

Q-20-A Are there any nearby monitoring sites under either of the aforementioned agencies jurisdictions associated with your development, the closed landfill, or adjoining properties?

Q-20-B.1 Please identify the specific types of medical facilities that are anticipated to locate in the Marsh Creek development. Additionally, has the applicant consulted with a licensed Bio-hazardous waste hauler regarding the transporter's ability to serve the project during a routine pickup or accidental release?

Q-20-B-1. What will be the method for cleaning and maintaining the grease interceptors at restaurants? Has a licensed disposal transporter been identified?

Q-20-B-2. How will the project's hazardous waste or waste by products be disposed?

Q-20-B-3. Please provide a commitment from a local hazardous waste hauler of the agency's ability to service the project.

Question 21 - Transportation:

1. Question A:

   a. The text states that the Florida Department Of Transportation's 1995 LOS Manual identifies the "adopted LOS for Freeways (I-75) and multilane highways (US 41) as LOS "D".

      i. FDOT only sets LOS standards for those roadways on the Florida Intrastate Highway System (FIHS). In the vicinity of the project, only I-75 is on the FIHS. In

addition, the LOS standard, according to FDOT representative John Czerepak, is LOS C, not D. The calculations should be adjusted accordingly.

ii. The local jurisdiction sets the LOS for all other State Highways. Therefore, the LOS standard on US 41 should be in accordance with the Sarasota County, North Port and Charlotte County requirements, as set forth in their respective Comprehensive Plans.

b. The identified committed improvement on SR 776 from Riverwood South Entrance to CR 771 is programmed in the FDOT District Adopted Work Program of July 19, 1996 in fiscal year 1999/2000. This is not in the "current three years" of the Work Program as required by Rule 9J-2.045, Florida Administrative Code. It should not be considered committed and the calculations adjusted accordingly.

c. Table 21A-1:

i. The segments shown, in many instances, are not broken down adequately to reflect prevailing conditions. The segments of roadways should match those identified in the Concurrency Management System of the local jurisdiction.

ii. The Signal Class column does not appear to accurately represent the actual signals per mile for the segment identifications recommended in 1.c.i. above. For example, SR 776 from CR 771 to Cornelius Boulevard is broken down by Charlotte County into several segments with signal class varying from Unsignalized to Class Ia. In addition, I-75 is a Group 2 freeway for this area of Sarasota and Charlotte Counties. Please correct.

iii. The area type plays a significant part in the determination of the maximum service volume for the adopted LOS standard. Yet, the table does not provide this information. Further review reveals that the area type is listed in Tables 21.D-1 and -2. However, the service volumes shown in the "Capacity @ LOS C" column in Table 21A-1 do not appear to coincide with those in the later tables. Please clarify.

iv. It is unclear as to the source of the service volumes listed for many of the segments, especially for the Collector roads, US 41 and Toledo Blade Boulevard. Please give additional information which identifies more specifically from where the SVs were derived. For example, there are several collector roadways identified which have SVs which are different from each other and from the FDOT generalized tables. If the FDOT spreadsheets (i.e., ART-PLAN or ART-TAB) were used to determine the SVs, copies of the spreadsheets should be provided (floppy disk copies can be submitted in lieu of hard copies).

2. Question 21.B:

a. It is noted in the text that the analysis does not include an analysis of the conditions relating to the final phase of the project (2012 through 2017). A condition will be added to the development order which requires that a reanalysis of the transportation aspects of the project be performed prior to any development beyond the year 2011.

b. Table 21.B-1:

i. Does not specify the number of golf course holes, tennis courts, or other amenities which might be included in the "recreational facilities", from where were these numbers derived?

ii. Is unclear as to whether the 1,000,000 square feet of commercial and 500,000 square feet of office will include the "Town Center" or if this will be additional square footage or if the Town Center is on the City's parcel which is not considered a part of the DRI. If it is to be additional square footage, the trip generation should reflect this.

iii. The source of the split between general office and medical office is unclear. Please clarify. A condition may be required in the development order which limits the amount of medical office which is permitted within the DRI.

c. Tables 21.B-2 and 21.B-3:

i. It is unclear from the tables as to whether the trip generation was performed for each phase based on only the new square footages/dwelling units for that phase or if it was performed cumulatively. Please clarify.

ii. Was any pass-by capture assumed for the project? If so, how much.

iii. The retail square footage appears to have been generated using the overall square footage for the development. However, the parcels are spread throughout the entire development and would likely not act as a regional mall which would reduce the overall average trip generation rate. Please reanalyze using the individual lots by phase for these shopping center parcels.

d. Table 21.B-4: The comparison to the FSUTMS trip generation module is provided in this table. Staff was unable to load or run the model using the information provided by the applicant on floppy disk. Please provide on floppy disks **all input and output files** used in the analysis. Comments on the comparison of the trip generation will be provided upon receipt and analysis of this information.

3. Question 21.C: Once again, staff was unable to load or run the FSUTMS information provided. Comments on the internal capture will be provided upon receipt and analysis of this information. However, it should be noted that the information provided in Table 21.C-1 does not coincide with that provided in Table 21.B-3. Please clarify.

4. Question 21.D:

a. Once again, staff was unable to load or run the FSUTMS information provided. Comments on the future volumes will be provided upon receipt and analysis of this information. However, some preliminary comments follow.

b. It is unclear as to why the socio-economic data was not interpolated between the year 2000 and 2010 data for Year 2006 and between the year 2010 and 2020 for Year 2011. Please clarify.

c. A review of the ZDATA files yielded the following:

i. ZDATA1 files show that there are 9% vacant units for single family and 23% vacant units for multi family land uses. This is unacceptable. The development is to be analyzed considering 100% occupancy.

ii. ZDATA2 files show commercial employee figures which appear to be low for the square footage proposed in the development. The sources cited in Question 10 yield numbers which are higher with the exception of the "Bonita Bay Survey" and the "Coastal Mall Survey". Staff was not able to duplicate the calculations since these documents have not been provided. In addition, the applicability of these developments' socio-economic characteristics are not clear. The Bonita Bay development is a private gated community and a Mall is not envisioned in the Marsh Creek development. Please clarify.

d. The addition of the North Port Boulevard Extension and Marsh Creek Boulevard are acceptable. A condition will be needed in the development order which requires their construction by the end of the phases specified.

e. The input and output files which were generated by the selected zone analysis of FSUTMS should be provided on floppy disk.

f. It is unclear as to how the percentage of trips was applied to the daily numbers to determine the peak hour volumes for the project. The peak hour percentage for the DRI appears to be in the neighborhood of 9.5%. However, the numbers in Tables 21.E-1 and -2 have a range from 8% to 9.6%. Please clarify.

g. The future year model runs should include the socio-economic data for the proposed City of North Port development along Sumter Boulevard. The ZDATA files do not appear to include the appropriate employees, etc.

5. Question 21.E:

a. Once again, staff was unable to load or run the FSUTMS information provided. Comments on the future year analyses will be provided upon receipt and analysis of this information. However, some preliminary comments follow.

b. The determination of significant impact is, according to Rule 9J-2.045, FAC, based on the adopted level of service maximum service volume.

6. Question 21.F:

a. Once again, staff was unable to load or run the FSUTMS information provided. Comments on the future year analyses will be provided upon receipt and analysis of this information. However, some preliminary comments follow.

b. The service volumes used in the analysis should reflect the previous comments listed above.

c. The proportionate share calculation states that the FDOT District 1 Construction Department provided the cost estimates used. Please provide documentation of such correspondence.

i. The cost per mile figures shown for the US 41 improvements appear to be low considering the FDOT document entitled 1995-96 Transportation Costs.

ii. The figures used for the Toledo Blade Boulevard improvements are for a rural cross section. Is right-of-way available? Will the County accept the use of a rural cross section?

7. Question 21.G: The access locations are not clearly identified on the Master Plan. Please clarify. The access points proposed on the Master Plan should coincide with those used for centroid connectors in the FSUTMS model runs. Why is no access assumed from TAZ 745 to North Port Boulevard Extension? from TAZ 591 to Sumter Boulevard? etc.

Question 24 - Housing

1. The employment figures for the 1,000,000 square feet of commercial space appear low. Please explain how these figures were derived.

2. Please provide the supply data (summarized in Table 24.B-3 of the ADA) that was used to identify affordable for sale and for rent units in the area surrounding the Marsh Creek site.

Question 25 - Police and Fire Protection

Q-25-A. What will be the maximum response time of the North Port Police Department to the Marsh Creek development?

Q-25-B. Has the applicant determined whether the project has adequate fire flow protection? Please discuss what measures will be taken to ensure that adequate fire flow will be available to the project?

Q-25-B. Please indicate if it is the applicant's commitment to provide onsite pumping, storage, and/or sprinkler systems as necessary to meet the fire flow demands where it exceeds 1000 G.P.M.?

000466

SARASOTA COUNTY GOVERNMENT
SARASOTA, FLORIDA

Planning Department

P.O. Box 8
Sarasota, Florida 34230-0008
Telephone (813) 951-5140
FAX (813) 951-5593

December 17, 1996

Dan Trescott, DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive
North Fort Myers, Florida 33917

Re: Marsh Creek Development of Regional Impact (DRI) Application for Development Approval (ADA) - First Sufficiency Review

Dear Mr. Trescott:

On November 25, 1996, the Planning Department received the above referenced Application for Development Approval (ADA). After review of this Application, Sarasota County requests that the sufficiency questions and clarifications contained within Attachment A be addressed to ensure that the Application is complete.

Since Sarasota County's review is a cooperative effort between the Planning Department and the Development Review Committee, our request for additional information and clarifications is a compilation of the concerns of the various County Departments. To ensure that the intent of all requests and potential problems are understood, we have included all correspondence between the Development Review Committee and the Planning Department (refer to Attachment B).

If you have any questions regarding this matter, please contact this office at (941) 951-5140.

Sincerely,

Tom Polk

Thomas Polk
Planner
Current Planning Division

Attachments

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ATTACHMENT A

FIRST SUFFICIENCY REVIEW OF THE MARSH CREEK DRI ADA

Maps

1. (Map H)
The Sarasota-Manatee MPO recommends that the Applicant work jointly with the City of North Port Department of Public Works to determine specific locations of pedestrian, bicycle and handicap facilities. The MPO staff suggests construction of convenient crossings between the residential uses located south of Price Boulevard, and recreational, commercial, and office land uses located north of it to encourage exercising, walking and bicycling activities.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

2 (Map H)
The Sarasota-Manatee MPO recommends that the Applicant construct convenient crossings between the 22 acre lot and the 84 acre lot located to the east and west sides of Sumter Boulevard south of Price Boulevard.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

General Project Description

1. (Question 10 A., Page 10-2)
The Applicant has indicated that the proposed development rates and phasing dates are best estimates and shall be considered non-binding. Given the fact that the analyses for this project are based upon these "best estimates," what assurances can be given by the Applicant that the assessment of created impacts and the projected timing of needed improvements are accurately reflected and will be followed by the developer?

It appears from these ADA statements, that the Applicant is requesting the overall approval of the DRI without the adherence to any development phasing or acreage totals. Has the Applicant considered the Application for Master Development Approval (AMDA) process? By utilizing the AMDA process, the Applicant would have overall approval of the project with the flexibility to develop incremental portions of the project pursuant to market demand and economic conditions.

1. 2. (Question 10 C, pages 10-4 & 10-5)

The Department of Environmental Protection (DEP) has requested coordination of unresolved landfill monitoring issues with the following individuals in the Southwest District Office in Tampa: Bob Butera (813) 744-6100 ext. 151, or Allison Amran (813) 744-6100 ext. 336.

According to Division records, the DEP recently issued a Notice of Ordinance Violation concerning lack of adequate monitoring for this closed landfill site. Because of potential negative impact to Sarasota County's ground water resources, the Division requests the Applicant provide copies of all information, as it becomes available, relevant to the following:

a) Final resolution of the long-term monitoring agreement and responsible party name;

b) Copies of construction plans for anticipated projects to be built within the closed landfill tract. It is understood that this 367 acre parcel will be eventually included within the DRI scope;

c) Additional landfill closure assessments and/or documents. The DRI information indicates this tract is only partially closed at this time; and

d) Water quality monitoring reports.

(Refer to Pollution Control Division comments, dated December 16, 1996.)

3. (Map H and Questions 10.2.A, 10.2.B, pages 10-8 and 10-11)

Has the Applicant contacted the Sarasota County Transit Authority (SCAT) in regards to determination of the timing for obtaining public transit services to the development site and specific placement of transit facilities? These facilities may include, but are not limited to, bus shelters, bus stops and bus pull offs. Furthermore, the internal traffic circulation system and parking arrangements as shown on Map H, Preliminary Master Plan, should be adequately designed to accommodate both transit and bicycle traffic generated from the proposed mixed office, residential, and commercial land uses.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

4. (Question 10 C, page 10-12)

Goal 8 requires that new development be compatible with existing local and regional water supplies. This goal also requires the protection of surface and ground water quality. The questionnaire answer provided by the Applicant states that this will be accomplished by compliance with SWFWMD.

For clarification purposes, the Applicant should be aware that protection of the surface and ground water quality within any incorporated area of Sarasota County, also requires compliance with Ordinance 96-020, Sarasota County Water Pollution Control Code.

(Refer to Pollution Control Division comments, dated December 16, 1996.)

Wastewater Management

1. (Question 18 C.2., page 18-3)

Question C.2. of the ADA questionnaire requires identification of required capital improvements, cost, timing, and proposed responsible entity. The Applicant's provided answer was "N/A."

According to Sarasota County records, the City of North Port wastewater treatment facility is currently permitted at 1.5 million gallons per day (MGD) of flow. Through October 1996, the average annual daily flow (AADF) was 1.116 MGD. The DRI projections for additional wastewater requirements are for increased flows of 0.592 MGD by the end of construction. DEP may allow expansion of the permit capacity to 2.0 MGD, ONLY after possible additional treatment plant construction, demonstration of flow capacity, and modification of the existing permit are completed.

Even without the inclusion of the wastewater flows generated from projected growth, within the same time frame, in the City of North Port outside of the DRI impact area, the current 1.5 MGD permitted capacity WILL NOT accommodate all of the projected additional DRI flows.

(Refer to Pollution Control Division comments, dated December 16, 1996.)

Transportation

1. (Question 21 B, Table 21-B-2)
Please reference the equation or the ITE rate used in estimating project generated trips for each land use category.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

2. (Question 21 D, Tables 21-D-1 and 21-D-2)
The Applicant needs to demonstrate that background traffic takes into account the current growth factors as well as all committed DRIs within the study area. Therefore, the Applicant should identify all approved or currently under construction major commercial and residential developments used in estimating years 2006 and 2011 (Phases II and III) background traffic. It is unclear which approved developments were included in the background traffic.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

3. (Question 21-F, page 21-8)
Intersection capacity analyses were not provided for all the proposed eleven (11) access points to the development. Additionally, the project trips entering and exiting the project site

are not included in the analyses and should be shown on subsequent graphics for each phase of the development.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

4. (Question 21-F, Tables 21.F-3 and 21.F-4)
The Applicant should provide a separate table containing a list for the improvement projects to be constructed, the projected date for completion for the construction of improvements, the party responsible for construction of each improvement project and the cost of improvements. The proportionate cost for capacity improvement projects should include preliminary engineering, environmental impact, design, rights-of-way acquisition, utility relocation and construction.

In regard to Price Boulevard widening from two lanes to four lanes between North Port Boulevard and Sumter Boulevard, the Applicant should also list the value of right-of-way donated for this improvement project.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

5 (Question 21-F, page 21-10)
Since the Applicant is intending to derive vehicular access onto Appomattox Drive, it should be the Applicant's responsibility to improve this facility along the entire property frontage between Sumter Boulevard and North Port Boulevard.

Additionally, the Applicant should be required to construct acceleration and deceleration lanes in conformance with the City of North Port design standards at all the proposed access roads onto the development.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

6. (Question 21-F, page 21-12)
The proposed eleven (11) access points from Marsh Creek Development will minimize the impact of the proposed development on the surrounding public streets, but also will create major through traffic movements through the development. Non-development traffic is considered a potential threat to the quality of life and safety of children walking, biking or playing. Therefore, the Sarasota-Manatee MPO recommends that the Applicant reduce the number of access points from and to the residential area and provide a clear and revised access plan which depicts all site access locations.

(Refer to Sarasota-Manatee MPO comments, dated December 12, 1996.)

ATTACHMENT B

SARASOTA COUNTY GOVERNMENT

INTEROFFICE MEMORANDUM

REVIEW COMMENT FORM

TO: Thomas Polk, Planner, Current Division, Planning Department

FROM: Christopher A. Dilley, P.E., Engineer III, Pollution Control Division

RE: First Sufficiency Review Comments Marsh Creek, Development of Regional Impact (DRI) Application for Development Approval (ADA)

DATE: December 16, 1996

☐ The submittal is insufficient. Additional information is required as follows:

PROPOSED COMMENTS:

1. Reference: Question 10-General Project Description (pages 10-4 & 10-5, Section C (re: closed landfill information).

The Department of Environmental Protection (DEP) has requested coordination of unresolved landfill monitoring issues with the following individuals in the Southwest District Office in Tampa: Bob Butera (813) 744-6100 ext. 451, or Allison Amran (813) 744-6100 ext. 336.

According to Division records, the DEP recently issued a Notice of Ordinance Violation concerning lack of adequate monitoring for this closed landfill site. Because of potential negative impact to Sarasota County's ground water resources, the Division requests the applicant provide copies of all information, as it becomes available, relevant to the following:

a. Final resolution of the long-term monitoring agreement and responsible party name.

b. Copies of construction plans for anticipated projects to be built within the closed landfill tract. It is understood that this 367 acre parcel will be eventually included within the DRI scope.

c. Additional landfill closure assessments and/or documents. The DRI information indicates this tract is only partially closed at this time.

d. Water quality monitoring reports.

Tom Polk, Planner
Page Two

2. Reference: Question 10-General Project Description (page 10-12, Section C, paragraph Water Resources.)

Goal 8 requires that new development be compatible with existing local and regional water supplies. This goal also requires the protection of surface and ground water quality. The questionnaire answer provided by the applicant states that this will be accomplished by compliance with SWFWMD.

For clarification purposes, the Division would like to state that protection of the surface and ground water quality within any incorporated area of Sarasota County, also requires compliance with the Division's Ordinance 96-020, Sarasota County Water Pollution Control Code.

3. Reference: Question 18 - Wastewater Management (page 18-3, paragraph C.2.)

Paragraph C.2. of the questionnaire requests identification of required capital improvements, cost, timing, and proposed responsible entity. The applicant's provided answer was "N/A."

PLEASE PROVIDE ADDITIONAL INFORMATION/EXPLANATION.

According to Division records, the City of North Port wastewater treatment facility is currently permitted at 1.5 million gallons per day (MGD) of flow. Through October 1996, the average annual daily flow (AADF) was 1.116 MGD. The DRI projection for additional wastewater requirements are for increased flows of 0.592 MGD by the end of construction. DEP may allow expansion of the permit capacity to 2.0 MGD, ONLY after possible additional treatment plant construction, demonstration of flow capacity, and modification of the existing permit are completed.

The current 1.5 MGD permitted capacity WILL NOT accommodate all of the projected additional DRI flows even without the inclusion of wastewater flows generated from projected growth in the City of North Port outside of the DRI impact area, but within the same projected time frame.

DRI96.017

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MPO
Metropolitan Planning Organization

Commissioner Joe McClash, Chairman
Commissioner David Mills, Vice Chairman

Commissioner Jonathan Bruce
Manatee County

Mayor Bob Drohlich
Town of Longboat Key

Councilman David Farley
City of Venice

Councilman Joe Hampton, Jr.
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Commissioner A. Buddy Hughes
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Commissioner Joe McClash
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Commissioner David Merrill
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Commissioner David Mills
Sarasota County

Commissioner Jack O'Neil
Sarasota County

Commissioner Nora Patterson
City of Sarasota

Councilwoman Saundra Rahn
City of Bradenton

Mayor Chuck Shumard
Anna Maria, Bradenton Beach & Holmes Beach

Commissioner Shannon Staub
Sarasota County

Commissioner Stan Stephens
Manatee County

Commissioner Greg Young
Sarasota Manatee Airport Authority

David A. Twiddy, Jr., District Secretary
Florida Department of Transportation

Michael W. Guy
Executive Director

Sarasota/Manatee Metropolitan Planning Organization

7632 301 Boulevard
Sarasota, Florida 34243

(941) 359-5772
SunCom 549-5772

Fax (941) 359-5779
SunCom (Fax Line) 549-5779

December 12, 1996

Mr. Tom Polk, Planner
Sarasota County Planning Department
Post Office Box 8
Sarasota, Florida 34230

RE: Marsh Creek Development of Regional Impact (DRI) Application for Development Approval (ADA)-First Sufficiency Review

Dear Tom:

In response to your letter dated December 3, 1996, I have completed the review of the first sufficiency response on the referenced DRI project and provide the following comments:

1. Recommendation in regard to the transit: the Applicant should work jointly with the Sarasota County Transit Authority (SCAT) to determine the timing for obtaining public transit services to the development site and specific placement of transit facilities. These facilities may include, but not limited to, bus shelters, bus stops and bus pull offs. Furthermore, the internal traffic circulation system and parking arrangements as shown on Map H, Preliminary Master Plan, should be adequately designed to accommodate both transit and bicycle traffic generated from the proposed mixed office, residential, and commercial land uses.

2. Recommendation in regard to "on-site" non-vehicular facilities: the Applicant should work jointly with the City of North Port Department of Public Works to determine specific locations of pedestrian, bicycle and handicap facilities. The MPO staff suggests construction of convenient crossings between the residential uses located south of Price Boulevard, and recreational, commercial, and office land uses located north of it to encourage exercising, walking and bicycling activities.

3. Map H, Preliminary Master Plan: Same comment as No.2: we suggest the Applicant to construct convenient crossings between the 22 acres lot and the 84 acres lot located east and west sides of Sumter Boulevard south of Price Boulevard.

4. Intersection capacity analysis were not provided for all the proposed eleven (11) access points to the development. Also the project trips entering and exiting the project site are not included in the analyses and should be shown on subsequent graphics and for each phase of the development.

5. Table 21-D-1 & Table 21-D-2: The Applicant needs to demonstrate that background traffic takes into account the current growth factors as well as all committed DRI's within the study area. Therefore, the Applicant should identify all approved or currently under construction major commercial & residential developments used in estimating years 2006 and 2011 (Phases 11 and 111) background traffic. It is unclear which approved developments were included in the background traffic.

6. The Applicant should be required to construct acceleration and deceleration lanes in conformance with the City of North Port Design standards at all the proposed access roads onto the development.

7. Table 21.F- 3 & & 21.F-4: The Applicant should provide a separate table containing a list for the improvement projects to be constructed, the projected date for completion for the construction of improvements, the party responsible for construction of each improvement project and the cost of improvements. The proportionate cost for capacity improvement projects should include preliminary engineering; environmental impact, design, rights-of-way acquisition, utility relocation and construction.

In regard to Price Boulevard widening from two-lanes to four-lanes between North Port Boulevard and Sumter Boulevard, the Applicant should also list the value of right-of- way donated for this improvement project.

8. Since the Applicant is intended to derive vehicular access onto Appomattox Drive , it should be the applicant's responsibility to improve this facility along the entire property frontage between Sumter Boulevard and North Port Boulevard.

9. Page 21-12: The proposed eleven (11) access points from March Creek Development will minimize the impact of the proposed development on the surrounding public streets, but also will create major through traffic movements through the development. Non- development traffic is considered potential threats to the quality of life and safety of children walking, biking or playing. Therefore, we recommend the Applicant to reduce the number of access points from and to the residential area and provide clear and revised access plan which shows all site access locations.

10. Table 21-B-2: Please reference the equation or the ITE rate used in estimating project generated trips for each land use category.

11. Map J of the existing highway and transportation network within the study area is missing and not included in the ADA report.

If you have any questions on this matter, please call me at 359-5772.

Sincerely,

Mark Shbeib
Principal Planner

MS:ss

c. Juan Florensa, City of North Port Public Works

SARASOTA COUNTY GOVERNMENT

INTEROFFICE MEMORANDUM

TO: Tom Polk, Planner, Current Division, Planning Department

FROM: Francisco B. Domingo, P.E., Transportation Planning Manager

SUBJECT: Marsh Creek DRI-ADA First Sufficiency Review

DATE: December 12, 1996

Transportation Planning has reviewed the transportation related sections of the Marsh Creek Development of Regional Impact Application for Development Approval, and it is sufficient for our final review.

SARASOTA COUNTY GOVERNMENT

SARASOTA COUNTY
DEC 16 1996
PLANNING
DEPARTMENT

Inter Office Memorandum

TO: Tom Polk, Planner, Current Planning

THROUGH: R.J. Waterston, P.E., Manager, Stormwater Environmental Utility RJW

FROM: Raed Khawaja, Engineer II, Stomwater Environmental Utility RMK

SUBJECT: **Marsh Creek Development of Regional Impact (DRI)**
Application for Development Approval (ADA)

DATE: December 13, 1996

We have reviewed the above subject project and find the information provided sufficient to conclude that the project will not have an adverse impact on the Sarasota County's receiving drainage system. Therefore, Stormwater Environmental Utility formal review of the subject project is not required.

cc: Kirk Bagely, Chief Inspector, S.E.U.

SARASOTA COUNTY GOVERNMENT

INTEROFFICE MEMORANDUM

TO: Thomas Polk, Planner, Current Division, Planning Department

FROM: James Dierolf, Environmental Specialist III, Resource Permitting Division

SUBJECT: Marsh Creek DRI - Application for Development Approval (ADA) First Sufficiency Review

DATE: December 13, 1996

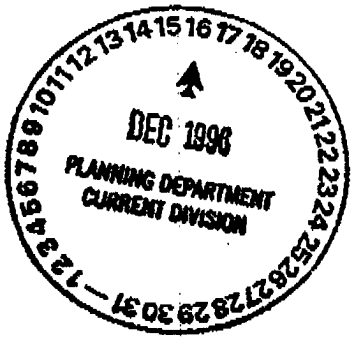
RECOMMENDATION

The Resource Permitting Division has no sufficiency questions of the above referenced petition.

REPORT

The ADA is located within North Port city limits. The Environment Chapter of Apoxsee can not be applied to this petition.

Should you have any questions in regard to this matter, please contact me at 378-6113.



cc: Laird Wreford, Natural Sciences Division

From: Gary Bennett
To: PLANNING.TPOLK
Date: 12/10/96 7:55am
Subject: Marsh Creek-DRI

Tom,

My review of the Marsh Creek development shows it within the City limits of North Port therefore collection issues for solid waste,recycling and yard waste would be handled by the City. The County has adequate solid waste disposal and recycling facilities to handle the waste stream generated at build out of 1800 residential units.

Should you have questions please call.
Gary

CC: DBULLOCK

From: Gary Bennett
To: PLANNING.TPOLK
Date: 12/10/96 8:01am
Subject: Marsh Creek-DRI -Forwarded

Tom,

I forgot to mention the 1.5 million gross square feet of commercial space included in the development. The County also has capacity to handle the waste stream generated by this development.
Gary

Charlotte County-Punta Gorda
METROPOLITAN PLANNING ORGANIZATION
28000 Airport Road, A-6, Punta Gorda, Florida 33982 (941)639-4676 FAX 639-8153
EMAIL:CCMPO@PEGANET.COM

Councilman William F. Richards
Vice-Chairman

Commissioner Adam Cummings
Chairman

Lisa B. Beever, PhD
Director

December 19, 1996

Ms. Maureen Swenson, Transportation Engineer
Southwest Florida Regional Planning Council
P.O.Box 3455
N. Fort Myers, FL 33918-3455

Re: Marsh Creek DRI

Dear Maureen:

First of all, I wanted to compliment the applicant on the quality of the transportation resource impact submittal. I was able to decipher the methods used easily and it is the best DRI transportation impact assessment that I have reviewed. MPO staff does have a few remaining questions.

ZDATA1

- The Zdata1 files show some vacant and non-permanent residents for the Single Family and Multi-Family Units. By convention, transportation impacts for DRIs are assesssed using 100% occupancy. What are the impacts once vacant and non-permanent fields are at 0?
- How did you arrive at 1,159 Multi-Family population for 1,000 Multi-Family Units and 1,594 Single-Family population for 700 Single-Family units?

ZDATA2

- How did you arrive at the commercial employment numbers?

NETWORK

- At Pre-Application, MPO staff asked for additional roads in CharlotteCounty to be considered which were not. Based on review of the traffic model that was submitted, impact review of additional roads in Charlotte are not warranted. However, MPO staff reserves the right to consider impacts to additional roads if there are changes to the traffic model files.

Again, I think the applicant did a nice job on the traffic impact assessment as it relates to Charlotte County. Please call me if you need additional information.

Sincerely,

Lisa B. Beever, PhD, AICP
MPO96/254

FLORIDA GAME AND FRESH WATER FISH COMMISSION

JULIE K. MORRIS, Sarasota
QUINTON L. HEDGEPETH, DDS, Miami
MRS. GILBERT W. HUMPHREY, Miccosukee
THOMAS H. KIBLER, Lakeland

ALLAN L. EGBERT, Ph.D., Executive Director
WILLIAM C. SUMNER, Assistant Executive Director

RECEIVED BY OEO
SEP 11 1996
OFFICE OF ENVIRONMENTAL SERVICES

Office of Environmental Services
29200 Tuckers Grade
Punta Gorda, Florida 33955
September 9, 1996

Mr. Daniel L. Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive
4th Floor
North Fort Myers, Florida 33917-3909

RE: Marsh Creek DRI, Sarasota County, Preapplication Review

Dear Mr. Trescott:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission has reviewed the referenced Pre-Application for Development Approval for "Marsh Creek Development of Regional Impact" in Sarasota County, received September 3, 1996, for sufficiency and offers the following comments.

The proposed project consists of a residential mixed-use, golf course community in the City of North Port. We have provided information to the applicant concerning listed species in the enclosed letter, dated August 21, 1996.

We recommend that the applicant answer all standard questions concerning Wildlife, Wetlands, and Vegetation including:

A. Identify the dominant species and other unusual or unique features of the plant communities on Map F. Identify and describe the amount of all plant communities that will be preserved in a natural state following development as shown on Map H.

B. Discuss what survey methods were used to determine the absence or presence of state or federally listed wildlife and plants. State actual sampling times and dates, and discuss any factors that may have influenced the results of the sampling effort. Show on Map G the location of all transects, trap grids, or other sampling stations used to determine the on-site status of state or federally listed wildlife and plant resources. Provide a 1"=200 feet aerial of the project site with listed species locations and territories indicated.

C. List all state or federally listed wildlife and plant resources that were observed on the site and show location on Map G. Given the plant communities on-site, list any additional state or federally listed wildlife and plant resources expected to occur on the site and show the location of suitable habitat on Map G. Additionally, address any unique wildlife and plant resources, such as colonial bird nesting sites and migrating bird concentration areas. For species that are either observed or expected to utilize the site, discuss the known or expected location and population size on-site, existence and extent, if known, of adjacent, contiguous habitat off-site, and any special habitat requirements of the species.

D. Indicate what impact development of the site will pose to affected state or federally listed wildlife and plant resources.

E. Discuss what measures are proposed to be taken to mitigate impacts to state and federally listed wildlife and plant resources. If protection is proposed to occur on-site, describe what legal instrument will be used to protect the site, and what management actions will be taken to maintain habitat value. If protection is proposed to occur off-site, identify the proposed amount and type of lands to be mitigated as well as whether mitigation would be through a regional mitigation land bank, by acquisition of lands that adjoin existing public holdings, or by other means.

We recommend the project site be surveyed for listed species, including a breeding season and an acorn-caching season survey for Florida scrub jay. The method utilized for identification of Florida scrub jay habitat and Florida scrub jay surveys is specified in the Nongame Technical Report No. 8: "Ecology and development-related habitat requirements of the Florida scrub jay (*Amphelocoma coerulescens*). Please have the applicant provide results of the scrub jay surveys and habitat mapping to me and the U.S. Fish and Wildlife Service for review when completed.

Please contact me at (941) 639-3515, SUNCOM 721-7570, if you have any questions.

Sincerely,

James W. Beever III

James W. Beever III
Biological Scientist III

JWB
ENV 1-11-3
marshcre.dr1

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF HISTORICAL RESOURCES

December 11, 1996

Mr. Wayne E. Daltry
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
N. Ft. Myers, Florida 33917-3909

In Reply Refer To:
Scott B. Edwards
Historic Sites Specialist
(904) 487-2333
Project File No. 964807

RE: Cultural Resource Assessment Request
"Marsh Creek" Development of Regional Impact
DRI #08-9697-137
North Port, Sarasota County, Florida

Dear Mr. Daltry:

In accordance with this agency's responsibilities under Section 380.06, Florida Statutes, we have reviewed the information in the Florida Master Site File to determine whether any historic properties are recorded in the referenced project area, and also to determine the potential for such properties which are presently unrecorded to be located within it.

We note that a Cultural Resource Assessment Survey was conducted for the Marsh Creek DRI by Archaeological Consultants, Inc. in July 1996. Based on the negative results of their survey, it is the opinion of this office that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical or architectural value. The project may proceed.

If you have any questions concerning our comments, please do not hesitate to contact us. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura A. Kammerer for

George W. Percy, Director
Division of Historical Resources
and
State Historic Preservation Officer

GWP/Ese

RECEIVED
DEC 19 1996
S.W. FLORIDA REGIONAL
PLANNING COUNCIL

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

EMERGENCY MANAGEMENT • HOUSING AND COMMUNITY DEVELOPMENT • RESOURCE PLANNING AND MANAGEMENT

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

December 16, 1996

Mr. Wayne Daltry, Executive
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33918-3455

Re: Marsh Creek ADA
City of North Port, Sarasota County
DCA File No. 997-007

Dear Mr. Daltry:

The Department has completed its sufficiency review of the Marsh Creek DRI Application for Development Approval received on November 19, 1996.

In its review, staff noted that under Part 2, Consistency with Comprehensive Plans (p. 10-6), the applicant states that the entire project lies within the Urban Infill Area and that the majority of the project site is located within a designated Future Growth Area (FGA), a designation that allows for the mix of uses proposed. The applicant should identify the extent and location of projects lands not within the FGA and discuss whether the proposed uses for these lands are consistent with adopted Future Land Use Map (FLUM) designations. If proposed uses are not allowed within the current FLUM designation, a plan amendment would be required.

The Department has no other comments at this time. Please contact Harry Schmertmann at (904) 922-1816 if you have any questions regarding this matter.

Sincerely,

Charles Gauthier, AICP
Growth Management Administrator

CG/hs

cc: Sam Jones, North Port Planning Director
Betsy Benac, Wilson, Miller, Barton & Peek, Inc.

DEC-19-1996 14:58

Post-it® Fax Note 7671 | Date 12/19/96 | # of pages ▶ 7
To Dan Trescott | From Traci W. for Kim Dryden
Co./Dept. SWFRPC | Co. GFC
Phone # | Phone # 904-488-6661
Fax # 941-656-7724 | Fax # 904-922-5679

Reply

WATER FISH COMMISSION

JULIE K. MORRIS, Sarasota — Miami

BERT W. HUMPHREY, Miccosukee — THOMAS B. KIBLER, Lakeland — JOE BRUNER, Destin

December 17, 1996

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, Director
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(904) 488-6661
SUNCOM 278-6661
FAX (904) 922-5679
TDD (904) 488-9542

Mr. Wayne E. Daltry, Executive Director
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33917-3909

RE: Marsh Creek DRI #08-9697-136, Sarasota County, Application for Development Approval Sufficiency

Dear Mr. Daltry:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has reviewed the referenced Application for Development Approval for Marsh Creek Development of Regional Impact, received November 22, 1996, and offers the following comments regarding its sufficiency.

The proposed project consists of a 831.38-acre residential mixed-use, golf course community in the City of North Port. We previously provided information to the applicant concerning listed species in our letters dated August 21, 1996, and September 9, 1996 (attached).

Listed species identified on the site include the Florida scrub jay, wood stork, tricolored heron, little blue heron, gopher tortoise, and American alligator. The applicant has identified 19 active and 43 inactive gopher tortoise burrows, as well as one scrub jay family, on the site. The applicant proposes to preserve 45 acres of wetlands and to establish a 26.04-acre preserve area, for the Florida scrub jay and gopher tortoise, adjacent to an existing Myakkahatchee Creek Preserve. The applicant indicates that the upland preserve area will be protected by a conservation easement, and managed to provide habitat in perpetuity for the Florida scrub jay and gopher tortoise. Gopher tortoises located in areas to be developed will be relocated to the preserve area.

In order to evaluate the preservation proposal, we request the following additional information:

1) The Florida scrub jay has been documented as nesting on the site. Has the applicant found the recent nest location on the site? If so, please indicate on Map G.

000487

2) Describe the conservation easement that will be used to protect the joint gopher tortoise and Florida scrub jay preserve area. In order to address listed species concerns for the project, the GFC should be an easement holder for the preserve.

3) Provide an estimate of the total upland preserve acreage, including buffer areas, by habitat type. Provide the number of acres of Type I and Type II scrub jay habitat, as specified in the Nongame Technical Report No. 8: "Ecology and development-related habitat requirements of the Florida scrub jay (*Amphelocoma coerulescens*)", that will be preserved and impacted.

4) Indicate whether the 45 acres of wetland preserve will be protected by a conservation easement.

5) The management actions proposed to maintain the habitat value of the on-site preserves should be included in a Wildlife and Habitat Management Plan submitted to the GFC and the U.S. Fish and Wildlife Service for review, during the sufficiency review process.

Please contact me or Mr. Jim Beever at (941) 575-5765, SUNCOM 765-5765, if you have any questions.

Sincerely,

Brian Barnett

Brian S. Barnett, Assistant Director
Office of Environmental Services

BSB/JWB
ENV 1-11-3
marshcre.dr2
Enclosures
cc: Mr. Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
C/o Kerkering, Barbario & Company
1858 Ringling Boulevard
Sarasota, Florida 34236

USFWS, Vero Beach

DCA, Tallahassee

Southwest Florida Water Management District

2379 Broad Street • Brooksville, Florida 34609-6899 • 1-800-423-1476 (Florida Only) or (352) 796-7211 • SUNCOM 628-4150 • T.D.D. Number Only (Florida Only): 1-800-231-6103

7601 Highway 301 North, Tampa, Florida 33637-6759, 1-800-836-0797 or (813) 985-7481, SUNCOM 578-2070

170 Century Boulevard, Bartow, Florida 33830-7700, 1-800-492-7862 or (941) 534-1448, SUNCOM 572-6900

115 Corporation Way, Venice, Florida 34292-3524, 1-800-320-3503 or (941) 486-1212, SUNCOM 526-6900

2303 Highway 44 West, Inverness, Florida 34453-3809, (352) 637-1360

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Curtis L. Law
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John P. Harllee, IV
Bradenton
James E. Martin
St. Petersburg
Virginia S. Roo
Tampa

Peter G. Hubbell
Executive Director
Mark D. Farrell
Assistant Executive Director
Edward B. Helvenston
General Counsel

December 17, 1996

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
P.O. Box 3455
North Ft. Myers, Florida 33918-3455

Subject: Marsh Creek DRI - First Sufficiency

Dear Mr. Trescott: Dan

The Staff of the Southwest Florida Water Management District (District) has reviewed the Application for Development Approval for Marsh Creek for sufficiency of the information provided. At this time, the application appears insufficient to conduct a final review of potential water resource impacts.

Attached are questions, which if answered, should provide enough information to estimate the impacts of the proposed development.

Any findings under this review, conditions, or any developer commitments do not constitute permit approval under Chapter 373, Florida Statutes, or any rules promulgated thereunder, nor do they stand in lieu of normal permitting procedures. If I can be of further assistance, please call me in the District's Planning Department.

Sincerely,

Ian McDonald, AICP
Government Planning Coordinator

cc: Mr. Hans-Jurgen Riechardt - Marsh Creek Holdings
Ms. Betsy Benac - Wilson, Miller, Barton & Peek
Mr. Sam Jones - City of North Port

Excellence Through Quality Service

Marsh Creek DRI - First Sufficiency Review Questions

QUESTION 12 - VEGETATION AND WILDLIFE

1) Map G, Plant and Wildlife Resources shows that scrub jays were sighted in an areas proposed for residential and golf course development. In order to provide more habitat for scrub jays, would the Applicant consider construction requirements or property deed restrictions that limit the amount of tree removal and site clearing for development to that which is necessary to construct structures and paved areas and minimize lawns and turf areas? Micro-siting built elements of the development would provide a multitude of benefits including a reduction in future irrigation requirements; provision of more habitat for wildlife; reduction of erosion, surface runoff and other stormwater related problems; and an increase in overall project aesthetics which should increase property values, promote sales and increase market absorption rates.

2) Table 12.C-3 indicates only one expected/observed threatened or endangered plant species on-site, the Florida coontie. Were the hammock areas of the site examined for other potentially occurring listed plant species such as orchids, bromeliads and other epiphytes?

QUESTION 13 - WETLANDS

1) The ADA indicates that 20.6 acres of wetlands or 31.5 percent of the total on-site wetlands(65.3 acres) will be eliminated by the proposed development. This impact appears to be easily avoidable with some changes to the Master Development Plan which should not affect the gross density or intensity of development. Preservation and restoration of all on-site wetlands should actually increase the amenity values of the development thereby improving sales and prices and increasing absorption rates Additionally, the Florida Game and Freshwater Fish Commission has stated in their letter to Mr. Parke Lewis that there are priority wetlands for 4-6 listed wetland species within the proposed development. It may be possible that the wetlands proposed to be impacted are priority wetlands. Will the Applicant commit to incorporating all on-site wetlands into the Master Development Plan?

2) The ADA indicates that mitigation for wetland impacts will be in the form of preservation and enhancement of those wetlands not proposed to be eliminated. What is the acreage of wetlands to be preserved and the acreage to be enhanced? Please provide evidence that the acreage of wetlands to be preserved and enhanced will adequately mitigate the acreage, functions and values of the wetlands eliminated. Please state how the Applicant will ensure that no net loss of wetland acreage will occur as a result of the proposed

development. Please clearly identify on Map H those wetlands to be preserved and those to be enhanced and please provide a legend for Map H.

3) The destruction of wetlands F, G and H have not been adequately justified nor has it been established that the transplanting of the cabbage palms will provide benefits equal to or better than preserving these wetlands. The altering of a cabbage palm hammock and associated wetlands into rows of palms along a canal will remove interior habitat and eliminate microclimates found in hammock areas. Additionally, planting the cabbage palms along the waterways may interfere with canal maintenance operations if these trees are at low elevations along the water's edge. Please discuss in more detail how the functions and values of the cabbage palm hammocks and associated wetlands will be preserved or enhanced by the replanting of the palms along canals and discuss potential alternatives.

4) Table 13.A.4-1 shows the proposed seasonal high water levels to be maintained in each wetland and shows levels for wetlands F, H and T. However, Map H, the Preliminary Master Plan, shows these as impacted wetland areas to be developed. Please clarify the intent as to the development of these and other "impacted" wetlands on-site and revise the ADA tables and text as appropriate.

5) The response to question 13.A.5 states that wetland control elevations have been determined for each wetland and will be retained in the design of the stormwater management system. Please provide the control elevation data including control elevations for the stormwater management lake system. Also, the discussion in the response to question 13.B indicates that the water table has dropped on the project site due, in part, to the Blue Ridge and Snover waterways thereby making it difficult or impossible to restore the cabbage palm hammocks. Does this condition of a lowered natural water table exist elsewhere on-site creating the same consequences for other wetlands? To state that certain wetlands are not ecologically or economically feasible to be restored due to existing water table impacts whereas nearby wetlands will be restored and preserved seems inconsistent without adequate justification and explanation. Please discuss current and historical groundwater conditions on-site, discuss historical wetland impacts and discuss how historical hydroperiods will be restored in wetlands given the water table changes noted in the ADA.

QUESTION 14 - WATER

1) Please discuss the proposed lake system and what measures will be taken to ensure that the lake system does not negatively impact adjacent wetlands due to seepage.

2) Reuse water is proposed for irrigation on the project site. Please discuss the water quality implications of using reuse water near waterways outfalling to Myakkahatchee Creek. Is reuse water expected to be used on turf areas adjacent to the lake system or to wetlands? Has the Applicant examined any measures to reduce potential nutrient loadings to Myakkahatchee Creek and associated wetlands and waterways through such means as vegetated filtration and biological nutrient uptake systems as part of the stormwater management lake system? If ponds are proposed to be used for the storage of reuse water, what design guidelines will be used to limit the nutrient loading potential to other waterbodies and wetlands? Will these ponds contain vegetated areas that may be used to "polish" the reuse water?

3) Please describe what specific efforts will be made, if any, to protect ground and surface water quality from the negative impacts due to the use of fertilizers, pesticides and other chemicals on golf courses, landscaped areas and residential lawns and gardens. Would the applicant commit to using Integrated Pest Management (IPM) as a "Best Management Practice" (BMP) on the golf courses and other large landscaped areas?

QUESTION 17 - WATER SUPPLY

1) The City of North Port has not yet committed to providing potable water or reuse water to the project. Discussions with City staff indicate that there may not be reuse water available until the project itself starts to generate sufficient quantities of wastewater. Please provide a letter from the City regarding its ability to provide adequate quantities of potable water to the development. Please provide a letter from the City regarding its ability to provide reuse water to the development. The letters from the City should address existing quantities available to serve the development, projected time frames for the provision of specified future quantities and what increases in capacity or facilities may be needed as a result of the proposed development. Additionally, the City has not yet committed to providing wastewater treatment services to the development yet. Please provide a letter from the City regarding capacity, timing and needed wastewater system improvements required to adequately serve the proposed development.

QUESTION 19 - STORMWATER MANAGEMENT

1) Please provide the information requested in Question 19-B regarding the stormwater management system's design criteria, incorporating the wetland system, stage-storage discharge assumptions, and control elevations for all drainage structures.

COPY

FLORIDA GAME AND FRESH WATER FISH COMMISSION

ULIE K. MORRIS
Sarasota

QUINTON L. HEDGEPETH, DDS
Miami

MRS. GILBERT W. HUMPHREY
Miccosukee

THOMAS B. KIBLER
Lakeland

ALLAN L. EGBERT, Ph.D., Executive Director
WILLIAM C. SUMNER, Assistant Executive Director

Office of Environmental Services
29200 Tuckers Grade
Punta Gorda, Florida 33955
August 21, 1996

Mr. Parke Lewis, Biologist
W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901

RE: March Creek DRI, Sarasota County, Request for Information

Dear Mr. Lewis:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has received your correspondence dated June 3, 1995, requesting wildlife information on the referenced area. We have the following information.

Listed species documented to date in this area are tabulated on the attached list, and include the federally listed wood stork, Florida scrub jay and eastern indigo snake. The native habitats in the Marsh Creek DRI project, including xeric scrub, pine flatwoods, palmetto flats, and mixed-hardwood riverine forest are biological diversity hot spots for 3-7+ focal listed species, as identified in Cox, J. et al., 1994, Closing the Gaps in Florida's Wildlife Habitat Conservation System, FGFWFC. The strategic habitat conservation area mapping performed in Cox et al. indicates that areas important for a variety of listed species are found distributed along the Myakkahatchee Creek on the Marsh Creek DRI. Maps of priority wetlands for listed species (GFC) indicate that there are priority wetlands for 4-6 listed wetland wildlife species (Kautz et. al. 1994. Mapping wetland habitats for high priority to endangered and threatened species in Florida, Final Report to U. S. Environmental Protection Agency).

The Marsh Creek DRI watershed includes a part of the Myakkahatchee Creek wildlife corridor. There are currently four known Florida scrub jay families associated with Marsh Creek DRI in scrub areas paralleling the waterway. One family is found on the site and three families are found immediately north of the northwest site corner (2 families) and west of the southwest corner (1 family). A total of 9 individuals were recorded from these 4 families in 1993 surveys.

I have directly observed Florida scrub jays, wood storks, gopher tortoises, and American alligator on the site during site visits in 1992 and in July of 1996.

Eastern indigo snake, Elorida sandhill crane and evening bat have been documented in areas adjacent to the site with similar habitats.

Please contact me at (941) 639-3515, SUNCOM 721-7570, if you have any questions.

Sincerely,

James W. Beever III
Biological Scientist III

JWB/sm
ENV 1-11-3
marshcre.dri
Enclosures
CC: Mr. David Y. Burr
Assistant Director
Southwest Florida Regional Planning Council
4980 Bayline Drive
4th Floor
North Fort Myers, Florida 33917-3909

United States Fish and Wildlife Service
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34609-6899

Ms. Deborah Manz, U.S. Fish and Wildlife Service
c/o U.S. Army Corps of Engineers
P.O. Box 19247
Tampa, Florida 33686-9247

Mr. ~~Joe~~ Bacheler
Chief, Tampa Regulatory Field Office
U.S. Army Corps of Engineers
P.O. Box 19247
Tampa, Florida 33686-9247

Ms. Karolee Owens
U.S. Fish and Wildlife Service
6620 Southpoint Drive South
Suite 310
Jacksonville, Florida 32216-0912

CONFIRMED (*) AND POTENTAIL LISTED ANIMALS OF MARSH CREEK DRI SARASOTA COUNTY

Scientific Name	Common Name	Status
Alligator mississippensis*	American alligator	T-SA
Aphelocoma coerulescens*	Florida scrub jay	T
Drymarchon corais couperi	eastern indigo snake	T
Egretta caerulea	little blue heron	SSC
Egretta thula	snowy egret	SSC
Egretta tricolor	tricolored heron	SSC
Eudocimus albus	white ibis	SSC
Falco sparverius paulus	southeastern American kestrel	SSC
Gopherus polyphemus*	gopher tortoise	SSC
Grus canadensis pratensis	Florida sandhill crane	T
Haliaeetus leucocephalus	bald eagle	T
Mycteria americana*	wood stork	E
Podomys floridanus	Florida mouse	SSC
Polyborus plancus audubonii	'Audubon's crested caracara	T
Rana areolata	gopher frog	SSC
Sciurus niger shermani	Sherman's fox squirrel	SSC

Key to Listed Species Designated Status

E = Endangered
T = Threatened
T-SA = Threatened Due to Similarity of Appearance
SSC = Species of Special Concern

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FLORIDA GAME AND FRESH WATER FISH COMMISSION

JULIE K. MORRIS Sarasota
QUINTON L. HEDGEPETH, DDS Miami
MRS. GILBERT W. HUMPHREY Miccosukee
THOMAS B. KIBLER Lakeland
JOE BRUNER Destin

December 17, 1996

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, Director
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(904) 488-6661
SUNCOM 278-6661
FAX (904) 922-5679
TDD (904) 488-9542

Mr. Wayne E. Daltry, Executive Director
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33917-3909

RE: Marsh Creek DRI #08-9697-136, Sarasota County, Application for Development Approval Sufficiency

Dear Mr. Daltry:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has reviewed the referenced Application for Development Approval for Marsh Creek Development of Regional Impact, received November 22, 1996, and offers the following comments regarding its sufficiency.

The proposed project consists of a 831.38-acre residential mixed-use, golf course community in the City of North Port. We previously provided information to the applicant concerning listed species in our letters dated August 21, 1996, and September 9, 1996 (attached).

Listed species identified on the site include the Florida scrub jay, wood stork, tricolored heron, little blue heron, gopher tortoise, and American alligator. The applicant has identified 19 active and 43 inactive gopher tortoise burrows, as well as one scrub jay family, on the site. The applicant proposes to preserve 45 acres of wetlands and to establish a 26.04-acre preserve area, for the Florida scrub jay and gopher tortoise, adjacent to an existing Myakkahatchee Creek Preserve. The applicant indicates that the upland preserve area will be protected by a conservation easement, and managed to provide habitat in perpetuity for the Florida scrub jay and gopher tortoise. Gopher tortoises located in areas to be developed will be relocated to the preserve area.

In order to evaluate the preservation proposal, we request the following additional information:

1) The Florida scrub jay has been documented as nesting on the site. Has the applicant found the recent nest location on the site? If so, please indicate on Map G.

2) Describe the conservation easement that will be used to protect the joint gopher tortoise and Florida scrub jay preserve area. In order to address listed species concerns for the project, the GFC should be an easement holder for the preserve.

3) Provide an estimate of the total upland preserve acreage, including buffer areas, by habitat type. Provide the number of acres of Type I and Type II scrub jay habitat, as specified in the Nongame Technical Report No. 8: "Ecology and development-related habitat requirements of the Florida scrub jay (*Amphelocoma coerulescens*)", that will be preserved and impacted.

4) Indicate whether the 45 acres of wetland preserve will be protected by a conservation easement.

5) The management actions proposed to maintain the habitat value of the on-site preserves should be included in a Wildlife and Habitat Management Plan submitted to the GFC and the U.S. Fish and Wildlife Service for review, during the sufficiency review process.

Please contact me or Mr. Jim Beever at (941) 575-5765, SUNCOM 765-5765, if you have any questions.

Sincerely,

Brian Barnett

Brian S. Barnett, Assistant Director
Office of Environmental Services

BSB/JWB
ENV 1-11-3
marshcre.dr2
Enclosures
cc: Mr. Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
C/o Kerkering, Barbario & Company
1858 Ringling Boulevard
Sarasota, Florida 34236

USFWS, Vero Beach

DCA, Tallahassee

FLORIDA GAME AND FRESH WATER FISH COMMISSION

JULIE K. MORRIS
Sarasota

QUINTON L. HEDGEPETH, DDS
Miami

MRS. GILBERT W. HUMPHREY
Miccosukee

THOMAS B. KIBLER
Lakeland

ALLAN L. EGBERT, Ph.D., Executive Director
WILLIAM C. SUMNER, Assistant Executive Director

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SEP 11 1996
OFFICE OF ENVIRONMENTAL SERVICES

Office of Environmental Services
29200 Tuckers Grade
Punta Gorda, Florida 33955
September 9, 1996

Mr. Daniel L. Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive
4th Floor
North Fort Myers, Florida 33917-3909

RE: Marsh Creek DRI, Sarasota County,
Preapplication Review

Dear Mr. Trescott:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission has reviewed the referenced Pre-Application for Development Approval for "Marsh Creek Development of Regional Impact" in Sarasota County, received September 3, 1996, for sufficiency and offers the following comments.

The proposed project consists of a residential mixed-use, golf course community in the City of North Port. We have provided information to the applicant concerning listed species in the enclosed letter, dated August 21, 1996.

We recommend that the applicant answer all standard questions concerning Wildlife, Wetlands, and Vegetation including:

A. Identify the dominant species and other unusual or unique features of the plant communities on Map F. Identify and describe the amount of all plant communities that will be preserved in a natural state following development as shown on Map H.

B. Discuss what survey methods were used to determine the absence or presence of state or federally listed wildlife and plants. State actual sampling times and dates, and discuss any factors that may have influenced the results of the sampling effort. Show on Map G the location of all transects, trap grids, or other sampling stations used to determine the on-site status of state or federally listed wildlife and plant resources. Provide a 1"=200 feet aerial of the project site with listed species locations and territories indicated.

C. List all state or federally listed wildlife and plant resources that were observed on the site and show location on Map G. Given the plant communities on-site, list any additional state or federally listed wildlife and plant resources expected to occur on the site and show the location of suitable habitat on Map G. Additionally, address any unique wildlife and plant resources, such as colonial bird nesting sites and migrating bird concentration areas. For species that are either observed or expected to utilize the site, discuss the known or expected location and population size on-site, existence and extent, if known, of adjacent, contiguous habitat off-site, and any special habitat requirements of the species.

D. Indicate what impact development of the site will pose to affected state or federally listed wildlife and plant resources.

E. Discuss what measures are proposed to be taken to mitigate impacts to state and federally listed wildlife and plant resources. If protection is proposed to occur on-site, describe what legal instrument will be used to protect the site, and what management actions will be taken to maintain habitat value. If protection is proposed to occur off-site, identify the proposed amount and type of lands to be mitigated as well as whether mitigation would be through a regional mitigation land bank, by acquisition of lands that adjoin existing public holdings, or by other means.

We recommend the project site be surveyed for listed species, including a breeding season and an acorn-caching season survey for Florida scrub jay. The method utilized for identification of Florida scrub jay habitat and Florida scrub jay surveys is specified in the Nongame Technical Report No. 8: "Ecology and development-related habitat requirements of the Florida scrub jay (*Amphelocoma coerulescens*). Please have the applicant provide results of the scrub jay surveys and habitat mapping to me and the U.S. Fish and Wildlife Service for review when completed.

Please contact me at (941) 639-3515, SUNCOM 721-7570, if you have any questions.

Sincerely,

James W. Beever III

James W. Beever III
Biological Scientist III

JWB
ENV 1-11-3
marshcre.dr1

COPY

FLORIDA GAME AND FRESH WATER FISH COMMISSION

JULIE K. MORRIS
Sarasota

QUINTON L. HEDGEPETH, DDS
Miami

MRS. GILBERT W. HUMPHREY
Miccosukee

THOMAS B. KIBLER
Lakeland

ALLAN L. EGBERT, Ph.D., Executive Director
WILLIAM C. SUMNER, Assistant Executive Director

Office of Environmental Services
29200 Tuckers Grade
Punta Gorda, Florida 33955
August 21, 1996

Mr. Parke Lewis, Biologist
W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, Florida 33901

RE: March Creek DRI, Sarasota County, Request for Information

Dear Mr. Lewis:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has received your correspondence dated June 3, 1995, requesting wildlife information on the referenced area. We have the following information.

Listed species documented to date in this area are tabulated on the attached list, and include the federally listed wood stork, Florida scrub jay and eastern indigo snake. The native habitats in the Marsh Creek DRI project, including xeric scrub, pine flatwoods, palmetto flats, and mixed-hardwood riverine forest are biological diversity hot spots for 3-7+ focal listed species, as identified in Cox, J. et al., 1994, Closing the Gaps in Florida's Wildlife Habitat Conservation System, FGFWFC. The strategic habitat conservation area mapping performed in Cox et al. indicates that areas important for a variety of listed species are found distributed along the Myakkahatchee Creek on the Marsh Creek DRI. Maps of priority wetlands for listed species (GFC) indicate that there are priority wetlands for 4-6 listed wetland wildlife species (Kautz et. al. 1994. Mapping wetland habitats for high priority to endangered and threatened species in Florida, Final Report to U. S. Environmental Protection Agency).

The Marsh Creek DRI watershed includes a part of the Myakkahatchee Creek wildlife corridor. There are currently four known Florida scrub jay families associated with Marsh Creek DRI in scrub areas paralleling the waterway. One family is found on the site and three families are found immediately north of the northwest site corner (2 families) and west of the southwest corner (1 family). A total of 9 individuals were recorded from these 4 families in 1993 surveys.

I have directly observed Florida scrub jays, wood storks, gopher tortoises, and American alligator on the site during site visits in 1992 and in July of 1996.

Eastern indigo snake, Elorida sandhill crane and evening bat have been documented in areas adjacent to the site with similar habitats.

Please contact me at (941) 639-3515, SUNCOM 721-7570, if you have any questions.

Sincerely,

James W. Beever III
Biological Scientist III

JWB/sm
ENV 1-11-3
marshcre.dri
Enclosures
CC: Mr. David Y. Burr
Assistant Director
Southwest Florida Regional Planning Council
4980 Bayline Drive
4th Floor
North Fort Myers, Florida 33917-3909

United States Fish and Wildlife Service
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34609-6899

Ms. Deborah Manz, U.S. Fish and Wildlife Service
c/o U.S. Army Corps of Engineers
P.O. Box 19247
Tampa, Florida 33686-9247

Mr. ~~Joe~~ Bacheler
Chief, Tampa Regulatory Field Office
U.S. Army Corps of Engineers
P.O. Box 19247
Tampa, Florida 33686-9247

Ms. Karolee Owens
U.S. Fish and Wildlife Service
6620 Southpoint Drive South
Suite 310
Jacksonville, Florida 32216-0912

CONFIRMED (*) AND POTENTAIL LISTED ANIMALS OF MARSH CREEK DRI SARASOTA COUNTY

Scientific Name	Common Name	Status
Alligator mississippensis*	American alligator	T-SA
Aphelocoma coerulescens*	Florida scrub jay	T
Drymarchon corais couperi	eastern indigo snake	T
Egretta caerulea	little blue heron	SSC
Egretta thula	snowy egret	SSC
Egretta tricolor	tricolored heron	SSC
Eudocimus albus	white ibis	SSC
Falco sparverius paulus	southeastern American kestrel	SSC
Gopherus polyphemus*	gopher tortoise	SSC
Grus canadensis pratensis	Florida sandhill crane	T
Haliaeetus leucocephalus	bald eagle	T
Mycteria americana*	wood stork	E
Podomys floridanus	Florida mouse	SSC
Polyborus plancus adubonii	'Audubon's crested caracara	T
Rana areolata	gopher frog	SSC
Sciurus niger shermani	Sherman's fox squirrel	SSC

Key to Listed Species Designated Status

E = Endangered
T = Threatened
T-SA = Threatened Due tc Similarity of Appearance
SSC = Species of Special Concern

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

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MAR 27 1998
RPM BSP
PLAN PROCESSING TEAM

MEMORANDUM

TO: "*Marsh Creek*" DRI Reviewers

FROM: Dan Trescott, DRI Coordinator DLT.

DATE: March 25, 1998

SUBJECT: Assessment of "*Marsh Creek*" Application for Development Approval (ADA)

A March 6, 1998, letter was copied to you stating the application for Marsh Creek was insufficient, but that the applicant committed to providing the necessary information to declare the application sufficient. The application is now sufficient and the city is in the process of setting a public hearing. Therefore, we have scheduled the DRI assessment report for the Marsh Creek ADA to go before the SWFRPC on May 21, 1998. If you wish to submit written comments for inclusion in the staff assessment to the Council, please submit these comments in writing no later than ***May 11, 1998.***

Thank you for your continued assistance in the DRI review process.

DLT/dt

See DCA letters for 1st, 2nd & 3rd sufficiencies.
Final assessment.

Printed on Recycled Paper

Southwest Florida Regional Planning Council

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P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

RECEIVED
MAR 2

February 26, 1998

Ms. Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
6900 Professional Parkway East
SARASOTA, FL 34240-8414

RE: Third Sufficiency Report for Marsh Creek ADA, DRI # 11-9697-137.

Dear Ms. Benac:

Review of the DRI Third Sufficiency responses for the Marsh Creek ADA identified one remaining area requiring clarification and/or additional information. A copy of the staff report requesting this information is attached.

Under Chapter 380.06, Section (10)(c), Florida Statutes, the applicant has the option of providing all, some, or none of the information requested. The Statute requires that the applicant inform the Southwest Florida Regional Planning Council's staff as to which option will be followed within five (5) working days of the receipt of this certified letter. Further review of this ADA will be delayed pending election of an option and performance thereto. However, please note that once we receive this information, we will declare the application sufficient without the thirty-day review period.

Upon receipt of all of the requested information and, if staff review determines the ADA is sufficient, the Council staff will notify the City of North Port to set a DRI public hearing date. When the Council receives written notification that the City of North Port has so acted, the formal 50-day review period for the Marsh Creek DRI Application for Development Approval shall begin.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne E. Daltry
Executive Director

WED/MES/dh

Enclosures

TO: Ms. Betsy Benac
PAGE: 2
DATE: February 26, 1998
RE: Third Sufficiency Report for Marsh Creek ADA, DRI # 11-9697-137

cc: Ms. Diane McCommons-Beck, Department of Environmental Protection, Tampa, Florida
Ms. Deborah Parrish, Department of Environmental Protection, Tallahassee, Florida
Mr. John Czerepak, Florida Department of Transportation, Bartow, Florida
Mr. David Ferrell, U.S. Fish & Wildlife Service, Vero Beach, Florida
Mr. Jerry Gray, Sarasota County Planning, Sarasota, Florida
Ms. Laura Kammerer, Division of Historical Resources, Tallahassee, Florida
Mr. Roger Wilburn, Department of Community Affairs, Tallahassee, Florida
Mr. Ian McDonald, Southwest Florida Water Management District, Brooksville, Florida
Mr. Elliott Kampert, Charlotte County Planning, Port Charlotte, Florida
Mr. Bob Repenning, Pine Island Sound State Aquatic Preserves, Bokeelia, Florida
Mr. Jim Beever, Florida Game & Fresh Water Fish Commission, Punta Gorda, Florida
Mr. Joe Bacheler, U.S. Army Corps of Engineers, Tampa, Florida
Dr. Lisa Beever, Charlotte County-Punta Gorda MPO, Punta Gorda, Florida
Mr. Sam Jones, North Port Planning Department, North Port, Florida

Southwest Florida Regional Planning Council
Staff Sufficiency Review
Marsh Creek
DRI #11-9697-137

INTRODUCTION

The following report is an analysis and identification of material required to clarify data provided and to remedy the information deficiencies of the Marsh Creek Application for Development Approval.

Question 21: Transportation:

1. Question 21.B: The text states that the modified land uses for the Phase 1 development approved within the Preliminary Development Agreement will increase the trip generation by approximately 8.1 percent. It continues to state that since this is "less than the threshold of 15% for significant variance" that a comparison of trip generation is sufficient. However, the 15% threshold is for determination of substantial deviation of approved DRIs. As this DRI has not yet been approved, this is an inappropriate measure to determine mitigation for Phase 1 impacts. The PDA was approved assuming that no transportation improvements would be needed to accommodate the trip generation of a specific set of land use parameters. An analysis is necessary to determine if the additional 8.1 percent of traffic generated by this Phase will require mitigation. The mitigation required would then be incorporated into the Development Order for the project. In the alternative, an update to the PDA traffic study and a subsequent amendment to the PDA itself would be appropriate.

000507

Southwest Florida Regional Planning Council

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P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

FAX COVER SHEET

faxing to #

NAME/TITLE: Jim Crews	
COMPANY: Florida	
DEPARTMENT: DCA	
FROM: Dan Trantt	DATE: 3/25/98
NUMBER OF PAGES (including cover sheet): 6	
NOTES:	

000508

Southwest Florida Regional Planning Council

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P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

FAX COVER SHEET

faxing to #

NAME/TITLE:	Jim Crews
COMPANY:	Florida
DEPARTMENT:	DCA
FROM:	Dan Trescott
DATE:	3/25/98
NUMBER OF PAGES (including cover sheet):	6
NOTES:	

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION

RECEIVED
MAR 9 1998
S.W. FLORIDA REGIONAL PLANNING COUNCIL

March 6, 1998

Mr. Wayne E. Daltry
Executive Director
Southwest Florida Regional Planning Council
P.O. Box 3455
North Fort Myers, FL 33918-3455

Subject: **Third Sufficiency Report for Marsh Creek ADA, DRI #11-9697-137**

Dear Mr. Daltry:

In response to your request for additional information, which we received on March 2, 1998, and as discussed with Dan Trescott, we are submitting the attached response to the one remaining outstanding issue, according to Staff Sufficiency Review #3. The question and response are stated below.

Question 21: Transportation:

> The text stated that the modified land uses for the Phase 1 development approved within the Preliminary Development Agreement (PDA) will increase the trip generation by approximately 8.1%. It continues to state that since this is "less than the threshold of 15% for significant variance" that a comparison of trip generation is sufficient. However, the 15% threshold is for determination of substantial deviation of approved DRIs. As this DRI has not yet been approved, this is an inappropriate measure to determine mitigation for Phase 1 impact. The PDA was approved assuming that no transportation improvements would be needed to accommodate the trip generation of a specific set of land use parameters. An analysis is necessary to determine if the additional 8.1% of traffic generated by this phase will require mitigation. The mitigation required would then be incorporated into the Development Order for the project. In the alternative, an update to the PDA traffic study and a subsequent amendment to the PDA itself would be appropriate.

Response to Question 21:

> In response to this issue being raised in Staff Sufficiency Review #2, the transportation consultant, Florida Transportation Engineering (FTE) wrote to Roger Wilburn, Community Planning Administrator for DCA. In accordance with Mr. Wilburn's direction, FTE revised the traffic analysis for Phase 1 based on the proposed changes to

the residential land use development. FTE revised the trip generation and number of project trips on the surrounding roadway network. The project trips on the roadways were determined based on the trip distribution that was previously agreed for the PDA.

Once the new project trips were determined, Table 6-2 of the PDA (Phase 1 Traffic Analysis) was revised to determine the levels of service on the surrounding roadway network. The revised 2001 year link levels of service are shown on revised Table 6-2, which is provided as attachment. Based on the analysis, all roadway segments within the previously agreed upon study area will operate at acceptable levels of service with the proposed change, and no improvements are needed.

As this was the last remaining sufficiency issue identified in the report, it appears that the application may now be deemed sufficient. Thank you for your assistance.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac, AICP
Manager of Planning

Enclosure

cc: Mr. Sam Jones, Planning Director, City of North Port
Mr. Charles Gauthier, Growth Management Administrator, Dept. of Community Affairs
DRI Team

Table 6-2
2001 Year Link LOS Analysis

Revised: 2/26/1998

Road Segment	Level of Service Standard	Signal Class	Peak Hour Maximum Volume (1)	Without Project		With Project		Project Trips	Project's Traffic % of Peak Hour Maximum Volume (1)
				Peak Hour (2)	LOS (3)	Peak Hour (2)	LOS (3)		
US 41									
Biscayne to North Port	C	Ia	1760	1494	C	1592	C	98	5.57%
North Port to Sumter	C	Ia	1760	1329	B	1373	B	44	2.53%
Sumter to Cranberry	C	Unsignalized	2590	1319	B	1392	B	73	2.81%
Appomattox	C	N.A.	560	109	C	174	C	65	11.63%
Price Blvd									
west of Sumter	C	Ia	770	206	B	222	B	16	2.05%
east of Sumter	C	Unsignalized	930	448	B	464	B	16	1.70%
Sumter Blvd									
US 41 to Appomattox	C	Ia	770	598	B	726	C	128	16.66%
Appomattox to Price	C	Ia	770	318	B	409	B	91	11.78%
Price to I-75	C	Unsignalized	930	345	A	414	A	69	7.42%
North Port									
US 41 to Appomattox	C	N.A.	560	190	C	237	C	47	8.35%
I-75									
west of Sumter	C	Group 2	2550	2110	C	2145	C	35	1.36%
east of Sumter	C	Group 2	2550	2314	C	2349	C	35	1.36%

(1) Peak Hour Maximum Volume for applicable Level of Service C standard.

(2) Projected Peak Hour Traffic on the roadways at buildout of the development in 2001.

(3) Level of Service.

Note: Following the guidelines provided in FDOT 1995 LOS Manual, page 5-17, the service volumes were obtained by applying the five percent reduction in the state two-way arterials to account for proper signal density. (eg. service volume for Price Boulevard west of Sumter = 0.95 * 810 (LOS 'C' volume for state two-way arterial, 2LU, Signal Class Ia = 770)

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MAR 23 1998

S.W. FLORIDA REGIONAL PLANNING COUNCIL

FLORIDA GAME AND FRESH WATER FISH COMMISSION

QUINTON L. HEDGEPETH, DDS, Miami
MRS. GILBERT W. HUMPHREY, Miccosukee
THOMAS B. KIBLER, Lakeland
JAMES L. "JAMIE" ADAMS JR., Bushnell
JULIE K. MORRIS, Sarasota

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

March 18, 1998

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, Director
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(850) 488-6661
SUNCOM 278-6661
FAX (850) 922-5679
TDD (850) 488-9542

Mr. Wayne E. Daltry, Executive Director
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33917-3909

RE: DRI #11-9697-137, Sarasota County, Marsh Creek, Final Comments

Dear Mr. Daltry:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has reviewed your letter dated March 6, 1998, regarding the referenced Development of Regional Impact, and offers the following final comments.

The proposed project consists of a 831.38-acre residential mixed-use, golf course community in the City of North Port. Listed species identified on the site include the Florida scrub jay, wood stork, tricolored heron, little blue heron, gopher tortoise, and American alligator. The applicant has identified 19 active and 43 inactive gopher tortoise burrows, as well as one scrub jay family, on the site. The applicant proposes to preserve 45 acres of wetlands, and to establish a 26.04-acre preserve area for the scrub jay and gopher tortoise, adjacent to an existing Myakkahatchee Creek Preserve. The applicant indicates that the upland preserve area will be placed in a conservation easement and managed to provide habitat in perpetuity for the scrub jay and gopher tortoise. The preserve is proposed to be managed under the "Wildlife and Habitat Management Plan for Marsh Creek" dated January 1997, Revised June 1997. Gopher tortoises located in areas to be developed will be relocated to the preserve area.

We recommend that the development order for the project include the following:

1) The referenced management plan should be modified to include the following information:

   a) A proposed schedule, with dates, of restoration and management activities should be illustrated in a more detailed table than provided in the draft management plan, indicating the timing and sequence of the controlled burn design for the site upland communities that will be fire-managed. The proposed frequency of burn or mechanical management should be no less than 10-year intervals after the initial site management.

b) Semi-annual monitoring should occur during the scrub jay nesting and acorn-caching seasons for the first three years of preserve management, and then at five-year intervals corresponding with management events. Scrub jay surveys should follow the methodology outlined in the GFC's "Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (April 1991)."

A gopher tortoise survey should be conducted annually on the site. Vegetation monitoring should include a visual assessment of native vegetation including oak height, areal coverage of scrub oaks, percent cover of exotic species, and percent and number of bare, sandy patches. The vegetation evaluation should be conducted annually, during the fall scrub jay monitoring survey. Based on the results of each vegetation and scrub jay survey, an assessment of management success should be provided in the monitoring report. Copies of the report should be submitted to the GFC, the U.S. Fish and Wildlife Service, and the City of North Port.

c) Management activities for the Florida scrub jay should be conducted outside the scrub jay nesting season.

d) The management plan should be expanded to include a section on gopher tortoise management, including provisions to protect gopher tortoises if mechanical management is used on the site.

2) The applicant should coordinate the location, size, and management plan for the Florida scrub jay preserve with the U.S. Fish and Wildlife Service in Vero Beach to avoid any permit delays.

Please contact me or Mr. Jim Beever at (941) 575-5765, SUNCOM 765-5765, if you have any questions.

Sincerely,

Brian Barnett, for

Bradley J. Hartman, Director
Office of Environmental Services

BJH/JWB
ENV 1-11-3
marshcre.dr3

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

RECEIVED
MAR 9 1998
BUREAU OF STATE PLANNING

March 6, 1998

The Honorable Roy E. Hall, Sr.
Chairman
City of North Port
5650 North Port Boulevard
North Port, FL 34287

RE: Marsh Creek Application For Development Approval, DRI #11-9697-137

Dear Chairman Hall:

This letter is to provide written notice that the Marsh Creek Application For Development Approval contains insufficient information for review and evaluation by the Southwest Florida Regional Planning Council's staff. The applicant has, however, committed to provide the necessary information in the very near future to declare the application sufficient. The purpose of this letter is to request that the City of North Port schedule a DRI public hearing for the Marsh Creek DRI.

Compliance with Chapter 380.06(1), Florida Statutes, requires that the appropriate local government shall give notice and hold a public hearing on the application in the same manner as for a rezoning as provided under the appropriate special or local law or ordinance, except that such hearing proceedings shall be recorded by tape or a certified court reporter and made available for transcription at the expense of any interested party. The Statute also requires:

(a) The notice of public hearing shall state that the proposed development is undergoing a development of regional impact review.

(b) The notice shall be published at least 60 days in advance of the hearing and shall specify where the information and reports on the development of regional impact application may be reviewed.

(c) The notice shall be given to the state land planning agency, to the applicable regional planning agency, to any state or regional permitting agency participating in a conceptual agency review process under subsection (9), and to such other persons as may have been designated by the state land planning agency as entitled to receive such notices.

(d) A public hearing shall be set by the appropriate local government at the next scheduled meeting.

Receipt of notice by the Southwest Florida Regional Planning Council officially initiates the statutory review period of fifty days. In order to comply with rules of the Southwest Florida Regional Planning Council relating

TO: Chairman Roy E. Hall, Sr.
PAGE: 2
DATE: March 6, 1998
RE: Marsh Creek Application For Development Approval, DRI #11-9697-137

to DRIs, Chapter 29I-4, Florida Administrative Code, **please send notice of public hearing after April 3, 1998.**

At this time, the Southwest Florida Regional Planning Council staff's report and recommendations are tentatively scheduled for presentation at the Council's regular monthly meeting on May 21, 1998.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne E. Daltry
Executive Director

WED/DLT/dh

cc: Ms. Diane McCommons-Beck, Florida Department of Environmental Protection, Bartow, Florida
Ms. Deborah Parrish, Florida Department of Environmental Protection, Tallahassee, Florida
Mr. John Czerepak, Florida Department of Transportation, Bartow, Florida
Mr. David Ferrell, U.S. Fish & Wildlife Service, Vero Beach, Florida
Mr. Jerry Gray, City of North Port Planning, Sarasota, Florida
Ms. Laura Kammerer, Div. of Historical Resources, Tallahassee, Florida
Mr. Roger Wilburn, Florida Dept. of Community Affairs, Tallahassee, Florida
Mr. Ian McDonald, Southwest Florida Water Management District, Brooksville, Florida
Mr. Elliott Kampert, Charlotte County Planning, Port Charlotte, Florida
Mr. Bob Repenning, Pine Island Sound State Aquatic Preserves, Bokeelia, Florida
Mr. Jim Beever, Florida Game & Freshwater Fish Commission, Punta Gorda, Florida
Mr. Joe Bacheler, U.S. Army Corps of Engineers, Tampa, Florida
Dr. Lisa Beever, Charlotte County-Punta Gorda MPO, Punta Gorda, Florida
Mr. Sam Jones, North Port Planning Department, North Port, Florida

Agenda Item #(3)(j)

MARSH CREEK REQUEST FOR FOURTH CONTINUANCE ON ISSUANCE OF STAFF ASSESSMENT

The applicant for the Marsh Creek Development of Regional Impact Application For Development Approval (ADA) has requested a fourth continuance to the 50-day regional report issuance period required in Chapter 380.06(12)(a)F.S. until the March 18, 1999, SWFRPC meeting to hear the staff assessment (see attached letter). According to the applicant, this continuance is requested to continue working out differences regarding the traffic related impacts of the project, to change the scrub jay management plan to propose less preservation on site in exchange for enhancing the Myakkahatchee Creek public lands for scrub jays, issues regarding the location and need for the reservation of North Port Boulevard right-of-way through the project and for staff and regional review agencies to have time to review these revisions to be submitted by the applicant. Because the project has a Preliminary Development Agreement (PDA) for the approval of Phase I, which is under construction, these continuances have not changed the development schedule for the project as proposed in the ADA. Staff will answer any questions the Council may have regarding this continuance.

INFORMATION ITEM

December 1998

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

December 8, 1998

Post-it® Fax Note 7671	Date 12/8	# of pages ▶ 1
To DAN TRESCOTT	From BETSY DENAC	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 1-941-656-7724	Fax #	

Mr. Wayne Daltry
Executive Director
Southwest Florida Regional Planning Council
4980 Bay Line Drive, 4th Floor
North Fort Myers, FL 33917-3455

Subject: **Marsh Creek**
DRI No. 08-9697-136

Dear Mr. Daltry:

On the behalf of our client, Marsh Creek Holdings, Ltd., we would like to request an additional 90-day continuance for the Regional Planning Council's meeting regarding the above referenced DRI. At this time, we are working to complete the data and analysis to support minor changes to the proposed Master Plan. Upon finalization of the analysis, we will submit the information to staff for their review.

If you have any questions, please give me a call.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Denac, AICP
Manager of Planning

cc: Mr. Sam Jones, City of North Port
Dr. Hans-Jurgen Reichardt, Marsh Creek Holdings, Ltd.
Mr. Jim Bevillard, National Land Group
Dan Bailey, Esq., Williams, Parker, et al
Mr. Dieter Gebhard, Kerkering Barberio & Company
Mr. Bill Oliver, Tindale-Oliver and Associates

WILSON, MILLER, BARTON & PEEK, INC.
6900 Professional Parkway East, Suite 100, Sarasota, Florida 34240-8414 • Ph 941-907-6900 Fx 941-907-6910
Web Site: www.wilsonmiller.com E-mail: sarasota@wilsonmiller.com
Naples Fort Myers Sarasota Bradenton

Crew 4/29/98

000518

DEVELOPMENT ORDERS

REGION: 09 **PROJECT NO:** 97-007 **EXTENSION :** 00 **REVIEW SECTION :** 03

PROJECT NAME: MARSH CREEK **TYPE OF AMENDMENT:** O

APPLICATION DATE: 11/19/96 **LOCAL GOVERNMENT:** North Port City **COUNTY CODE:** 17

F.S. 403 OR 373 : **PUBLIC HEARING DATE:** 06/22/98 **DATE P.H. NOTICE RECEIVED:** 04/23/98

D.O. NUMBER: **DO DECISON DATE:**

DATE DO RENDERED: **DATE DO RECEIVED:**

20 DAY REVIEW DEADLINE: **45 DAY APPEAL DEADLINE:**

STATUS: Pending **DO EFFECTIVE DATE:**

DATE DO EXPIRES: **DEADLINE TO COMMENCE PROJECT:**

PROJECT BUILDOUT DATE: **SHOULD PROJECT BE APPEALED:**

DATE OF MEMO: **IS ANNUAL REPORT REQUIRED?** **ANNUAL REPORT DUE:**

REVIEWER: Wilburn, R. **X IF PROJECT IS ACTIVE:** X

CLICK HERE IF D.O. RELATES TO NOPC

NOTE:

— Public Hearing delayed until Aug 4
Crew 6/22/98

City of North Port

5650 North Port Boulevard
North Port, Florida 34287-3103
(941) 426-8484

E-MAIL: npplanning@acun.com SUNCOM: 934-1300 FAX: (941) 423-3159

April 20, 1998

R APR 23 1998 RPM RRP ...NG TEAM

Mr. Dan Tresscot
Southwest Florida Regional Planning Council
P.O. Box 3455
North Fort Myers, FL 33918-3455

Re: Notice of Public Hearing - Marsh Creek DRI

Dear Mr. Tresscot:

The Community Development Department has scheduled the City Commission public hearings for the Marsh Creek Development of Regional Impact (DRI), pursuant to Section 380.06(11), Florida Statutes, on June 22, 1998, and June 29, 1998 (*see attached*). The June 22 public hearing will be at 7:00 p.m., while the June 29 hearing will be at 9:30 a.m. The public hearings will be held in the City Commission Chambers located at 5650 North Port Boulevard, North Port, Florida. Additionally, the North Port Planning and Zoning Advisory Board public hearing is scheduled for June 18, 1998, at 8:30 a.m. at the same location as the City Commission hearings. Plans and details on the Marsh Creek DRI are available for public inspection at the City of North Port Community Development Department, 5650 North Port Boulevard, North Port, Florida [Telephone (941) 423-3144].

Sincerely,
COMMUNITY DEVELOPMENT DEPARTMENT

Samuel K. Jones, AICP
Director

/ts

c: Diane McCommons-Bock, FDEP
Deborah Parrish, DEP
John Czerepak, FDOT
David Perrell, U.S. Fish & Wildlife Services
Jerry Gray, Sarasota County Planning
Laura N. Kammerer, FL Dept. of State
Roger Wilburn, DCA
Ian McDonald, SWFWMD
Elliott Kampert, Charlotte County Planning
Bob Ropenning, Pine Island Sound State Aquatic Preserves
Jim Beever, Fish & Game
Joe Bacheler, US Army Corps of Engineers
Lisa Beever, Charlotte MPO

A:\SPT-98-126-LET.WPD

000520

Community Development Dept.
APR 16 1998

NOTICE OF THE CITY OF NORTH PORT CITY COMMISSION PUBLIC HEARING ON THE MARSH CREEK DEVELOPMENT OF REGIONAL IMPACT (DRI)

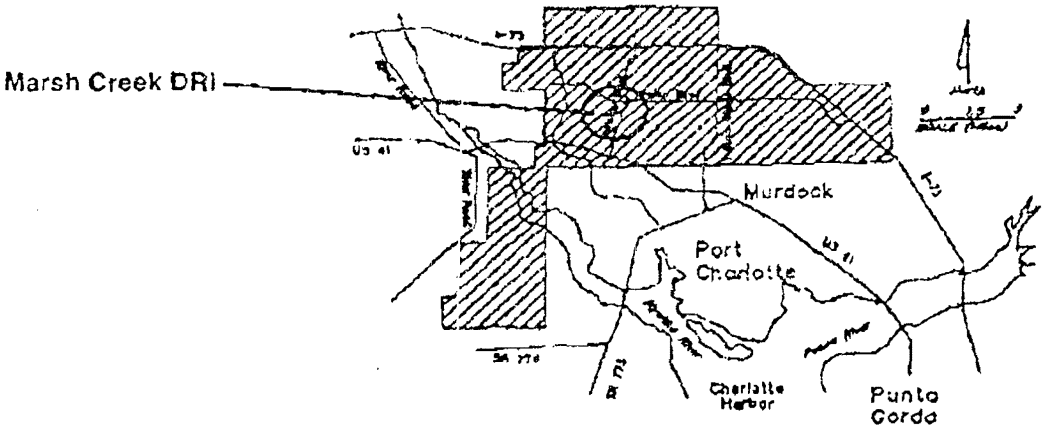
NOTICE IS HEREBY GIVEN pursuant to Section 380.06(11), Florida Statutes, that the North Port City Commission will hold a **PUBLIC HEARING** to consider and take action on the proposed Application for Development Approval for the Marsh Creek Development of Regional Impact (DRI), submitted by Marsh Creek Holdings, Ltd. The Marsh Creek DRI Application for Development Approval is undergoing a DRI review in accordance with the provisions of Chapter 380.06, Florida Statutes.

The Marsh Creek DRI project encompasses 931.38 ± acres and proposes 1,970 residential units (903 single-family and 1,067 multi-family units), 750,000 square feet of office and retail space, and a golf course with a total of 27 holes, maintenance facilities, two club houses and 12 tennis courts.

The proposed DRI project is located in the southwestern section of the City, immediately adjacent to the intersection of Price Boulevard and Sumter Boulevard, as illustrated on the map below.

A complete legal description of the DRI project is available for inspection at the City of North Port Community Development Department, 5650 North Port Boulevard, North Port, Florida.

CITY OF NORTH PORT



The public hearing dates established for the above referenced DRI project is as follows:

City Commission First Public Hearing	Date: June 22, 1998 Time: 7:00 p.m.
City Commission Second Public Hearing	Date: June 29, 1998 Time: 9:30 a.m.

The public hearings will be held in the City Commission Chambers located at: 5650 North Port Boulevard, North Port, Florida.

All interested parties are invited to appear and be heard at the public hearings. Plans and details on the Marsh Creek DRI are available for public inspection at the City of North Port Community Development Department, 5650 North Port Boulevard, North Port, Florida. [Telephone Number (941) 423-3144]. The said public hearings may be continued at the aforementioned hearings, as may be found necessary. A public information summary will also be available seven (7) days prior to the first City Commission public hearing on the above referenced application. For more information, telephone (941) 423-3144.

The City of North Port Charter requires persons or entities applying for rezoning or any other form of land use changes to disclose the true ownership interests in the subject property. The ownership disclosure form for this application is available for public inspection at the City of North Port Community Development Department, 5650 North Port Boulevard, North Port, Florida.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL ANY DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED. (SEE F.S.S. 286.0105) NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26)

Doris J. Briggs
City Clerk

Publish: April 19, 1998

Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

BUREAU OF LOCAL PLANNING

March 3, 1997

RECEIVED
MAR 1997
BUREAU OF LOCAL PLANNING

Mr. Roger Wilburn
Community Program Administrator
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: First Sufficiency Report for "Marsh Creek", DRI #08-9697-136

Dear Mr. Wilburn:

The Southwest Florida Regional Planning Council has received the first sufficiency submittal for "Marsh Creek" DRI in the City of North Port. We are currently reviewing this submittal to determine if the information provided is adequate for final review.

Please find enclosed the appropriate number of copies of the sufficiency report. If your staff has any further questions regarding the adequacy of any part of this information or if the nature of the information leads to new questions, we would be glad to request the applicant to address these points. We would need these questions in writing no later than **March 31, 1997.**

If you have any questions, please give me a call.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Daniel L. Trescott
Principal Planner/DRI Coordinator

DLT/dh

Enclosure

cc: Betsy Benac, Wilson, Miller, Barton & Peek, Inc.

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FLORIDA GAME AND FRESH WATER FISH COMMISSION

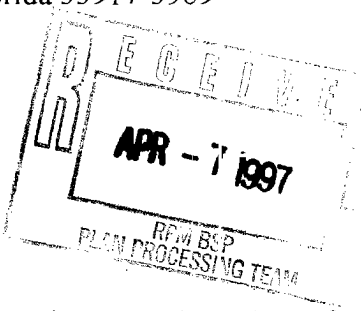
JULIE K. MORRIS, Sarasota
QUINTON L. HEDGEPETH, DDS, Miami
MRS. GILBERT W. HUMPHREY, Miccosukee
THOMAS B. KIBLER, Lakeland
JOE BRUNER, Destin

April 1, 1997

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, Director
FARRIS BRYANT BUILDING
620 South Meridian Street
Tallahassee, FL 32399-1600
(904) 488-6661
SUNCOM 278-6661
FAX (904) 922-5679
TDD (904) 488-9542

Mr. Wayne E. Daltry, Executive Director
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33917-3909



RE: Marsh Creek DRI #08-9697-136, Sarasota County, Application for Development Approval, First Sufficiency Report

Dear Mr. Daltry:

The Office of Environmental Services of the Florida Game and Fresh Water Fish Commission (GFC) has reviewed the referenced First Sufficiency Report, received March 3, 1997, for the Application for Development Approval for Marsh Creek Development of Regional Impact, and offers the following comments.

The proposed project consists of a 831.38-acre residential mixed-use, golf course community in the City of North Port. Listed species identified on the site include the Florida scrub jay, wood stork, tricolored heron, little blue heron, gopher tortoise, and American alligator. The applicant has identified 19 active and 43 inactive gopher tortoise burrows, as well as one scrub jay family, on the site. The applicant proposes to preserve 45 acres of wetlands and to establish a 26.04-acre scrub jay and gopher tortoise preserve area, adjacent to an existing Myakkahatchee Creek Preserve. The upland preserve area will be placed in a conservation easement, and managed to provide habitat in perpetuity for the Florida scrub jay and gopher tortoise. Gopher tortoises located in areas to be developed will be relocated to the preserve area.

In order to evaluate the preservation proposal, we request the following additional information:

1) The Florida scrub jay has been documented as nesting on the site. Has the applicant found this year's nest? If so, please indicate on Map G.

2) What entity will be granted the 45-acre wetland preserve conservation easement?

3) The Wildlife and Habitat Management Plan draft was prepared by the applicant and dated January 1997, although we were not provided a copy until March. The plan should be amended and expanded to include more complete information to specifically address the following issues:

a) A dated schedule of activities reflecting the order of restoration and management activities.

b) A table indicating the timing and sequence of the controlled burn design for the upland communities that will be fire managed.

c) Each spring, a survey should be completed for the scrub jay nest location. This information update may require changes in the timing and location of some management activities.

d) If stationary listed species occurrences (eagle nests, bird rookeries, sandhill crane nests) recruit to the site, these features should be mapped and reported to the GFC and U.S. Fish and Wildlife Service. Such occurrences may require changes in the timing and methods of some management activities.

Please have the applicant provide a revised copy of the management plan with exhibits of the conservation easement to our Punta Gorda office for review. The amended management plan should be attached to the easement and gopher tortoise permit as a condition of approval.

4) Please provide the Wildlife and Habitat Management Plan to the U.S. Fish and Wildlife Service for their review.

Please contact me or Mr. Jim Beever at (941) 575-5765, SUNCOM 765-5765, if you have any questions.

Sincerely,

Brian Barnett

Brian S. Barnett, Assistant Director
Office of Environmental Services

BSB/JWB
ENV 1-11-3
marshcre.dr3

cc: Mr. Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
c/o Kerkering, Barbario & Company
1858 Ringling Boulevard
Sarasota, Florida 34236

USFWS, Vero Beach

DCA, Tallahassee

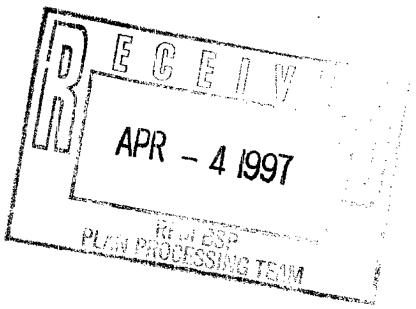
Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (941) 656-7720

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

April 2, 1997



Ms. Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
SARASOTA, FL 34232

RE: First Sufficiency Report for Marsh Creek ADA, DRI # 11-9697-137.

Dear Ms. Benac:

Review of the DRI First Sufficiency responses for the Marsh Creek ADA identified remaining areas requiring clarification and/or additional information. A copy of the staff report requesting this information is attached. Please also consider the attached requests for further information from the Florida Department of Community Affairs, Sarasota County Planning Department, the Florida Department of Environmental Protection, Charlotte County Planning Department, Charlotte County-Punta Gorda Metropolitan Planning Organization, Southwest Florida Water Management District and the City of North Port as part of this sufficiency request.

Under Chapter 380.06, Section (10)(c), Florida Statutes, the applicant has the option of providing all, some, or none of the information requested. The Statute requires that the applicant inform the Southwest Florida Regional Planning Council's staff as to which option will be followed within five (5) working days of the receipt of this certified letter. Further review of this ADA will be delayed pending election of an option and performance thereto.

Upon receipt of all of the requested information and, if staff review determines the ADA is sufficient, the Council staff will notify the City of North Port to set a DRI public hearing date. When the

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TO: Ms. Betsy Benac
PAGE: 2
RE: First Sufficiency Report for Marsh Creek ADA, DRI # 11-9697-137

Council receives written notification that the City of North Port has so acted, the formal 50-day review period for the Marsh Creek DRI Application for Development Approval shall begin.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne E. Daltry
Executive Director

WED/GEH/dh

Enclosures

cc: Ms. Diane McCommons-Beck, Department of Environmental Protection, Tampa, Florida
Ms. Deborah Parrish, Department of Environmental Protection, Tallahassee, Florida
Mr. John Czerepak, Florida Department of Transportation, Bartow, Florida
Mr. David Ferrell, U.S. Fish & Wildlife Service, Vero Beach, Florida
Mr. Jerry Gray, Sarasota County Planning, Sarasota, Florida
Ms. Laura Kammerer, Division of Historical Resources, Tallahassee, Florida
Mr. Roger Wilburn, Department of Community Affairs, Tallahassee, Florida
Mr. Ian McDonald, Southwest Florida Water Management District, Brooksville, Florida
Mr. Max Forgey, Charlotte County Planning, Port Charlotte, Florida
Mr. Bob Repenning, Pine Island Sound State Aquatic Preserves, Bokeelia, Florida
Mr. Jim Beever, Florida Game & Fresh Water Fish Commission, Punta Gorda, Florida
Mr. Joe Bacheler, U.S. Army Corps of Engineers, Tampa, Florida
Mr. Sam Jones, North Port Planning Department, North Port, Florida

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
Staff First Sufficiency Review
Marsh Creek DRI # 11-9697-137

INTRODUCTION

The following report is an analysis and identification of material required to clarify data provided and to remedy the information deficiencies of the Marsh Creek Application for Development Approval. In addition to the sufficiency review by the Southwest Florida Regional Planning Council (SWFRPC) staff, please note the attached questions of clarification identified by the Council's DRI review agencies.

SUFFICIENCY QUESTIONS

QUESTION 12 - VEGETATION and WILDLIFE

1. Did the wildlife management plan get reviewed by, and a sign-off from, the Florida Game and Fresh Water Fish Commission (FGFWFC)? If not, please get a letter of approval for the plan from the FGFWFC and submit this letter within the second sufficiency responses.

2. For listed species preserve areas, the conservation easement must be given to a wildlife management agency. The SWFWMD does not have any rules or authority addressing listed species. Will the applicant provide the conservation easement to a wildlife management agency, such as the FGFWFC or the U.S. Fish and Wildlife Service?

QUESTIONS 17 and 18 - WATER SUPPLY/WASTEWATER MANAGEMENT

1. The correspondence from the City of North Port indicates that the City cannot provide assurance that adequate reuse or wastewater treatment capacity will exist for the buildout of the Marsh Creek Development. Furthermore, the City Utility Department does not commit, absolutely, to meeting the projected demands. If the current City utility infrastructure is unable to serve the entire development, would the applicant commit to construct onsite treatment/distribution facilities? If not, please discuss the manner in which the project's reuse and wastewater treatment demands will be met.

QUESTION 20 - SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

1. Will any excavation or land disturbing activities require disturbance of the abandoned landfill? If so, how will these impacts be mitigated?

2. What steps will be taken to monitor obnoxious fumes or gases in the landfill?

3. Would the applicant be willing to include venting of the site for possible methane, obnoxious fumes, toxic chemicals, or other gases?

4. Has a small portion of the project been evacuated and tested to ensure there is no contamination of the property?

5. Was an Environmental Audit conducted to determine whether the white goods or the household hazardous waste deposited in the landfill has contaminated the property?

6. If the property is found to have an adverse impact on the groundwater table aquifer during onsite monitoring activities, what actions could be undertaken to alleviate the problem?

QUESTION 31 - TRANSPORTATION

1. Question 21.A:

   a. The text states that Don Amicone of the Florida Department of Transportation stated that the "LOS standard for freeways that are inside the Transportation Concurrency Management area...within urbanized area over 500,000 and leading to or passing within 5 miles of a primary city central business district" is LOS D. However, the area in question, the City of North Port, is not in an urbanized area over 500,000. Therefore, the standard from the FDOT 1995 LOS Manual should be for that of an urbanized area under 500,000 which is LOS C. Please revise the analysis accordingly.

   b. The text states that the LOS standard for the City of North Port does not separately address state roadways within the city. However, by not specifically addressing the issue separately, the City has adopted the same level of service standard for state roadways as it has for its own. Therefore, the LOS standard for state roadways within the City of North Port is LOS C. Please revise the analysis accordingly.

   c. Table 21.A-1: The signals per mile used for SR 776 are acceptable as stated in the text associated with Sufficiency Question 21.1.c.ii. However, SR 776 was only intended to be an example of the type of problem with the roadway segment splits identified in the table. Another problem exists for the US 41 segments. The use of the segment from the Peace River to SR 776 is inappropriate.

      i. While the use of the same maximum service volume for the segment from the Peace River to Toledo Blade Boulevard South is acceptable, it is unclear as to how the volumes specified are appropriate for such a long segment. Please clarify as to whether the highest volumes were identified for conservative estimates of levels of service or if an average or the low volumes were used. Please clarify.

      ii. The segment from Toledo Blade Boulevard South to SR 776 should be separated from that to the south due to the large number of signals on this segment. The group for service volumes from the generalized tables for this segment should be Class II. Please revise accordingly.

      iii. The segment from SR 776 to Enterprise Boulevard should be Class Ib according to the generalized tables. Please revise accordingly.

      iv. Once again, the LOS standard for the Interstate should be C not D. Please revise accordingly.

      v. The area type for the Interstate segments from Sumter Boulevard to Jacaranda Boulevard, according to FDOT's consultant, should be rural. This will not affect the service volume.

Please note that these comments should be carried through to modify all tables used for responses to Questions 21.D, 21.E and 21.F as well as 21.A.

2. Question 21.B:

   a. The trip generation assumption that the 725,000 square feet of retail is a regional mall, even though the square footage is spread over four separate parcels, is inappropriate. Each quadrant of the intersection will operate as a separate shopping center, even with pedestrian connections between the parcels. It should be noted that the Master Plan (Map H) as proposed states that there will be "Mixed Use" at the four quadrants of the Sumter Boulevard and Price Boulevard intersection. To assume that the connectivity of shopping centers across a four lane divided roadway will reduce the trip generation of the centers to the degree assumed is inappropriate. The trip generation for the centers should be readjusted to assume them as separate entities.

   It should be noted that the applicant's consultant has itself used the shopping center rate for the smaller square footages of a DRI even though said DRI was across the street from other shopping centers. This assumption used the higher trip generation rates for the smaller square footages, as is appropriate. This assumption was made for the Murdock Center Increment III analysis.

   Please revise the trip generation accordingly.

   b. It continues to be unclear as to how the peak season daily **project** traffic was converted to peak hour and applied to the tables within the analysis. Were the K_{100} factors and peak season factors applied to them? If so, this is incorrect. A straight calculation from the peak season daily to the peak hour calculation obtained from the ITE Trip Generation Manual should be performed. Please clarify and modify if necessary.

   c. The text states that the input/output files for the FSUTMS model runs were received. However, the disks received were again incomplete (i.e., HRLDXY files were not received for Phase 3) and unusable for purposes of reviewing the runs prepared by the consultant (i.e., the HRLDXY file for phase 2 with the project was not able to be pulled up for review using the screen editor) or for rerunning the model. Please submit in usable format.

3. Question 21.D:

   a. SWFRPC staff was unable to duplicate the trip generation adjustments which are referenced through the post mode choice calculations. Please adjust the trip generation according to comments above and resubmit these calculations.

   b. It is stated that the "City of North Port development along Sumter Boulevard is...modeled into TAZ 846." However, the ZDATA for this zone contains only 60 employees. This is not sufficient to represent the large number of uses which are planned in the development. In order to adequately represent the background traffic conditions in the vicinity of the Marsh Creek DRI, the ZDATA files should be modified to accommodate the entire North Port development. The model should be rerun and all analyses modified accordingly. Specific information regarding the types of uses can be obtained from the City.

   c. The roadway network assumed in the FSUTMS model runs does not represent the existing plus committed network as required by the methodology. It is our understanding that the applicant's consultant has received a corrected copy of the network from the Charlotte County-Punta Gorda

Metropolitan Planning Organization. The analysis should be amended in accordance with the assignment changes which would result from these network changes.

4. Table 21E-2: The segment of Sumter Boulevard from North Port Boulevard to Sylvania Avenue appears to be significantly and adversely impacted by the project, yet Table 21F-2 does not identify it as such. Please explain why the maximum service volume for the adopted level of service has changed between the two tables.

5. Question 21.F: The calculation of the proportionate share appears to have been performed using only the trips from the specific phase of development in question (i.e., Phase 2 trips only for calculation of proportionate shares for Phase 2). This is incorrect. The proportionate share shall be based on the cumulative impacts of all phases to the date of the calculation (i.e., Phase 1 and 2 trips for Phase 2 share).

000531

COUNTY OF CHARLOTTE

DIVISION OF COMMUNITY DEVELOPMENT
PLANNING DEPARTMENT

CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FL 33948-1094
(813) 743-1224

April 2, 1997

Glenn Heath
Southwest Florida Regional Planning Council
PO Box 3455
North Fort Myers, FL 33918

RE: First Sufficiency Report for "Marsh Creek", DRI #08-9697-136

Dear Glenn:

I am writing in response to our conversation yesterday concerning the Marsh Creek DRI. Charlotte County has no additional comments at this time regarding the above referenced DRI. We endorse the comments that were previously submitted to you by the Charlotte County Metropolitan Planning Organization (MPO), and we request that these be addressed in the next sufficiency report. Please copy us on all future reports and draft development orders.

Thank you for your assistance in this matter. If you have any questions, please call me at 941-743-1948.

Sincerely,

Nancy Wagner, AICP
Planner III

NW/nw
P97.121

cc: Elliot Kampert, AICP, Acting Community Development Director
Robert Johnson, Planner II, Charlotte County MPO

Charlotte County-Punta Gorda
METROPOLITAN PLANNING ORGANIZATION
28000 Airport Road, A-5, Punta Gorda, Florida (941)639-4676 FAX 639-8153
EMAIL:CCMPO@PEGANET.COM

FAXED

Mayor William F. Richards Vice-Chairman
Commissioner Adam Cummings Chairman
Lisa B. Beever, PhD Director

Dan Trescott and Maureen Swenson, P.E.
SOUTHWEST REGIONAL PLANNING COUNCIL
4980 Bayline Drive, 4th Floor
North Fort Myers, Fl. 33917 - 3909

Re: **Marsh Creek DRI Comments on the First Sufficiency**

Dear Mr. Trescott & Ms. Swenson:

We request that the consultant provide for phases two and three the following:

1). travel demand (FSUTMS) model runs for project, background , and total traffic,
2). revised "Cumulative Peak Hour spreadsheets ("Tables 21-E1 & E2 and F1 & F2), and
3). revised intersection analysis

reflecting the existing & committed road (E & C) network recently provided to Leftwich Consulting and the SWFRPC.

After receiving the travel demand model (FSUTMS) runs for phases two and three, we have determined that the "existing & committed" (E&C) network was erroneously represented. As you know, we have corrected this network to reflect the "existing & committed" roads. We have recently provided to the SWFRPC and Leftwich Consulting the FSUTMS files that reflect an E & C network. The changes to the E & C network results in a redistribution and assignment of Marsh Creek DRI, background, and total traffic. From our review, it is apparent that these network changes will entail rerunning the model for Phases II and III.

Additionally, please have the US 41 segments correspond with Charlotte County Concurrency Report traffic signal segments. They are:

Road Segment	Signal Class
Peace River - Toledo Blade Blvd. (S. Of SR 776)	Ia
Toledo Blade Blvd. (S. Of SR 776) - SR 776	II
SR 776 - Enterprise Dr.	Ib

If you have any further questions, please call me at (941) 639-4676.

Sincerely,

Robert A. Johnson

Robert Johnson, Planner II
Charlotte County Metropolitan Planing Organization

MPO97-63
marsh2.wpd

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APR 1 1997
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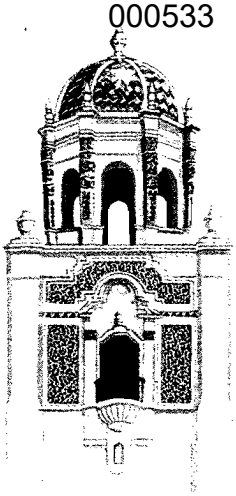

SARASOTA COUNTY GOVERNMENT
SARASOTA, FLORIDA

Planning Department

P.O. Box 8
Sarasota, Florida 34230-0008
Telephone (813) 951-5140
FAX (813) 951-5593

March 28, 1997

Dan Trescott, DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive
North Fort Myers, Florida 33917

Re: Marsh Creek Development of Regional Impact (DRI) Application for Development Approval (ADA) - First Sufficiency Review

Dear Mr. Trescott:

On March 6, 1997, the Planning Department received the above referenced Application for Development Approval (ADA) First Sufficiency Response. After review of this response, Sarasota County has completed our sufficiency review of the project.

After consideration of our Development Review Committee comments (refer to Exhibit A), we have determined that the ADA is now sufficient to conduct a formal review. Please notify us as to when you have deemed the application sufficient for formal review. In addition, Sarasota County would formally request that the City of North Port provide us notification of the scheduled rezoning and DRI public hearing dates for this project.

If you have any questions regarding this matter, please contact me at (941) 951-5140.

Sincerely,

Tom Polk

Thomas Polk
Planner
Current Division

Attachment

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PLANNING COUNCIL

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EXHIBIT A

000535

MPO
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Organization

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Commissioner Stan Stephens, Vice Chairman

Commissioner Jonathan Bruce
Manatee County

Mayor Bob Drohlich
Town of Longboat Key

Councilman David Farley
City of Venice

Vacant
City of Palmetto

Commissioner A. Buddy Hughes
City of North Port

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Commissioner David Mills
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Commissioner Jack O'Neil
Sarasota County

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Councilwoman Saundra Rahn
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Anna Maria, Bradenton Beach & Holmes Beach

Commissioner Shannon Staub
Sarasota County

Commissioner Stan Stephens
Manatee County

Commissioner Greg Young
Sarasota Manatee Airport Authority

David A. Twiddy, Jr., District Secretary
Florida Department of Transportation

Michael W. Guy
Executive Director

Sarasota/Manatee
Metropolitan Planning Organization

7632 301 Boulevard
Sarasota, Florida 34243

(941) 359-5772
SunCom 549-5772

Fax (941) 359-5779
SunCom (Fax Line) 549-5779

March 25, 1997

SARASOTA COUNTY
MAR 28 1997
PLANNING
DEPARTMENT

Mr. Tom Polk, Planner
Sarasota County Planning Department
Post Office Box 8
Sarasota, Florida 34230

RE: Marsh Creek Development of Regional Impact (DRI) Application for Development Approval (ADA)-First Sufficiency Review

Dear Tom:

In response to your letter dated March 10, 1997, I have completed the review of the first sufficiency response on the referenced DRI project and provide the following comments for your consideration:

1. Responses to comment numbers 1,2, and 3, which were stated previously on the MPO review correspondence dated December 12, 1996 have been addressed adequately. These comments should be incorporated into the Development Order (DO).

2. Responses to comment numbers 5 and 10 have been addressed adequately. No further response is required.

3. During the rezoning process, the Applicant should be required to conduct intersection capacity analyses for all the proposed 11 access points to the development. In addition, the Applicant should be responsible for site related roadway and intersection improvements within the Marsh Creek Development.

4. We reiterate our recommendation of December 12, 1996 in which we pointed out that the Applicant should be responsible to improve Appomattox Drive along the entire property frontage between Summter Boulevard and North Port Boulevard.

Additionally, the Applicant should be required to construct acceleration and deceleration lanes in conformance with the City of North Port design standards at all the proposed access roads onto the development.

5. The Metropolitan Planning Organization staff recommends the Applicant to work jointly with the City of North Port Department of Public Works to resolve anticipated potential through-traffic movements through the development.

If you have any questions on this matter, please call me at 359-5772.

Sincerely,

Mark Shbeib
Principal Planner

MS:ss

c. Juan Florensa, City of North Port Public Works

SARASOTA COUNTY GOVERNMENT

INTEROFFICE MEMORANDUM

TO: Thomas Polk, Planner, Planning Department, Current Division

FROM: Christopher A. Dilley, P.E., Engineer III, Pollution Control Division

SUBJECT: Marsh Creek Development of Regional Impact (DRI) Application for Development Approval (ADA)-First Sufficiency Report-Division Responses

DATE: March 24, 1997

Reference Document: "First Sufficiency Report for Marsh Creek, DRI #08-9697-136", March 3, 1997 by Wilson, Miller, Barton & Peek, Inc., forwarded to Sarasota County Planning on March 3, 1997 by the Southwest Florida Regional Planning Council.

COMMENTS

1. The Division has completed a review of the referenced document. It is our opinion that questions originally posed by the Division from the First Sufficiency Review have been addressed adequately enough to proceed with the formal review process.

2. The Division reserves the right to raise additional questions, or request additional information during the formal review process, dependent on information provided by Department of Environmental Protection concerning resolution of monitoring and closure of the landfill by the concerned parties.

FOR CLARIFICATION

3. Reference: Pages 29/30, General Project Description, Section 2., Question 10.C, pages 10-4 and 10-5. Sentence following "a.", top of page 30, should read as follows: "Final resolution of the long-term monitoring agreement and responsible party name."

4. Reference: Page 31, General Project Description, Section 4., Question 10.C, page 10-12. The ordinance number referenced in the original question, and the ordinance number referenced in the response are both incorrect. The Sarasota County Water Pollution Control Code is properly cited as Ordinance No. 96-020, adopted in April, 1996.

DRI97.002

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
EMERGENCY MANAGEMENT • HOUSING AND COMMUNITY DEVELOPMENT • RESOURCE PLANNING AND MANAGEMENT

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

March 25, 1997

Mr. Dan Trescott, DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
Post Office Box 3455
North Ft. Myers, FL 33917-3909

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MAR 28 1997
S.W. FLORIDA REGIONAL
PLANNING COUNCIL

Re: Marsh Creek DRI ADA
Second Sufficiency Review
Project File No. ADA-997-007

Dear Mr. Trescott:

We have reviewed the sufficiency response submitted on February 28, 1997, for the Marsh Creek DRI and have the following comment which we would like the applicant to address.

1. The master plan map (Map H) needs to be revised to include a legend that identifies the acres and amounts (square footage, dwelling units) of land uses to be developed.

2. The conservation easement that will be used to protect the gopher tortoise and Florida scrub jay should, pursuant to the requirements of Rule 9J-2.04 (9)(b)3., F.A.C., name the Department of Community Affairs as well as the Florida Game and Fresh Water Fish Commission as benefitting parties.

3. What road segments in the traffic study area are within the respective Transportation Concurrency Management areas of Sarasota County, Charlotte County, and the City of North Port; what road segments are not included?

4. The applicant has indicated, on Page 11 of the sufficiency response, that LOS D has been assumed as the standard for I-75 because it is within an urbanized area with a population over 500,000. However, based on the University of Florida, Bureau of Economic and Business Research, Florida Population Estimates Summary, April 1, 1996, the entire population of

Sarasota County is only 305,848; while that of Charlotte County is only 129,468. It would thus appear that I-75 in the Marsh Creek study area should be classed as occurring within an urbanized area where the population is less than 500,000 and that the applicable FDOT LOS standard should be LOS C.

5. The applicant has further indicated, on Page 11 of the sufficiency response, that the LOS standard assumed by the Marsh Creek DRI traffic study for US 41 is LOS D. Although this is the standard adopted by Sarasota and Charlotte Counties, the City of North Port has adopted LOS C for all roadways within the city limits. Since US 41 has not been addressed as an exception by the City of North Port, the applicant's traffic study should consider LOS C as the adopted standard for that portion of US 41 within the City.

6. The applicant has indicated on Page 17 of the sufficiency response that, except for a 2.26-acre convenience commercial tract, the retail aspect of Marsh Creek will be located at the Price Boulevard and Sumter Boulevard intersection and will, for trip generation purposes, function much like a regional mall because of the provision of pedestrian accessways between the four intersection quadrants. We, however, doubt the pedestrian accessways will be utilized to the extent envisioned because the roads here are wide and traffic moves at a fairly high rate of speed. We believe that trip generation for the Town Center retail aspect should not be calculated in sum, but as separate estimates for each of the four quadrants.

7. Will any reclaimed water be available to the Marsh Creek DRI for irrigation usage? Has the City of North Port provided any written statements as to their ability to meet the projected potable and non-potable water demands for Marsh Creek? Will any wells need to be constructed on the development site to meet potable or non-potable demands?

If you have any questions regarding this matter, please contact Steve Atkins in the Bureau of Local Planning at (904) 922-1783.

Sincerely,

Charles Gauthier, AICP
Growth Management Administrator

CG/sba

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

March 31, 1997

Mr. Daniel L. Trescott
Principal Planner/DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive; 4th Floor
North Ft. Myers, FL 33918-3455

Re: Marsh Creek, DRI #08-9697-136
ADA Sufficiency Review

Dear Mr. Trescott:

This office has completed the review of the Application for Development Approval (ADA) and First Sufficiency Report for the above referenced DRI. I am providing the following comments to those documents, to be directed to the applicant.

Question 12 Vegetation and Wildlife

Page 12-2 of the ADA states that the xeric scrub communities become dense and overgrown with proximity to Myakkahatchee Creek, and that the areas with more open, sandy mid-story and understory (further distal to Myakkahatchee Creek?) serve as habitat for both scrub jay and gopher tortoise. It is apparent that those communities nearer to Myakkahatchee Creek are not optimal xeric scrub habitat and will be in need of restoration, while the areas further from Myakkahatchee Creek, which is where the scrub jays were observed, exhibit more optimal xeric scrub habitat, yet these areas, which would require little or no restoration, are not included in the 26.04 acre scrub jay preserve. Please explain why the scrub jay preserve does not include the location, which is apparently more suitable habitat, where the jays were actually observed.

Map G shows 13 active gopher tortoise burrows outside the 26.04 acre preserve boundary, from which tortoises are to be relocated to the preserve. Map G shows 6 active burrows currently existing within the preserve. Please provide assurance that the habitat located within the preserve, which most likely will require restoration, will be ecologically sufficient and will have the capacity to sustain the additional tortoises to be relocated there.

Question 13 Wetlands

On page 44 of the ADA Sufficiency Report (SWFWMD Comments), the applicant states that wetland enhancements will include "maintaining a controlled and more constant hydroperiod through lake level control". Natural hydroperiods are not constant. Isolated,

closed basin wetlands typically exhibit ephemeral conditions naturally and many wetland wildlife species, such as the endangered wood stork, are dependent upon these ephemeral conditions. Lake level control, which is apparently part of the stormwater management system for the development, may prove to be detrimental to these species. Please explain how lake level control and maintenance of controlled, constant hydroperiods will enhance wetland habitat.

Question 17 Water

At present it appears that the City of North Port has no plans to expand their reclaimed water facilities to meet the needs of Marsh Creek. Please provide information on how Marsh Creek plans to provide reuse/irrigation water to their residents and businesses if reclaimed water cannot be provided. Also provide information on what methods of water conservation will be encouraged/required, and how they will be implemented, if reclaimed water cannot be provided.

If you have any questions regarding these comments, please contact me at (941) 534-1448.

Sincerely,

Dianne McCommons Beck

Dianne McCommons Beck
Co-coordinator Greater Charlotte Harbor Ecosystem Management Area

cc: Steve Thompson, DEP-Ecosystem Management
Richard Garrity, Ph.D., DEP
Kathy Liles, DEP-Ecosystem Management
Pat Fricano, DEP-Ecosystem Management
Tiffany Lutterman, Charlotte Harbor NEP
Hans-Jurgen Reichardt, Marsh Creek Properties, Inc.
Betsy Benac, Wilson, Miller, Barton & Peek, Inc.

000542

Southwest Florida Water Management District

2379 Broad Street • Brooksville, Florida 34609-6899 • 1-800-423-1476 (Florida Only) or (352) 796-7211 • SUNCOM 628-4150 • T.D.D. Number Only (Florida Only): 1-800-231-6103

7601 Highway 301 North, Tampa, Florida 33637-6759, 1-800-836-0797 or (813) 985-7481, SUNCOM 578-2070

170 Century Boulevard, Bartow, Florida 33830-7700, 1-800-492-7862 or (941) 534-1448, SUNCOM 572-6200

115 Corporation Way, Venice, Florida 34292-3524, 1-800-320-3503 or (941) 486-1212, SUNCOM 526-6900

2303 Highway 44 West, Inverness, Florida 34453-3809, (352) 637-1360

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Tampa

E. D. "Sonny" Vergara
Executive Director
Edward B. Helvenston
General Counsel

March 31, 1997.

Mr. Dan Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
P.O. Box 3455
North Ft. Myers, Florida 33918-3455

Subject: Marsh Creek DRI - Second Sufficiency

Dear Mr. Trescott:

The Staff of the Southwest Florida Water Management District (District) has reviewed the Application for Development Approval for Marsh Creek for sufficiency of the information provided. At this time, the application appears insufficient to conduct a final review of potential water resource impacts. Additionally, the Owner's consultants did not answer the previous questions as worded which causes some concern regarding the accuracy of the representations in the ADA.

Any findings under this review, conditions, or any developer commitments do not constitute permit approval under Chapter 373, Florida Statutes, or any rules promulgated thereunder, nor do they stand in lieu of normal permitting procedures. If I can be of further assistance, please call me in the District's Planning Department.

Sincerely,

Ian McDonald, AICP
Government Planning Coordinator

cc: Mr. Hans-Jurgen Riechardt - Marsh Creek Holdings
Ms. Betsy Benac - Wilson, Miller, Barton & Peek
Mr. Sam Jones - City of North Port
Mr. Steve Minnis - SWFWMD

Attachment

Excellence Through Quality Service

Marsh Creek DRI Second Sufficiency Questions

1) In order to maximize the preservation of native habitat, maintain surface water quality, minimize irrigation requirements, reduce erosion and runoff from rainfall, and maximize the aesthetic value of the development, will the developer commit to micrositing all built elements of the residential portion of the development? "Micrositing" means clearing and grubbing only in those areas absolutely necessary for building pads, roads, and small yards, rather than clearing entire sites.

2) Current wetland impacts and mitigation plans as described in the ADA and sufficiency response are not acceptable. The applicant's consultants have been negotiating with District staff outside of the DRI process regarding acceptable mitigation. This is improper as every developer commitment and requirement for development should be clearly included in the ADA as part of the public record for all agencies and affected parties to review. Please describe in detail the wetland impacts and mitigation that the consultant is proposing, including issues discussed or resolved with the District's permitting staff.

3) The City of North Port does not have adequate reuse water to supply this project's needs and the District will not issue a water use permit for surface water without further analysis and justification. Please show where water for golf course, commercial and residential irrigation will come from and state what efforts will be made to minimize irrigation requirements. If surficial wells are proposed, please discuss their impacts on the surficial aquifer, water quality, flows in Myakkahatchee Creek, and surface water features.

   Will the developer commit to maintaining all native vegetation on-site, clearing only the minimum needed for development? Would the developer consider requiring xeriscaping throughout the project and not installing commercial or residential irrigation systems? Would the developer commit to providing homeowners with information regarding conservation measures, water restrictions, and other pertinent facts such as how saltwater intrusion and over consumption have resulted in the designation of the Southern Water Use Caution Area (SWUCA) and how residential lawns contribute large quantities of nutrients to sensitive coastal environments?

4) The issue of the project's consumption of potable water needs to be addressed better as well as the issue of seasonality. Myakkahatchee Creek should not be considered a primary source except for emergencies as the City of North Port does not use it on a regular basis. Water use increases significantly during the dry season due to increased residential irrigation and during the dry season, low flows in Myakkahatchee Creek will preclude its use entirely. Contrary to the representations in the letter dated January 17, 1997 from Hartman & Associates which stated that the City's average daily use varied from 1.073 to 1.529 MGD, the City's average daily 1994 potable water use, as reported to the District, was 2.1 MGD. It is unlikely that this has decreased given that the City is continually growing. This project will likely require the City to invoke its contract to increase the amount of water purchased from the Peace River/Manasota Regional Water Supply Authority and it will consume a considerable portion of the water earmarked for future development within the City. This project may also require treatment and distribution facility expansion. Please state how the potable water needs of this project will be accommodated. Please state what means, if any, will be taken to prevent or reduce residential irrigation use of potable water.

City of North Port

Incorporated 1959

Municipal Building
5650 North Port Boulevard
North Port, Florida 34287-3103

April 2, 1997

Glenn E. Heath, AICP
Southwest Florida Regional Planning Council
P.O. Box 3455
North Fort Myers, FL 33918-3455

Re: Sufficiency Response for Marsh Creek ADA

Dear Mr. Heath:

Thank you for the opportunity to review and provide comment to the SWFRPC concerning the "Sufficiency Response" for Marsh Creek ADA (DRI No. 08-9697-136). At this time, the City has four outstanding concerns. They are as follows:

1. Improvements to two (2) bridges on Price Boulevard which span the Myakkahatchee Creek (natural channel and the relief channel).

2. Improvements (prorata share) to Sumter Boulevard and Appomattox Drive (question 21.F).

3. Installation of one (1) traffic signal (prorata share) at the intersection of Sumter Boulevard and Price Boulevard.

4. Developer funded feasibility study for determining the appropriateness of a traffic circle at the intersection of Sumter Boulevard and Price Boulevard.

If you or your staff have any questions, please contact either myself, or Sam Jones, Director, at (941) 423-3144.

Sincerely,

Tom Slaughter
Planner II

TPS/tps

c: Paul Kaskey, City Manager
Sam Jones, AICP, Director
Juan Florensa, Director, Road and Drainage District

P2T-97-013

MARSH CREEK DRI
City of North Port

Applicant: Marsh Creek Holdings, LTD
Agent: Betsy Benac of Wilson, Miller, Barton & Peek, Inc.

Project Location

North of Appomattox Drive, south of Snover Waterway, east of Myakkahatchee Creek, west of the Blueridge Waterway. Abutting Sumter Boulevard. 2 miles south of I-75.

Portions of Sections 21, 22, 28, Township 39 South, Range 21 East.

Development Site

Legal Description indicates 834.17 acres
Question 12, ADA response indicates 831.38 acres

Also within the the development site is Parcel X, 27.59 acres, owned by AGC; former site of a landfill. Marsh Creek Holdings is attempting to acquire.

Proposed Development

1,800 residential units (700 single-family, 1,100 multi-family)
1,000,000 gsf of retail
500,000 gsf of office (250,000 medical office)
27-holes, golf course

	Phase I 1997-2001	Phase II 2002-2006	Phase III 2007-2011	Phase IV 2012-2017
Residential	400	700	700	0
Single-Family	150	275	275	0
Multi-Family	250	425	425	0
Retail	0	425,000	300,000	275,000
Office	40,000	230,000	230,000	0

PDA

For 400 residential units (150 single-family, 250 multi-family), 30,000 sf medical office (ambulatory care clinic), 10,000 sf of office, 18-hole golf course.

Listed Species

Surveys: October 1995 to May 1996; visual only, no small animal trapping.A
Observed Species: alligator, scrub jay, gopher tortoise, tricolor heron, little blue heron.
T T SSC SSC SSC
Observed Plant Species: Fl. Coontie (E)., pine flatwoods

Scrub Jays: one group (in NW corner of DRI site), 4 jays, 2 territories (?); oak/pine scrub.
FGFWFC: says 3 other clans are located near Marsh Creek; 2 just beyond the NW corner, and 1 beyond the SW corner; may use DRI ste as part of their territories?
26.04 acres of scrub will be preserved for scrub jays; consistent with FGFWFC Guideline requirements (25 acres per clan)
Scrub Jay survey done in November 1995.

Gopher Tortoise: 19 active, 43 inactive burrows. Oak/Pine Habitat: 79 acres

Wetlands

24 wetlands onsite

TABLE 12.A-1 FLUCCS Code	
Freshwater Marsh:	44.7 acres
Disturbed- Hydric:	0.3 acres
Cabbage Palm:	20.6 acres
TOTAL	65.6 acres

Wetland Preservation Table 12.A-2	
Freshwater Marsh:	37.1 acres
Borrow Area:	0.3 acres
Cabbage Palm:	7.2 acres (or 7.4?)
TOTAL:	44.6 acres

Response to Question 13 indicates 65.6 acres of wetlands
20.6 acres to be disturbed

Transportation

Adopted LOS standards assumed by applicant:
FDOT Roads (I-75 and US 41): LOS D
Charlotte County Roads: LOS D
Sarasota County Roads: LOS C
North Port Roads: LOS C

Existing Conditions: One deficient road segment: SR 776 from CR 775 to CR 771.

Committed Improvements assumed by applicant: (Construction dates not provided)
SR 776 from Collingswood Blvd to South Entrance to Riverwood To 4L

Traffic Analysis used Sarasota/Manatee MPO FSUTMS traffic model.

Applicant also computed trip generation using ITE Manual for comparison with model results.
- LUC 210 Single Family
- LUC 220 Multi-Family
- LUC 430 Golf Course
- LUC 492 Tennis Club
- LUC 720 Medical/Professional
- LUC 710 General Office
- LUC 820 Retail Shopping Center

Total Estimated PM Peak Hour Trips (based on ITE Manual): (Raw trips, not net external)
- Phase I: 515
- Phase II: 2,884
- Phase III: 2,481

Analysis is by phase and is not cumulative.

Significant Impact based on LOS C
Adverse Impact based on adopted LOS (operating below adopted LOS)

Significant and Adversely Impacted Roads:

Phase I: No analysis provided for Phase I
Phase II: US 41 from Biscayne Drive to Ortiz Blvd To 6L
Phase III: Price Blvd from North Port Blvd to Sumter Blvd To 4L
Price Blvd from Sumter Blvd to Salford Blvd To 4L
SR 776 from CR 771 to S. Riverwood Entrance To 4L
US 41 from Biscayne Drive to Ortiz To 6L
Phase IV: No analysis provided; applicant acknowledges further traffic study will be required

Proportionate Fair Share Calculations: Based on 9J-2.045
Phase II: $144,348
Phase III: $683,431

<u>Water/Wastewater/Solid Waste</u>

Potable Water Demand at Buildout: 0.710 MGD
Nonpotable (Irrigation) Demand at Buildout: 1.410 MGD

	Potable	Irrigation
Phase I	0.121	0.710
Phase II	0.286	0.500
Phase III	0.264	0.166
Phase IV	0.039	0.034
TOTAL	0.710	1.410

City of North Port will provide potable water and irrigation water.
Applicant indicates City has enough capacity for potable water demand but not for irrigation water. Applicant says City has 0.200 MGD for Phase I and 0.339, 0.339 for Phase II, 0.220 for Phase III, and o.o33 for Phase IV (Total available: 0.792). No letters received yet from City regarding capacity.

Wastewater Generation at Buildout: 0.592 MGD
To be provided by City of North Port. No letter yet received regarding capacity.

Solid Waste Generation at Buildout: 18,016 pounds/day.
To be disposed at Sarasota County Landfill.
Affordable Housing

Total Permanent, Non-construction employment: 3,596

Phase I:	170
Phase II:	1,583
Phase III:	1,337
Phase IV:	506

Hurricane Preparedness

Site not located within Category 3 Storm vulnerability zone. Some of site is within Category 4/5 Storm zone.

Southwest Florida Regional Planning Council

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P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 749-7720

FAX 941-656-7724

November 19, 1996

Mr. Roger Wilburn, Comm. Program Admin.
DCA, Div. of Local Planning
2555 Shumard Oak Blvd
Tallahassee, FL 32399-2100

RE: "Marsh Creek" DRI #08-9697-136

Dear Mr. Wilburn:

The Southwest Florida Regional Planning Council has received a DRI Application for Development Approval for "MARSH CREEK" in the City of North Port, Sarasota County. We are currently reviewing this application to determine if the information provided is adequate for review.

Please find enclosed the appropriate number of copies of the ADA. If your staff has any questions regarding the adequacy of any part of this information for their own review, we would be glad to request the applicant to address these points. We would need these questions in writing no later than December 17, 1996.

If you have any questions, please give me a call.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne E. Daltry
Executive Director

WED/pla
Enclosure(s)

cc: Ms. Betsy Benac, AICP/Wilson, Miller, Barton & Peek, Inc.
Mr. Ron York, Marsh Creek Holdings, Ltd.

Southwest Florida Regional Planning Council

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FAX 941-656-7724

8 1996

MEMORANDUM

TO: DRI Review Agencies

FROM: Maureen E. Swenson, P.E., Transportation Engineer MES

DATE: October 25, 1996

SUBJECT: Marsh Creek DRI - Transportation Methodology Report

Based on comments received from the various DRI Review Agencies at our meeting of September 10, 1996, Florida Transportation Engineering, Inc. has revised the Transportation Methodology for the above referenced project. It is enclosed for your review and approval.

Please provide any comments you have in writing to me by November 8, 1996. If no comments are received by this date, I will assume your agency agrees with the applicant's proposed methodology to be answered in the DRI.

If you have any questions, please let me know.

Enclosure

cc: Oliver Rodrigues, Florida Transportation Engineering, Inc.

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Revised October 16, 1996
Marsh Creek DRI - Transportation Methodology
Question 21

Responses to Question 21 will be prepared by Florida Transportation Engineering, Inc. The method of analysis for the development phases would be by computerized traffic simulation model -- SMATS. The SMATS model will be the basis for preparation and review of this ADA. The trip generation from the Florida Standard Urban Transportation Model Structure (FSUTMS) will match, within reason, the trip generation from the Institute of Transportation Engineers, 5th Edition. Traffic simulation modeling would be prepared by Leftwich Consulting Engineers, Inc. They will consider the first three comments dated September 9th provided by Charlotte County MPO when preparing the model.

The analysis period shall be peak season, P.M. peak hour, peak direction and peak season, average daily. The traffic from the SMATS model will be converted to annual average daily traffic (AADT) and then the appropriate 100th highest hour factors will be applied. The directional split will be based on existing counts. Project impacts will be based on 5% of the adopted level of service (LOS) peak hour link capacity and those major intersections at either end of or within the link. The segments will be defined similarly to the local governments' concurrency management systems. The procedures in the 1994 Highway Capacity Manual (HCM) and the FDOT 1995 LOS manual will be utilized for capacity analysis. FTE will use ART Plan for any significantly impacted, deficient links in Charlotte County, provided Charlotte County can provide the necessary input data for the program for the effected links. The latest available FDOT, County, or City traffic counts will be used to identify existing conditions. The traffic counts for analysis will not be older than one (1) year

Improvements scheduled for construction in the first three years of the adopted FDOT Work Program, TIP/CIP for counties/cities with comprehensive plans in-compliance, or the first year of the TIP/CIP for counties/cities with comprehensive plans not in-compliance would be considered committed improvements.

The following are the Land Use Codes (LUC) and phases proposed for the development:

Land Use	Phase I (1997-2001)	Phase II (2002-2006)	Phase III (2007-2011)	Phase IV (2012-2017	Total (1997-2017)
Residential: Single Family (LUC 210)	150 DU	275 DU	275 DU	—	700 DU
Residential: Multi-Family (LUC 220)	250 DU	425 DU	425 DU	—	1100 DU
Golf Course/Clubhouse (LUC 430)	18 Holes	9 Holes	—	—	27 Holes
Tennis Club (LUC 492)	—	12 Courts	—	—	12 Courts
Medical/Professional (LUC 720)	30k GLA	110k GLA	110k GLA	—	250k GLA
Office: General (LUC 710)	10k GLA	120K GLA	120K GLA	—	250K GLA
Retail: Shopping Center (LUC 820)	—	425k GLA	300k GLA	275k GLA	1,000k GLA

s:\195039\01\q21.cwp

Southwest Florida Regional Planning Council

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FAX 941-656-7724

November 18, 1996

Mr. Oliver R. Rodrigues, P.E.
Florida Transportation Engineering, Inc.
8250 Pascal Drive, Suite 101
Punta Gorda, FL 33950

RECEIVED
NOV 25 1996
BUREAU OF LOCAL PLANNING

Re: Marsh Creek DRI - Transportation Methodology Report

Dear Oliver:

In accordance with my memorandum dated October 25, 1996, we have received no comments on the above referenced report. Therefore, you may proceed to prepare the transportation section of the Application of Development Approval based on the methodology dated Revised October 16, 1996.

If you have any questions, please let me know.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Maureen E. Swenson, P.E.
Transportation Engineer

/mes

cc: Sam Jones, City of North Port
Clarke Davis, Sarasota County Transportation
Mark Gering, Charlotte County Planning
John Czerepak, Florida Department of Transportation
Roger Wilburn, Florida Department of Community Affairs
Lisa Beever, Charlotte County-Punta Gorda Metropolitan Planning Organization

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Florida Transportation Engineering, Inc.

January 09, 1998

Roger Wilburn
Community Planning Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399

Subject: Marsh Creek DRI Sufficiency Round #3
FTE No. 195039-03

Dear Mr. Wilburn:

Florida Transportation Engineering, Inc. (FTE) is in the process of completing responses to Sufficiency Round #3 for the Marsh Creek DRI project. As per our telephone conversation today, I am sending the following information for your review and comment.

The applicant made minor changes to the Phase I development identified in the Preliminary Development Agreement (PDA). The land use comparisons are shown below:

LAND USE COMPARISONS

Land Use	PDA		Phase I	
	Units	Trips	Units	Trips
Residential: Single Family (LUC 210)	150 D.U.	156	275 D.U.	269
Residential: Multi-Family (LUC 220)	250 D.U.	149	125 D.U.	78
Golf Course/Clubhouse (LUC 430)	18 Holes	60	18 Holes	60
Tennis Club (LUC 492)	0	0	0	0
Medical/Professional (LUC 720)	30,000 sq.ft.	116	30,000 sq.ft.	116
Office: General (LUC 710)	10,000 sq.ft.	34	10,000 sq.ft.	34
Retail: Shopping Center (LUC 820)	0	0	0	0
Totals		515		557

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As shown in the table above, the proposed development will generate about 8.1 percent (557 vph vs. 515 vph) more trips than those shown in the PDA. Because the increase in the project trips is not significant and is less than the threshold of 15% for significant variance, we believe that this trip generation analysis should be considered sufficient.

After you have had a chance to review this letter, if you have any questions please do not hesitate to contact either myself or Nanette Hall at (941) 639-2818.

Sincerely,

Ravi Devaguptapu, E.I.
Project Engineer

Copy: Nanette Hall, P.E.
Betsy Benac, AICP (Wilson Miller)
Jim Bevillard (National Land Management, Inc.)

S:\195039\03\DOC\SUFF3\DCA.CWP

Southwest Florida Regional Planning Council

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FAX 941-656-7724

January 8, 1998

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JAN 12 1998
FDOT
PROCESSING TEAM

Mr. Ravi Devaguptapu, E.I.
Florida Transportation Engineering, Inc.
8250 Pascal Drive, Suite 101
Punta Gorda, FL 33950

Re: Marsh Creek DRI - Sufficiency Responses Information

Dear Ravi:

In our meeting of December 30, 1997, we discussed your proposed responses to the sufficiency questions for the above Development of Regional Impact. It was determined that I would look into two issues with respect to the sufficiency responses proposed by you. I have looked into the issues and offer the following:

1. Although the Preliminary Development Agreement (PDA) does identify the specific number of housing units by type of unit (i.e., single family versus multi-family), Southwest Florida Regional Planning Council staff feels that the PDA does not need to be amended to account for the unit type changes identified in the Application for Development Approval (ADA). This is due to the probability that the DRI Development Order is to be approved prior to the issuance of a revised PDA. However, the ADA, through sufficiency responses, will need to address the projected difference in traffic, regardless of the percentage increase. This means that an analysis of conditions for the year 2001 will need to be provided with the next sufficiency response, in order for the application to be found sufficient. It should be noted that this is the opinion of SWFRPC staff and does not reflect the opinion of the Department of Community Affairs. I suggest that you contact Robin Branda of that Department in order to determine their recommendation.

2. The City of North Port intends to construct a city complex/government center in the parcel adjacent to the DRI in the northeast quadrant of the intersection of Sumter Boulevard with Price Boulevard. Discussions with Tom Slaughter of the City identified the following uses proposed to be built within the next ten years:

a.	City Hall	Fiscal Year 2008/2009
b.	Fine Arts Building	Fiscal Year 2003/2004
c.	Police Station	Fiscal Year 2000/2001
d.	Multi-purpose Building/Athletic Facilities	Fiscal Year 1999/2000
e.	Amphitheater	Fiscal Year 2003/2004

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f.	Training Facilities	Fiscal Year 2001/2002
g.	Fire Station (design)	Fiscal Year 2001/2002
h.	Library (design)	Fiscal Year 2000/2001

Please note that the fire station and library are only shown as being designed. However, an assumption that these facilities will be built within the next ten to fifteen years is not unreasonable. These uses should be incorporated into the socio-economic data of the model for the appropriate years and a reanalysis of the traffic performed accordingly. For your information, the City's "Request for Capital Expenditure" worksheets are enclosed. Please note that this information does not include square footage values. Assumptions can be made based on similar cities within the Region. If you wish for assistance in the development of the employment data for these uses, please let me know, as I would be glad to help.

In addition, I have received your Letter of Transmittal and attached letter and tables which are proposed as responses to the sufficiency questions. You request that I approve the responses. However, it is premature for such an approval as all review agencies will need the opportunity to review the submittal for sufficiency.

If you have any questions, please let me know.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Maureen

Maureen E. Swenson, P.E.
Transportation Engineer

/mes

Attachments

cc: Tom Slaughter, City of North Port
Robin Branda, DCA
John Czerepak, FDOT
Lisa Beever, Charlotte County-Punta Gorda MPO
Clarke Davis, Sarasota County Transportation Department
Mark Shbeib, Sarasota-Manatee MPO

000557

Atkins

Southwest Florida Regional Planning Council

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FAX 941-656-7724

January 27, 1998

RECEIVED
JAN 29 1998

Mr. Roger Wilburn
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: Third Sufficiency Report for Marsh Creek ADA, DRI #11-9697-137

Dear Mr. Wilburn:

The Southwest Florida Regional Planning Council has received the third sufficiency submittal for "Marsh Creek ADA" DRI in Sarasota County. We are currently reviewing this submittal to determine if the information provided is adequate for final review.

Please find enclosed the appropriate number of copies of the sufficiency report. If your staff has any further questions regarding the adequacy of any part of this information or if the nature of the information leads to new questions, we would be glad to request the applicant to address these points. We would need these questions in writing no later than **February 23, 1998**.

If you have any questions, please give me a call.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Glenn E. Heath

Glenn E. Heath
Senior Planner
Assistant DRI Coordinator

GEH/dlb

Enclosure(s)

cc: Ms. Betsy Benac

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STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

EMERGENCY MANAGEMENT • HOUSING AND COMMUNITY DEVELOPMENT • RESOURCE PLANNING AND MANAGEMENT

LAWTON CHILES
Governor

JAMES F. MURLEY
Secretary

September 24, 1997

Mr. Wayne Daltry, Executive Director
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th floor
North Fort Myers, FL 33918-3455

RE: Marsh Creek ADA
Second Sufficiency Questions
DCA File No. ADA-997-008

Dear Mr. Daltry:

The Department has completed its review of the answers given by the developer in response to our first sufficiency questions. We have identified several remaining outstanding issues as a result of our review. The following questions and statements are directed to the developer:

1. (formerly question 2.) - Please provide further information as to why you do not cite the Department of Community Affairs as a benefiting party with regard to the conservation easement. Please note that Rule 9J-2.041(9)(b)3., F.A.C., states "The conservation easement shall name the State of Florida as a benefiting party with a third party right of enforcement, shall allow it or any of its agencies access to the site upon request, and shall provide the State of Florida, **specifically the Department of Community Affairs** or any successor agency, with the right to require restoration and the right of enforcement..."

2. (formerly question 4.) - The Department remains concerned regarding the use of LOS D as the standard for I-75 within an urbanized area. Please coordinated your follow up answer with the Florida Department of Transportation as to whether the transportation analysis should utilize LOS D in order to determine adverse and significant impacts to I-75, a roadway in the Federal Intrastate Highway System (FIHS). The Department is of the opinion that the analysis should use LOS C, because that is the applicable standard for levels of service on the FIHS.

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JAMES F. MURLEY
Secretary

November 19, 1996

Mr. Gary Bishop
Dept. of Environmental Protection
Title Section, Mail Station 108
3900 Commonwealth Boulevard
Tallahassee, FL 323303

Re: Marsh Creek; File No ADA-997-007

Dear Mr. Bishop:

According to our procedures for protecting sovereignty lands within boundaries of Developments of Regional Impact, I have enclosed a copy of the legal description and location map for Marsh Creek in the city of North Port, file number ADA-997-007.

Please notify us if any state lands are contained within the project boundaries. Because of the lead time in the review process, receipt of this information is not critical for approximately five months. However, determination of any state ownership at the earliest possible date will be most helpful.

If you have any questions or need further information about the project, please call Roger Wilburn in the Division of Resource Planning and Management, Bureau of Local Planning at (904) 488-4925.

Thank you for your assistance.

Sincerely,

D. Ray Eubanks

D. Ray Eubanks
Planning Manager

DRE/dh
Enclosure

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
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JAMES F. MURLEY
Secretary

December 16, 1996

Mr. Wayne Daltry, Executive
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, Florida 33918-3455

Re: Marsh Creek ADA
City of North Port, Sarasota County
DCA File No. 997-007

Dear Mr. Daltry:

The Department has completed its sufficiency review of the Marsh Creek DRI Application for Development Approval received on November 19, 1996.

In its review, staff noted that under Part 2, Consistency with Comprehensive Plans (p. 10-6), the applicant states that the entire project lies within the Urban Infill Area and that the majority of the project site is located within a designated Future Growth Area (FGA), a designation that allows for the mix of uses proposed. The applicant should identify the extent and location of projects lands not within the FGA and discuss whether the proposed uses for these lands are consistent with adopted Future Land Use Map (FLUM) designations. If proposed uses are not allowed within the current FLUM designation, a plan amendment would be required.

The Department has no other comments at this time. Please contact Harry Schmertmann at (904) 922-1816 if you have any questions regarding this matter.

Sincerely,

Charles Gauthier, AICP
Growth Management Administrator

CG/hs

cc: Sam Jones, North Port Planning Director
Betsy Benac, Wilson, Miller, Barton & Peek, Inc.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

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March 25, 1997

Mr. Dan Trescott, DRI Coordinator
Southwest Florida Regional Planning Council
4980 Bayline Drive, 4th Floor
Post Office Box 3455
North Ft. Myers, FL 33917-3909

Re: Marsh Creek DRI ADA
Second Sufficiency Review
Project File No. ADA-997-007

Dear Mr. Trescott:

We have reviewed the sufficiency response submitted on February 28, 1997, for the Marsh Creek DRI and have the following comment which we would like the applicant to address.

1. The master plan map (Map H) needs to be revised to include a legend that identifies the acres and amounts (square footage, dwelling units) of land uses to be developed.

2. The conservation easement that will be used to protect the gopher tortoise and Florida scrub jay should, pursuant to the requirements of Rule 9J-2.04 (9)(b)3., F.A.C., name the Department of Community Affairs as well as the Florida Game and Fresh Water Fish Commission as benefitting parties.

3. What road segments in the traffic study area are within the respective Transportation Concurrency Management areas of Sarasota County, Charlotte County, and the City of North Port; what road segments are not included?

4. The applicant has indicated, on Page 11 of the sufficiency response, that LOS D has been assumed as the standard for I-75 because it is within an urbanized area with a population over 500,000. However, based on the University of Florida, Bureau of Economic and Business Research, Florida Population Estimates Summary, April 1, 1996, the entire population of

Sarasota County is only 305,848; while that of Charlotte County is only 129,468. It would thus appear that I-75 in the Marsh Creek study area should be classed as occurring within an urbanized area where the population is less than 500,000 and that the applicable FDOT LOS standard should be LOS C.

5. The applicant has further indicated, on Page 11 of the sufficiency response, that the LOS standard assumed by the Marsh Creek DRI traffic study for US 41 is LOS D. Although this is the standard adopted by Sarasota and Charlotte Counties, the City of North Port has adopted LOS C for all roadways within the city limits. Since US 41 has not been addressed as an exception by the City of North Port, the applicant's traffic study should consider LOS C as the adopted standard for that portion of US 41 within the City.

6. The applicant has indicated on Page 17 of the sufficiency response that, except for a 2.26-acre convenience commercial tract, the retail aspect of Marsh Creek will be located at the Price Boulevard and Sumter Boulevard intersection and will, for trip generation purposes, function much like a regional mall because of the provision of pedestrian accessways between the four intersection quadrants. We, however, doubt the pedestrian accessways will be utilized to the extent envisioned because the roads here are wide and traffic moves at a fairly high rate of speed. We believe that trip generation for the Town Center retail aspect should not be calculated in sum, but as separate estimates for each of the four quadrants.

7. Will any reclaimed water be available to the Marsh Creek DRI for irrigation usage? Has the City of North Port provided any written statements as to their ability to meet the projected potable and non-potable water demands for Marsh Creek? Will any wells need to be constructed on the development site to meet potable or non-potable demands?

If you have any questions regarding this matter, please contact Steve Atkins in the Bureau of Local Planning at (904) 922-1783.

Sincerely,

Charles Gauthier, AICP
Growth Management Administrator

CG/sba

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

February 26, 2001

Mr. Samuel K. Jones, Director of Planning
The City of North Port
5650 North Port Boulevard
North Port, Florida 34287-3103

Re: Heron Creek Development of Regional Impact, ADA No. 0997-007: Corrections to the Development Order

Dear Mr. Jones:

We have received the corrections (corrected legal description) to the adopted development order (D.O.) for the Heron Creek Development of Regional Impact (DRI) as identified in Resolution No. 01-R-5. The Resolution was rendered to the Department on February 8, 20001 and received on February 12, 2001. It has been determined that the corrected development order meets requirements of Section 380.06(15), Florida Statutes, and Rule 9J-2.025, Florida Administrative Code. The Department has no comments relating to the subject corrected development order and will not appeal its adoption.

If you have any questions or comments concerning this matter, please call Jeffrey Griswold, Planner, at (850) 487-4545.

Sincerely,

Roger Wilburn
Community Program Administrator

RW/jlg

cc: Mr. Wayne Daltry, Executive Director, Southwest Florida Regional Planning Council
Ms. Betsy Benac, Manager of Planning, Wilson, Miller, Barton & Peek, Inc..

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Secretary

TO: Roger Wilburn, Community Program Administrator

FROM: Jeffrey Griswold, Planner IV

RE: Heron Creek DRI - ADA-0997-007 corrections to the original Development Order

DATE: February 26, 2001

45-DAY DATE: **March 23, 2001**

Deadline:

On September 11, 2000, via Ordinance 2000-13, the City of North Port adopted the Development Order (D.O.) for the Heron Creek Development of Regional Impact (DRI). The D.O. was rendered to the Department on September 29, 2000, and was received on October 3, 2000. The City recognized that the D.O. contained an incorrect legal description. The City corrected the error via Resolution No. 01-R-5 which it rendered to the Department February 8, 2001 and received February 28, 2001. The Department's 45 day deadline for appeal of the corrected D.O. is March 23, 2001.

Project Description

The 831.38 acre Heron Creek DRI (formally named Marsh Creek) is located in the incorporated City of North Port within Sarasota County north of Appomattox Drive, south of the Snover Waterway, east of the Myakkahatchee Creek west of the Blueridge Waterway, abutting Sumter Boulevard and approximately 2 miles south of I-75. (see Map 1) The Heron Creek DRI proposes to construct 1,970 residential units (903 single-family units and 1,067 multi-family units), 500,000 gross square feet of retail/service, and 250,000 gross square feet of office. Additional proposed land uses are 269.38 acres of recreation and open space, 27 hole golf course and a tennis center, 44 acres of conservation land (wetlands and scrub jay habitat), 105 acres of lakes for water management, and 5 acres of internal road right-of-ways. (see Map 2) The DRI is expected to be built out by 2017.

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2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
(850) 488-7956

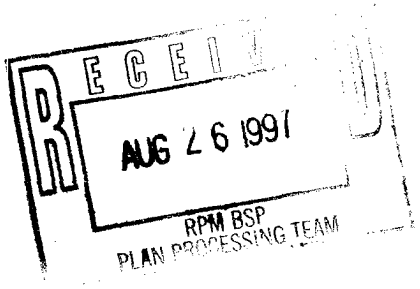
Comments

As stated above, an incorrect legal description was adopted in Ordinance 2000-13. That legal description did not reflect changes made later in the process. The differences are 1: Tract X, 24.8 acres (the old landfill) was not included and 2: a parcel donated to the City, 27.59 acres, for the new City Center was incorrectly included. The aggregate land in the erroneous legal description total 834.17 acres instead of the 831.38 acres referenced in the Ordinance.. At issue are The following issues areas were raised during the extended period from submittal of the ADA to the adoption date:

Recommendation:

During its review of the original D.O., staff examined the D.O. for consistency with Rule 9J-2.025, F.A.C., and found that it met the Rule's requirements. Staff believes that adoption of the correct legal description to be appropriate as a Section 380.06(19)(e)2, Florida Statutes, change. Therefore, staff recommends that the Department not appeal the corrected adopted D.O.

August 26, 1997



Mr. Charles Gauthier, AICP
Growth Management Administrator
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Subject: **Second Sufficiency Response for Marsh Creek Application for Development Approval (ADA) DRI No. 08-9697-136**

Dear Mr. Gauthier:

On behalf of Marsh Creek Holdings, Ltd., enclosed is a copy of our response to the request for further information and clarification as contained in the second sufficiency review report received in our office on April 4, 1997. We have attempted to respond to all requests for information. Twenty-seven copies of this sufficiency response have been sent to the Southwest Florida Regional Planning Council and one copy has been sent to the City of North Port.

In addition to the responses to the specific requests for additional information, we have provided amended pages to the original ADA addressing a change in the development schedule for the project. This change includes increasing the number of proposed residential units from 1,800 to 1,970, reducing the amount of proposed retail/service from 1 million square feet to 500,000 square feet, and reducing the proposed office from 500,000 square feet to 250,000 square feet. The resulting revisions to the General Project Description, Question 10; Revenue Generation Summary, Question 11; Water Supply, Question 17; Wastewater Management, Question 18; Solid Waste, Question 20; Traffic, Question 21; and Human Resources, Questions 24 and 28 have been addressed with replacement pages to the original ADA. Please note that the changes in the development program have not generated any additional proposed impacts that cannot be met with available services and utilities.

The slight changes in the Master Plan are due to the revised development program, as well as changes to the golf course community that are the result of more compete information (i.e., Phase IA has received construction approval and a Southwest Florida Water Management District permit). Please note that there are no additional impacts to any environmentally sensitive areas as a result of the changes to the development program.

Please let us know as soon as possible if there are additional questions or concerns remaining. We are eager to move forward toward issuance of a development order.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac, AICP
Manager of Planning

Enclosure

cc: Dr. Hans-Jurgen Reichardt, Marsh Creek Holdings, Ltd., w/enc.
Mr. Ron York, Marsh Creek Holdings, Ltd., w/enc.
DRI Team, w/enc.

MARSH CREEK DRI

SECOND SUFFICIENCY RESPONSES

PREPARED FOR

MARSH CREEK HOLDINGS, LTD.

AUGUST 1997

Marsh Creek DRI
Second Sufficiency Responses

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Revisions to ADA

RECEIVED
SEP 3 19[illegible]
RPM BSP
PLAN PROCESSING TEAM

Applicant/Owner:

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Project Consultants:

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Revenue Assessment:

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Stan Geberer
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Affordable Housing:

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List of Attachments

Note: Attachments appear at the end of referenced section.

SWFRPC - Question 12

- Wildlife and Habitat Management Plan for Marsh Creek (revised June 1997)

SWFRPC - Questions 17 and 18

- Letter from City of North Port Utilities Department Dated May 19, 1997 (regarding potable water and wastewater treatment services - also referenced in Letter 4)

Letter 6

- Letter from City of North Port Utilities Department Dated May 19, 1997 (addressing water use concerns)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL QUESTIONS

Southwest Florida Regional Planning Council Questions

Question 12: Vegetation and Wildlife

1. **Did the wildlife management plan get reviewed by, and a sign-off from, the Florida Game and Freshwater Fish Commission (FGFWFC)? If not, please get a letter of approval for the plan from the FGFWFC and submit this letter within the second sufficiency responses.**

   Response:

   The revisions requested for approval by the FGFWFC are included in the attached revised Wildlife and Habitat Management Plan. The plan has been submitted to FGFWFC, and a letter of approval will be forwarded to the SWFRPC upon receipt.

2. **For listed species preserve areas, the conservation easement must be given to a wildlife management agency. The Southwest Florida Water Management District (SWFWMD) does not have any rules or authority addressing listed species. Will the applicant provide the conservation easement to a wildlife management agency, such as the FGFWFC or the U.S. Fish and Wildlife Service?**

   Response:

   The conservation easement will be given to the FGFWFC and SWFWMD.

Questions 17 and 18: Water Supply/Wastewater Management

1. **The correspondence from the City of North Port indicates that the city cannot provide assurance that adequate reuse or wastewater treatment capacity will exist for the buildout of the Marsh Creek Development. Furthermore, the City Utility Department does not commit, absolutely, to meeting the projected demands. If the current City utility infrastructure is unable to serve the entire development, would the applicant commit to construct on-site treatment/distribution facilities? If not, please discuss the manner in which the project's reuse and wastewater treatment demands will be met.**

   Response:

   We have attached a copy of a recent letter from the City of North Port Utilities Department in which they have assured us that the potable water and wastewater demands for the project will be accommodated.

   Reuse water supplied by the City of North Port will be used to the greatest extent possible. Currently, the city has indicated that they can commit between 100,000 to 200,000 GPD for the first phase of the project. In the future, as wastewater treatment

plant flows increase, a greater quantity of reuse water will be used if it is made available. However, because an increase in the committed quantity of reuse water cannot be accurately projected or guaranteed, we propose to supplement the reuse water with well water (and possibly stormwater runoff in the future) in order to meet the required demands. A water use permit application is currently being processed by SWFWMD for this purpose (covering areas within the approved PDA).

Question 20: Solid Waste/Hazardous Waste/Medical Waste

1. **Will any excavation or land disturbing activities require disturbance of the abandoned landfill? If so, how will these impacts be mitigated?**

   Response:

   The fill cover over the landfill will not be disturbed as part of the golf and residential community. Additional fill will be placed on the landfill to accommodate the proposed driving range development, maintaining the required cover. All plans will be submitted to the appropriate agencies prior to any activities on the landfill for approval.

2. **What steps will be taken to <u>monitor</u> obnoxious fumes or gases in the landfill?**

   Response:

   The stabilization report for the City of North Port discusses gas production at the landfill. This report was received by the FDEP on June 10, 1997. This report concludes that the landfill is stable and that methane production is very low. No monitoring will be needed. If the FDEP agrees with the report after their review process, then a final closure will be approved.

3. **Would the applicant be willing to include venting of the site for possible methane, obnoxious fumes, toxic chemicals, or other gases?**

   Response:

   See response to question 2.

4. **Have a small portion of the project been excavated and tested to ensure there is no contamination of the property?**

   Response:

   See response to question 2.

5. **Was an Environmental Audit conducted to determine whether the white goods or the household hazardous waste deposited in the landfill has contaminated the property?**

Response:

Marsh Creek has not conducted an environmental audit. Marsh Creek awaits the stabilization report and final agency action. All of the existing water quality data suggests that the groundwater is not contaminated.

6. **If the property is found to have an adverse impact on the groundwater table aquifer during on-site monitoring activities, what actions could be undertaken to alleviate the problem?**

Response:

Actions taken to alleviate a hypothetical problem would depend on the character and extent of the described problem and the future potential of a continuing impact. The landfill stability evaluation report submitted by the City of North Port to the FDEP in Tampa does not shown any adverse impacts to the groundwater table aquifer. Marsh Creek does not expect to own this land unless the FDEP issues a closed landfill permit as final agency action.

Question 21: Transportation

1. **Question A:**

   a. **The text states that the Florida Department of Transportation (FDOT) stated that the "LOS standard for freeways that are inside the Transportation Concurrency Management area...within urbanized area over 500,000 and leading to or passing within 5 miles of a primary city central business district" is LOS D. However, the area in question, the City of North Port, is not an urbanized area over 500,000. Therefore, the standard from the FDOT *1995 LOS Manual* should be for that of an urbanized area <u>under</u> 500,000 which is LOS C. Please revise the analysis accordingly.**

   Response:

   According to the FDOT 1995 LOS manual, the LOS standard for freeways that are inside the Transportation Concurrency Management areas is LOS D. The definition of Transportation Concurrency Management areas is "areas that are geographically compact areas designated in local government comprehensive plans where ***intensive development exists or is planned*** in a manner that will ensure an adequate level of mobility and further the achievement of identified important state planning goals and policies, including discouraging the

proliferation of urban sprawl, encouraging the revitalization of existing downtowns and designated redevelopment areas, protecting natural resources, protecting historic resources, maximizing the efficient use of existing public facilities, and promoting public transit, bicycling, walking and other alternatives to the single occupant automobile. Transportation Concurrency management areas may be established in a comprehensive plan in accordance with Rule 9J-5.0057, Florida Administrative Code". Because an intensive development like Marsh Creek is planned in this area, LOS D should be the adopted standard. No adjustments to the calculation are required.

b. **The text states that the LOS standard for the City of North Port does not separately address state roadways within the city. However, by not specifically addressing the issues separately, the city has adopted the same LOS service standard for state roadways as it has for its own. Therefore, the LOS standard for state roadways within the City of North Port is LOS C. Please revise the analysis accordingly.**

Response:

Sarasota County and Charlotte County adopted LOS D as a standard for U.S. 41. This is consistent with FDOT's adopted LOS standard. The City of North Port identified the adopted LOS as LOS C for all the roadways within the city limits. For the current study, LOS D was used as an adopted LOS standard for U.S. 41, which is a inter-county roadway, to be consistent with Sarasota County, Charlotte County, and FDOT.

c. **Table 21.A-1:**

The signals per mile used for S.R. 776 are acceptable as stated in the text associated with Sufficiency Question 21.1.c.ii. However, S.R. 776 was only intended to be an example of the type of problem with the roadway segment splits identified in the table. Another problem exists for the U.S. 41 segments. The use of the segment from the Peace River to S.R. 776 is inappropriate.

i. **While the use of the same maximum service volume for the segment from the Peace River to Toledo Blade Boulevard South is acceptable, it is unclear as to how the volumes specified are appropriate for such a long segment. Please clarify as to whether the highest volumes were identified for conservative estimates of levels of service or if an average or the low volumes were used. Please clarify.**

Response:

The highest volumes were utilized for conservative estimates of levels of service.

ii. **The segment from Toledo Blade Boulevard South to S.R. 776 should be separated from that to the south due to the large number of signals on this segment. The group for services volumes from the generalized tables for this segment should be Class II. Please revise accordingly.**

Response:

The signal class was checked for all the segments within the study area and was found accurate. To specifically respond to the mention of U.S. 41, the existing signal locations on U.S. 41 were reviewed. The existing signals are located at:

U.S. 41 and Kings Highway
U.S. 41 and Edgewater
U.S. 41 and Hancock
U.S. 41 and Gardner
U.S. 41 and Conway
U.S. 41 and Easy
U.S. 41 and Harbor
U.S. 41 and Olean
U.S. 41 and Port Charlotte
U.S. 41 and W. Tarpon
U.S. 41 and Midway
U.S. 41 and Forrest Nelson
U.S. 41 and Entrance to Mall
U.S. 41 and Toledo Blade South
U.S. 41 and Murdock Circle
U.S. 41 and S.R. 776
U.S. 41 and Toledo Blade North
U.S. 41 and Sumter
U.S. 41 and North Port
U.S. 41 and Pan American
U.S. 41 and Biscayne
U.S. 41 and Ortiz

The corresponding signal density along U.S. 41 between Peace River Bridge and S.R. 776 is 15 signals per 6.81 miles which corresponds to 2.20 signals per mile, Signal Class Ia. The signal density along U.S. 41 between Toledo Blade Boulevard south and S.R. 776 is 2 signals per 0.893

miles which corresponds to 2.24 signals per mile, Signal Class Ia. Signal Class Ia was utilized in the ADA and hence no revisions are required.

iii. **The segment from S.R. 776 to Enterprise Boulevard should be Class Ib according to the generalized tables. Please revise accordingly.**

Response:

The signal density for segment along U.S. 41 from S.R. 776 to Enterprise Boulevard is 1 signal per 0.43 miles, which corresponds to 2.33 signals per mile, Signal Class Ia. Signal Class Ia was utilized for this segment in the ADA and hence no revisions are required.

iv. **Once again, the LOS standard for the interstate should be C, not D. Please revise accordingly.**

Response:

See response to Item 1.a.

v. **The area type for the interstate segments from Sumter Boulevard to Jacaranda Boulevard, according to FDOT's consultant, should be rural. This will not affect the service volume.**

Response:

Acknowledged.
Based on the responses mentioned above, no modifications are needed to the tables provided in the first sufficiency response. However, the tables were revised to incorporate the changes in the development plan.

2. **Question B:**

a. **The trip generation assumption that the 725,000 square feet of retail is a regional mall, even though the square footage is spread over four separate parcels, is inappropriate. Each quadrant of the intersection will operate as a separate shopping center, even with pedestrian connections between the parcels. It should be noted that the Master Plan (Map H) as proposed states that the will be "Mixed Use" at the four quadrants of the Sumter Boulevard and Price Boulevard intersection. To assume that the connectivity of shopping centers across a four-lane, divided roadway will reduce the trip generation of the centers to the degree assumed is inappropriate. The trip generation for the centers should be readjusted to assume them as separate entities.**

It should be noted that the applicant's consultant has itself used the shopping center rate for the smaller square footages of a DRI even though said DRI was across the street from other shopping centers. This assumption used the higher trip generation rates for the smaller square footages, as is appropriate. This assumption was made for the Murdock Center Increment III analysis.

Please revise the trip generation accordingly.

Response:

The retail use at each corner of the intersection of Sumter Boulevard and Price Boulevard is treated as a separate shopping center in the revised analysis. The revised land uses and trip generation are summarized in Tables 21.B-1 through 21.B-4, included in Revisions to ADA section.

b. **It continues to be unclear as to how the peak season daily project traffic was converted to peak hour and applied to the tables within the analysis. Were the K_{100} factors and peak season factors applied to them? If so, this in incorrect. A straight calculation from the peak season daily to the peak hour calculation obtained from the ITE Trip Generation Manual should be performed. Please clarify and modify if necessary.**

Response:

The computer model runs yielded the projected peak season daily traffic (PSDT) volumes for the background conditions and for the development. These PSDT volumes were converted to annual average daily traffic (AADT) using the peak season factors (PSF) as dividers. The AADTs were then converted to peak hour volumes using the K100 factors as multipliers. This is the procedure described in the published Design Traffic Handbook developed by the FDOT. This procedure is being currently taught to the local governments by FDOT. Also, this procedure will soon be taught to private consultants.

c. **The text states that the input/output files for the FSUTMS model runs were received. However, the disks received were again incomplete (i.e., HRLDXY files were not received for Phase 3) and unusable for purposes of reviewing the runs prepared by the consultant (i.e., the HRLDXY file for Phase 2 with the project was not able to be pulled up for review using the screen editor) or for rerunning the model. Please submit in usable format.**

Response:

The HRLDXY files for Phases 2 and 3 are provided in the attached diskettes. The model runs were revised using the FSUTMS Version 5.0 (two digit).

3. **Question 21.D:**

a. **SWFRPC staff was unable to duplicate the trip generation adjustments that are referenced through the post mode choice calculations. Please adjust the trip generation according to comments above and resubmit these calculations.**

Response:

The model runs were revised using the FSUTMS Version 5.0 (two digit). The input and script files of each phase are provided in the attached diskettes. The post mode choice calculations are included in the end of MODE.TR2 control file. If the department has any questions with respect to duplicating model runs, please feel free to contact Zia Mansoor of Leftwich Consulting Engineers, Inc. at (407) 281-8100.

b. **It is stated that the "City of North Port development along Sumter Boulevard...modeled into TAZ 846." However, the ZDATA for this zone contains only 60 employees. This is not sufficient to represent the large number of uses that are planned in the development. In order to adequately represent the background traffic conditions in the vicinity of the marsh Creek DRI, the ZDATA files should be modified to accommodate the entire North Port development. The model should be rerun and all analyses modified accordingly. Specific information regarding the types of uses can be obtained from the city.**

Response:

At the time the model runs were performed, the only land uses that were identified for this development are a 14,656-square foot fire station and a 16,225-square foot recreational center. These two land uses do not generate a large number of trips.

c. **The roadway network assumed in the FSUTMS model runs does not represent the existing plus committed network as required by the methodology. It is our understanding that the applicant's consultant has received a corrected copy of the network from the Charlotte County-Punta Gorda Metropolitan Planning Organization. The analysis should be amended in accordance with the assignment changes that would result from these network changes.**

Response:

The analysis was amended using the existing plus committed network received from Charlotte County-Punta Gorda MPO.

4. **Table 21.E-2: The segment of Sumter Boulevard from North Port Boulevard to Sylvania Avenue appears to be significantly and adversely impacted by the project, yet Table 21.F-2 does not identify it as such. Please explain why the maximum service volume for the adopted LOS has changed between the two tables.**

   Response:

   Please review the revised tables, included in Revisions to ADA section.

5. **Question 21.F: The calculation of the proportionate share appears to have been performed using only the trips form the specific phase of development in question (i.e., Phase 2 trips only for calculation of proportionate shares for Phase 2). This is incorrect. The proportionate share shall be based on the cumulative impacts of al phases to the date of the calculation (i.e., Phase 1 and 2 trips for Phase 2 share).**

   Response:

   Florida Transportation Engineering, Inc. (FTE) performed proportionate share calculations based on FTE's interpretation of the DRI Rule 9J-2.045. The method used by FTE is in conformance with the proportional share rule. The proportionate share rule requires a cumulative assessment of the project impact. FTE's method is cumulative because the list of significantly impacted links is based on the total of Increment I and II traffic for Phase II, and is based on the total of Increment I, II, and III for Phase III. The same proportionate share method was previously used in the Murdock Increment III AIDA submitted, and was approved by Charlotte County for that project. Also, when a previous DRI (Riverwood) was heard before the SWFRPC, the director of SWFRPC, Wayne Daltry, and the council adopted the position that the method of proportionate share calculation was up to local government, provided the method was in conformance with Rule 9.J.2.045. The local government, City of North Port, did not comment on the proportionate share methodology presented in the ADA.

   The principal difference between the FTE calculations and those proposed by the SWFRPC staff is that the FTE method subtracts out the percentage of impact previously mitigated for earlier increments, while the SWFRPC method subtracts the raw dollars of the earlier increment proportionate share, adjusted by a factor derived from Consumer Price Index (CPI) information. The problem with using factors to adjust raw dollars, CPI or other sources, is that FTE is not qualified to interpret, recommend, or agree to economic adjustment factors; and neither are the SWFRPC and City of North Port staff members.

WILDLIFE AND HABITAT MANAGEMENT PLAN

for

MARSH CREEK

January 1997
Revised June 1997

Prepared by:

W. Dexter Bender & Associates, Inc.
2052 Virginia Avenue
Fort Myers, FL 33901

INTRODUCTION

The Protected Species Survey for the Marsh Creek site revealed the presence of several listed species of wildlife. These include the Florida scrub jay, gopher tortoise, American alligator, little blue heron and tricolored heron. A habitat management plan for both upland and wetland dependent listed species of wildlife has been prepared utilizing methodologies approved by the Florida Game and Fresh Water Fish Commission (FGFWFC) and the U.S. Fish & Wildlife Service (USFWS). This management plan addresses the preservation and maintenance of adequate suitable habitat for listed species and, in the case of gopher tortoises and their commensals, the capture and relocation of these species from areas to be developed to the preserve areas. In addition, the management plan also addresses those measures that will be taken during the construction process to minimize adverse impacts to listed species of wildlife.

UPLAND PRESERVE

A 26.04 acre preserve area is located in the northwest corner of the site. It is adjacent to Myakahatchee Creek and an existing scrub habitat preserve owned by the City of North Port. The Marsh Creek preserve area consists of scrub oak habitat with a palmetto understory. This area is currently utilized by a single group of scrub jays consisting of four (4) birds. Much of this area is under-utilized by species such as the scrub jay and the gopher tortoise due to the dense growth of understory vegetation since this area has not been burned in the last several years.

MAINTENANCE

In order to maintain the upland preserve area as optimal habitat for scrub jays, gopher tortoises and their commensals, prescribed burning and/or mechanical removal of understory vegetation will be employed during the winter non-nesting season. No more than 25% of the preserve will be control burned or mechanically treated at any one time. Follow-up treatments will occur 5 years after the initial treatment based on the amount of understory growth present.

In order to control the amount of burning and/or delineate areas for mechanical treatment, the preserve will be dissected by fire lanes into four (4) manageable units as shown on the attached map. These fire lines (6' - 8' wide) may also serve as nature trails for passive recreational use.

Control burning or mechanical clearing of the preserve area will be conducted on a 5 year rotational schedule. The timetable for management activities will commence within one year of the initiation of construction activities. The management of the upland preserve will be based on the table below. In instances where an active scrub-jay nest precludes burning or clearing in a particular segment, that segment will be left untreated until the next rotation, or until an active scrub-jay nest is no longer present.

YEAR	SEGMENT TO BE TREATED
1	A
2	B
3	C
4	D
5	No Treatment
6	No Treatment

The next year following the 2 years of non-treatment, the rotation will begin again with Segment A.

A survey will be conducted during the spring of each year to review the preserve area for scrub-jay nest locations and any adjustments to the maintenance schedule will be made accordingly.

Due to the dense growth of understory vegetation that currently exists within the preserve, which would provide an overabundance of fuel, initial treatment should be mechanical so that scrub oaks are not killed as the result of over burning. All control burns or mechanical clearing of understory will be supervised by a qualified biologist.

The upland preserve will be kept free of nuisance and exotic plant species through chemical treatment or hand removal as necessary and will commence within one year of the initiation of construction activities.

House pets and motorized vehicles will be prohibited within the upland preserve.

GOPHER TORTOISE AND COMMENSALS RELOCATION

No more than two (2) weeks prior to clearing activities, a qualified biologist shall update the initial gopher tortoise burrow survey and a map denoting the location of gopher tortoise burrows on site will be made available to all construction crews. The burrows will also be clearly marked with pink and black surveyors ribbon.

Those burrows which are located within areas to be cleared will be excavated by qualified personnel using a smooth bladed backhoe and shovels.

All tortoises recovered and any commensals, including the eastern indigo snake, gopher frog and Florida mouse, will be relocated to the designated upland preserve area and released in front of shaded starter burrows.

A status report detailing the number of burrows excavated, the number of tortoises or commensals recovered, and their conditions shall be sent to the FGFWFC within two (2) weeks of project completion.

PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

An eastern indigo snake protection/education pamphlet, with photos, will be developed for distribution to all construction crews and will include the following:

a. A description of the eastern indigo snake, its habits, and protection under Federal Law;

b. instructions not to injure, harm, harass or kill this species;

c. directions to notify the qualified biologist or designated leader if an eastern indigo snake is sighted;

d. directions to cease construction activity, notify the qualified biologist, and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction. If possible, the qualified biologist will promptly relocate the eastern indigo snake before resuming activity. (Only the qualified biologist is permitted to come in contact with or relocate an eastern indigo snake.);

e. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered.

WETLAND HABITAT MANAGEMENT

The acreage of wetlands to be preserved and enhanced are 44.6 acres. These consist of 37.1 acres of Freshwater Marsh and 7.4± acres of Hardwood Hammock. Enhancement of these wetlands will occur through 1) the removal of control of exotic and noxious vegetation, 2) placing upland buffers (25' average) around each wetland totaling 16± acres of upland preserve, and 3) by maintaining a controlled and more constant hydroperiod through lake level control. The wetlands proposed to be impacted are hydrologically impacted, and further degradation can be expected. The better quality wetland marshes will be preserved on site. These measures will ensure adequate habitat for the various listed species of wading birds and reptiles that utilize the site.

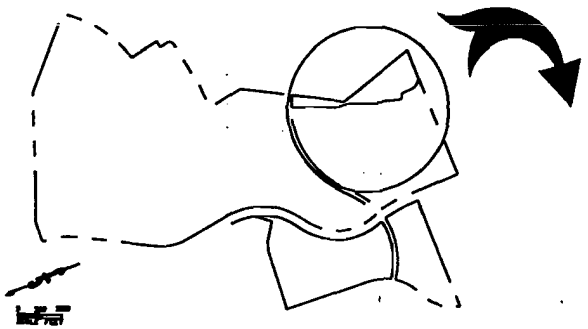
MONITORING

The upland preserve area will be monitored on an annual basis to document the status of the site. A narrative report including photographs will be submitted to the SWFWMD and FGFWFC with recommendations to ensure that the site is maintained as suitable habitat.

The wetlands on site which are to be preserved will also be monitored as part of permit compliance under the U.S. Army Corps of Engineers and Southwest Florida Water Management District (SWFWMD) permit conditions.

CONSERVATION EASEMENTS

Conservation easements to the SWFWMD, and the FGFWFC will be recorded in each phase of development for preserved wetlands and their upland buffers. The 26.04 acre upland preserve will also be included in the Conservation Easement.



Vicinity Map

SEGMENTS WILL BE CONTROL BURNED
OR MECHANICALLY CLEARED ON
5–10 YEAR ROTATIONAL SCHEDULE.

FIRE LANE / NATURE TRAIL 6'–8' WIDE

0 200 400
SCALE FEET

PROPOSED MASTER DEVELOPMENT
PLAN PROVIDED BY
WILSON, MILLER, BARTON & PEEK, INC.

Detail Map

PRESERVE
26.04 Acres

FUTURE
RESIDENTIAL

FUTURE
DEVELOPMENT

PERMIT USE ONLY,
NOT FOR CONSTRUCTION

August 12, 1997 3:52:49 p.m.
Drawing: NLG8PRSV.DWG (DCS)

W. DEXTER BENDER
AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

REVISED:

Marsh Creek Upland Preserve Management Plan

SHEET

000591

City of North Port

Utilities Department

Post Office Box 7228
North Port, Florida 34287-0228

(941) 426-9500 FAX (941) 426-5409

May 19, 1997

Robert J. Halbach, P.E.
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road,
Sarasota, FL 34232-1934

Subject: Marsh Creek Project.

Dear Mr. Halbach:

This is to confirm that the North Port Utilities will provide potable water and wastewater treatment services for the Marsh Creek Development subject to the conditions set forth in the Developer's Agreement which will require the approval of the City Commission. Also, reuse water will be provided, subject to availability and conditions set forth in the Developer's Agreement and approved by the City Commission.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours
City of North Port Utilities

H. R. Boozarjomehri

Hamid R. Boozarjomehri, E.I.
Utilities Engineer

cc: C. Mick, Director of Utilities
R. Newkirk, Superintendent of Field Operation
Read file

OTHER AGENCY QUESTIONS

Letter 1: Charlotte County-Punta Gorda Metropolitan Planning Organization

Reference letter to Dan Trescott and Maureen Swenson from Robert Johnson, dated April 1, 1997.

1. We request that the consultant provide for phases two and three the following:

a. Travel demand (FSUTMS) model runs for project, background, and total traffic.

b. Revised Cumulative Peak Hour speadsheets (Tables 21.E-1 and 21.E-2, 21.F-1 and 21.F-2).

c. Revised intersection analysis.

reflecting the existing and committed (E&C) network recently provided to Leftwich consulting and the SWFRPC.

After receiving the travel demand model (FSUTMS) runs for phases two and three, we have determined that the E&C network was erroneously represented. As you know, we have corrected this network to reflect the existing and committed roads. We have recently provided to the SWFRPC and Leftwich Consulting the FSUTMS files that reflect an E&C network. The changes to the E&C network result in a redistribution and assignment of Marsh Creek DRI, background, and total traffic. From our review, it is apparent that these network changes will entail rerunning the model for Phases II and III.

Response:

The analysis was amended using the existing plus committed network received from Charlotte County-Punta Gorda MPO.

2. Additionally, please have the U.S. 41 segments correspond with Charlotte County Concurrency Report traffic signal segments. They are:

Road Segment	Signal Class
Peace River - Toledo Blade Boulevard (south of S.R. 776)	**Ia**
Toledo Blade Boulevard (south of S.R. 776) - S.R. 776	**II**
S.R. 776 - Enterprise Drive	**IB**

Response:

The signal class was checked for all the segments within the study area and was found to be accurate. To specifically respond to the mention of U.S. 41, the existing signal locations on U.S. 41 were reviewed. The existing signals are located at:

U.S. 41 and Kings Highway
U.S. 41 and Edgewater
U.S. 41 and Hancock
U.S. 41 and Gardner
U.S. 41 and Conway
U.S. 41 and Easy
U.S. 41 and Harbor
U.S. 41 and Olean
U.S. 41 and Port Charlotte
U.S. 41 and W. Tarpon
U.S. 41 and Midway
U.S. 41 and Forrest Nelson
U.S. 41 and Entrance to Mall
U.S. 41 and Toledo Blade South
U.S. 41 and Murdock Circle
U.S. 41 and S.R. 776
U.S. 41 and Toledo Blade North
U.S. 41 and Sumter
U.S. 41 and North Port
U.S. 41 and Pan American
U.S. 41 and Biscayne
U.S. 41 and Ortiz

The corresponding signal density along U.S. 41 between Peace River Bridge and Toledo Blade Boulevard South is 13 signals per 5.917 miles, which corresponds to 2.20 signals per mile, Signal Class Ia. The signal density along U.S. 41 between Toledo Blade Boulevard south and S.R. 776 is 2 signals per 0.893 miles, which corresponds to 2.24 signals per mile, Signal Class Ia. The signal density for segment along U.S. 41 from S.R. 776 to Enterprise Boulevard is 1 signal per 0.43 miles, which corresponds to 2.33 signals per mile, Signal Class Ia. Signal Class Ia was utilized for this segment in the ADA, hence no revisions are required.

Letter 2: Sarasota County Metropolitan Planning Organization

Reference letter to Thomas Polk from Mark Shbeib, dated March 25, 1997.

3. **During the rezoning process, the Applicant should be required to conduct intersection capacity analyses for all the proposed 11 access points to the development. In addition, the Applicant should be responsible for site related roadway and intersection improvements within the Marsh Creek Development.**

   Response:

   Acknowledged.

4. **We reiterate our recommendation of December 12, 1996, in which we pointed out that the Applicant should be responsible to improve Appomattox Drive along the entire property footage between Sumter Boulevard and North Port Boulevard.**

   Response:

   As demonstrated in the ADA submittal, Appomattox Drive will not require any improvements. The proposed access roads onto the development will be designed in compliance with the City of North Port design standards.

5. **The Metropolitan Planning Organization staff recommends the Applicant to work jointly with the City of North Port Department of Public Works to resolve anticipated potential through-traffic movements through this development.**

   Response:

   Acknowledged.

Letter 3: Sarasota County Pollution Control Division

Reference memorandum to Tom Polk from Christopher A. Dilley, P.E., dated March 24, 1997.

2. **The Division reserves the right to raise additional questions, or request additional information during the formal review process, dependent on information provided by Department of Environmental Protection concerning resolution of monitoring and closure of the landfill by the concerned parties.**

   Response:

   Acknowledged.

3. **Reference: Pages 29/30, General Project Description, Section 2., Question 10.C, pages 10-4 and 10-5. Sentence following "a.", top of page 30, should read as follows: "Final resolution of the long-term monitoring agreement and responsible party name."**

   Response:

   Acknowledged.

4. **Reference: Page 31, General Project Description, Section 4., Question 10.C, page 10-12. The ordinance number referenced in the original question, and the ordinance number referenced in the response are both incorrect. The Sarasota County Water Pollution Control Code is properly cited as Ordinance No. 96-020, adopted in April, 1996.**

   Response:

   The applicant will comply with applicable portions of Sarasota County Ordinance No. 96-020, Sarasota County Water Pollution Control Code.

Letter 4: Florida Department of Community Affairs

Reference letter to Dan Trescott from Charles Gauthier, AICP, dated March 25, 1997.

1. **The master plan map (Map H) needs to be revised to include a legend that identifies the acres and amounts (square footage, dwelling units) of land uses to be developed.**

   Response:

   The master plan has been revised and an updated land use legend has been added (included in Revisions to ADA section).

2. **The conservation easement that will be used to protect the gopher tortoise and Florida scrub jay should, pursuant to the requirements of Rule 9J-2.04(9)(b)3., F.A.C., name the Department of Community Affairs as well as the Florida Game and Fresh Water Fish Commission as benefiting parties.**

   Response:

   The conservation easement will be granted to SWFWMD and the FGFWFC.

3. **What road segment in the traffic study area are within the respective Transportation Concurrency Management areas of Sarasota County, Charlotte County, and the City of North Port; what road segments are not included?**

   Response:

   None of the roadway links shown in Tables 21.D-1 through 21.F-2 are in any Transportation Concurrency Management areas. All road segments within the study area were included in the analysis.

4. **The applicant has indicated, on Page 11 of the sufficiency response, that LOS D has been assumed as the standard for I-75 because it is within an urbanized area with a population over 500,000. However, based on the University of Florida, Bureau of Economic and Business Research, Florida Population Estimates Summary, April 1, 1997, the entire population of Sarasota County is only 305,848; while that of Charlotte County is only 129,468. It would thus appear that I-75 in the Marsh Creek study area should be classed as occurring within an urbanized area where the population is less than 500,000 and that the applicable FDOT LOS standard should be LOS C.**

   Response:

   According to the FDOT 1995 LOS manual, the LOS standard for freeways that are inside the Transportation Concurrency Management areas is LOS D. The definition of

Transportation Concurrency Management areas is "areas that are geographically compact areas designated in local government comprehensive plans where ***intensive development exists or is planned*** in a manner that will ensure an adequate level of mobility and further the achievement of identified important state planning goals and policies, including discouraging the proliferation of urban sprawl, encouraging the revitalization of existing downtowns and designated redevelopment areas, protecting natural resources, protecting historic resources, maximizing the efficient use of existing public facilities, and promoting public transit, bicycling, walking and other alternatives to the single occupant automobile. Transportation Concurrency management areas may be established in a comprehensive plan in accordance with Rule 9J-5.0057, Florida Administrative Code". Because an intensive development like Marsh Creek is planned in this area, LOS D should be the adopted standard. No adjustments to the calculation are required.

5. **The applicant has further indicated, on Page 11 of the sufficiency response, that the LOS standard assumed by the Marsh Creek DRI traffic study for U.S. 41 is LOS D. Although this is the standard adopted by Sarasota and Charlotte Counties, the City of North Port has adopted LOS C for all roadways within the city limits. Since U.S. 41 has not been addressed as an exception by the City of North Port, the applicant's traffic study should consider LOS C as the adopted standard for that portion of U.S. 41 within the city.**

   Response:

   Sarasota County and Charlotte County adopted LOS "D" as a standard for U.S. 41. This is consistent with FDOT's adopted LOS standard. The City of North Port identified the adopted LOS as LOS C for all the roadways within the city limits. For the current study, LOS D was used as an adopted LOS standard for U.S. 41, which is a inter-county roadway, to be consistent with Sarasota County, Charlotte County, and FDOT.

6. **The applicant has indicated, on Page 17 of the sufficiency response, that except for a 2.26-acre convenience commercial tract, the retail aspect of Marsh Creek will be located at the Price Boulevard and Sumter Boulevard intersection and will, for trip generation purposes, function much like a regional mall because of the provision of pedestrian accessways between the four intersection quadrants. We, however, doubt the pedestrian accessways will be utilized to the extent envisioned because the roads here are wide and traffic moves at a fairly high rate of speed. We believe that trip generation for the Town Center retail aspect should not be calculated in sum, but as separate estimates for each of the four quadrants.**

   Response:

   The retail use at each corner of the intersection of Sumter Boulevard and Price Boulevard is treated as a separate shopping center in the revised analysis. The revised land uses and Trip Generation are summarized in Tables 21.B-1 through 21.B-4, included in Revisions to ADA section.

7. **Will any reclaimed water be available to the Marsh Creek DRI for irrigation usage? Has the City of North Port provided any written statements as to their ability to meet the projected potable and non-potable water demands for Marsh Creek? Will any wells need to be constructed on the development site to meet potable or non-potable demands?**

Response:

We have attached a copy of a recent letter from the City of North Port Utilities Department in which they have assured us that the potable water and wastewater demands for the project will be accommodated.

Reuse water supplied by the City of North Port will be used to the greatest extent possible. Currently, the city has indicated that they can commit between 100,000 to 200,000 GPD for the first phase of the project. In the future, as wastewater treatment plant flows increase, a greater quantity of reuse water will be used if it is made available. However, because an increase in the committed quantity of reuse water cannot be accurately projected or guaranteed, we propose to supplement the reuse water with well water (and possibly stormwater runoff in the future) in order to meet the required demands. A water use permit application is currently being processed by SWFWMD for this purpose (covering areas within the approved PDA). Should the city commit to providing a quantity of reuse to meet the entire irrigation demands for this project in the future, a groundwater well will still be required to serve as a backup source.

Letter 5: Florida Department of Environmental Protection

Reference letter to Daniel L. Trescott from Diane McCommons Beck, dated March 31, 1997.

Question 12: Vegetation and Wildlife

Page 12-2 of the ADA states that the xeric scrub communities become dense and overgrown with proximity to Myakkahatchee Creek, and that the areas with more open, sandy mid-story and understory (further distal to Myakkahatchee Creek?) serve as habitat for both scrub jay and gopher tortoise. It is apparent that those communities nearer to Myakkahatchee Creek are not optimal xeric scrub habitat and will be in need of restoration, while the areas further from Myakkahatchee Creek, which is where the scrub jays were observed, exhibit more optimal xeric scrub habitat, yet these areas, which would require little or no restoration, are not included in the 26.04-acre scrub jay preserve. Please explain why the scrub jay preserve does not include the location, which is apparently more suitable habitat, where the jays were actually observed.

Map G shows 13 active gopher tortoise burrows outside the 26.04-acre preserve boundary, from which tortoises are to be relocated to the preserve. Map G shows six active burrows currently existing within the preserve. Please provide assurance that the habitat located within the preserve, which most likely will require restoration, will be ecologically sufficient and will have the capacity to sustain the additional tortoises to be relocated there.

Response:

The 26.04-acre preserve area consists of scrubby flatwoods that will service as optimal habitat for the Florida scrub jay with proper habitat management. While the area in which the jays were observed may currently be more suitable, over time it will become unsuitable without periodic burning as well. Any area of suitable scrub jay habitat is the result of periodic burning which reduces ground cover and midstory vegetation.

The location of the 26.04-acre preserve area places it directly adjacent to the existing scrub jay preserve owned by the City of North Port, thereby providing additional contiguous habitat. It should be noted that the habitat management plan as well as the preserve boundaries were prepared in accordance with the recommendations of Jon Thaxton, one of Florida's foremost authorities on the Florida scrub jay.

The Wildlife and Habitat Management Plan for Marsh Creek, which describes in detail the maintenance procedures which will be utilized to restore and maintain the preserve for the scrub jay, also ensures that the site will be maintained as suitable habitat for the gopher tortoise. Control burning and mechanical clearing as well as the removal of exotic and nuisance species will provide for adequate forage and nesting habitat for the tortoise. FGFWFC guidelines typically provide for a ratio of 2 to 3 tortoises per acre within preserve areas onto which tortoises

will be relocated. Under these guidelines the 26.04-acre preserve area could easily accommodate the on-site tortoise population.

Question 13: Wetlands

On page 44 of the ADA Sufficiency Report (SWFWMD comments), the applicant states that wetland enhancements will include "maintaining a controlled and more constant hydroperiod through lake level control". Natural hydroperiods are not constant. Isolated, closed basin wetlands typically exhibit ephemeral conditions naturally and many wetland wildlife species, such as the endangered wood stork, are dependent upon these ephemeral conditions. Lake level control, which is apparently part of the stormwater management system for the development, may prove to be detrimental to these species. Please explain how lake level control and maintenance of controlled, constant hydroperiods will enhance wetland habitats.

Response:

The lake level control devices will serve to maintain a more stable water elevation within the wetlands throughout the wet season. During the dry season, there will be no provisions made to keep the lakes and wetlands filled to the seasonal high water elevation. Thus, during the dry season, the water elevations within the wetlands will only be increased due to a storm event. During the dry season, the storm-induced water levels should percolate back to normal seasonal water elevations within a reasonable amount of time such that the natural habitat will not be endangered.

Question 17: Water

At present it appears that the City of North Port has no plans to expand their reclaimed water facilities to meet the needs of Marsh Creek. Please provide information on how Marsh Creek plans to provide reuse/irrigation water to their residents and businesses if reclaimed water cannot be provided. Also provide information on what methods of water conservation will be encouraged/required, and how they will be implemented, if reclaimed water cannot be provided.

Response:

Reuse water supplied by the City of North Port will be used to the greatest extent possible. Currently, the city has indicated that they can commit between 100,000 to 200,000 GPD for the first phase of the project. In the future, as wastewater treatment plant flows increase, a greater quantity of reuse water will be used if it is made available. However, because an increase in the committed quantity of reuse water cannot be accurately projected or guaranteed, we propose to supplement the reuse water with well water (and possibly stormwater runoff in the future) in order to meet the required demands. A water use permit application is currently being processed by SWFWMD for this purpose.

A water conservation plan will be implemented as a condition of the SWFWMD water use permit, the application of which currently covers the areas identified with the approved PDA and environmental resource permit (ERP). In the future, as additional areas are developed, the SWFWMD water use permit will be modified accordingly and revisions will be made to the water conservation plan as needed.

Letter 6: Southwest Florida Water Management District

Reference letter to Dan Trescott from Ian McDonald, AICP, dated March 31, 1997.

1. **In order to maximize the preservation of native habitat, maintain surface water quality, minimize irrigation requirements, reduce erosion and runoff from rainfall, and maximize the aesthetic value of the development, will the developer commit to micrositing all built elements of the residential portion of the development? "Microsite" means clearing and grubbing only in those areas absolutely necessary for building pads, roads, and small yards, rather than clearing entire sites.**

   Response:

   The developer would commit to micrositing or minimizing clearing and grubbing for building pads, roads, and small yards to the extent practical, given grading and fill constraints and the quality of native plant communities to be preserved in the residentially developable parcels.

2. **Current wetland impacts and mitigation plans as described in the ADA and sufficiency response are not acceptable. The applicant's consultants have been negotiating with District staff outside of the DRI process regarding acceptable mitigation. This is improper as every developer commitment and requirement for development should be clearly included in the ADA as part of the public record for all agencies and affected parties to review. Please describe in detail the wetland impacts and mitigation that the consultant is proposing, including issues discussed or resolved with the District's permitting staff.**

   Response:

   As it is impossible to know exact wetland impacts on a 10- to 20-year buildout project, the impact assumptions made in the ADA will have to be acceptable at this time. The only negotiations with SWFWMD staff outside of the DRI process regarding mitigations was for an ERP application for Phase IA that was included in the approved PDA. This permit, recently granted by SWFWMD, was to impact 1.3 acres (Wetland T) and to preserve and enhance Wetlands K, L, M/N, P/Q, and U. The Proposed Mitigation Summary outlines mitigative measures that will occur on-site (i.e., upland preserves, wetlands creation, enhancement, and preserve) as well as off-site mitigation potential within the Myakka River watershed.

   The purpose of this mitigation summary is to discuss mitigation alternatives available for offsetting the proposed impacts to wetlands within the property. As this is a large project with a projected buildout of 10 to 20 years, it is difficult to know wetland impacts and define areas and specific plans addressing mitigation acreage and location. Although additional studies and meetings with USACOE, SWFWMD, FDEP, and the City of North

Port will be required to determine wetland values and subsequent mitigation requirement. A discussion of mitigation alternatives follows:

On-Site Mitigation

Upland Preservation

The preservation of uplands is appropriate for partial mitigation on this site for contributing to wetland-dependent wildlife cycles and for upland-dependent listed birds and reptiles (i.e., scrub jay and gopher tortoise). Upland preserves also contribute to watershed of wetlands and help maintain the ecological value of those wetlands. Mitigation ratios expected to apply to upland preservation will be 3:1 to 20:1. There will be a minimum of ±42 acres of upland preserve within this proposed project.

Wetland Preservation and Enhancement

Preservation and enhancement of important wetland systems can provide an improved level of protection over current regulatory programs. Enhancing and placing conservation easements over certain wetlands in combination with other mitigation measures should sufficiently offset the proposed adverse impacts.

The acreage of wetlands to be preserved and enhanced is 44.6 acres. These consist of 37.1 acres of freshwater marsh and ±7.4 acres of hardwood hammock. Enhancement of these wetlands will occur through (1) removing and controlling exotic and noxious vegetation, (2) placing upland buffers (25-foot average) around each wetland totaling ±16 acres of upland preserve, and (3) maintaining a controlled and more constant hydroperiod through lake level control.

Wetland Creation/Relocation

Creation and restoration have the potential to result in similar benefits, if successfully accomplished. On-site marshes segmented or otherwise impacted by roads, drainage ditches, or other human activities will be restored to their natural conditions. Appropriate grade will be established, species planted, and hydrology controlled by surface water management. Exotics will be controlled in perpetuity. Upland buffers will be established around wetland areas as required by SWFWMD and the City of North Port.

The only restoration plan that would restore viability to the cabbage hammock proposed to be impacted would be to lower the system's invert downward by 12 inches or more to restore hydrology, thereby removing all existing vegetation. The alternative is to transplant or relocate the cabbage palm hammock to an area of the site where optimum hydrology can be obtained.

With the assistance and permission of the City of North Port, a linear hammock (75 to 150 feet wide) consisting of transplanted cabbage palms and replanting of live and laurel

oaks and associated midstory vegetation is envisioned. This system would occur along the Marsh Creek/Blueridge and Snover Waterway interface. After appropriate location and acreage has been established, the hammock shelf will be -2 feet below normal pool elevation and sloping landward up to +2 feet above normal pool elevation. There are different elevations for Snover and Blueridge Waterways due to location of the weirs.

The benefit of this plan is that it provides for direct interface with an aquatic system, provides for a vegetation and wildlife buffer for both Marsh Creek and opposite property owners, addition vegetational filtration will take place in both waterways, wading bird and other bird usage will increase due to its location, and this plan will be more economically and ecologically successful in the future. The existing, failed mitigation system in Snover Waterway will provide information for this proposal. The City of North Port will play an important role for easements and water elevation control of the canal system for any mitigation plan.

Off-Site Mitigation and Banks

Any off-site mitigation proposed as partial mitigation for the project will take place within the Myakka River Watershed. Although there are not existing mitigation banks with a service area extending to this project location, it can be expected that banks will become established within the next few years and in time for the project buildout for this project.

There are four areas within the watershed of the Myakka River that are managed by governmental entities which have some potential for off-site mitigation. They are:

1. Cattle Dock Point (south of El Jobean Bridge)
2. Tippicanoe (Port Charlotte)
3. Myakka Estates (west of Myakka River)
4. Bid Slough (City of North Port)

Big Slough (Myakkahatchee Creek) is close to the project and would be the best location for off-site work. However, any of the above mentioned sites should be acceptable to SWFWMD and the USACOE.

Summary

As mentioned earlier, it is difficult to establish exact acreage and locations of mitigation required for this "long-term" project due to possible changes in site plan and/or agency regulations. However, it is believed that there are ample mitigation opportunities available both on-site and off-site to reach a "no-net-loss" of functional wetland values.

3. **The City of North Port does not have adequate reuse water to supply this project's needs and the District will not issue a water use permit for surface water without further analysis and justification. Please show where water for golf course,**

commercial, and residential irrigation will come from and state what efforts will be made to minimize irrigation requirements. If surficial wells are proposed, please discuss their impacts on the surficial aquifer, water quality, flows in Myakkahatchee Creek, and surface water features.

Response:

Reuse water supplied by the City of North Port will be used to the greatest extent possible. Currently, the city has indicated that they can commit between 100,000 to 200,000 GPD for the first phase of the project. In the future, as wastewater treatment plant flows increase, a greater quantity of reuse water will be used if it is made available. However, because an increase in the committed quantity of reuse water cannot be accurately projected or guaranteed, we propose to supplement the reuse water with well water (and possibly stormwater runoff in the future) in order to meet the required demands. A water use permit application is currently being processed by SWFWMD for this purpose.

A water conservation plan will be implemented as a condition of the SWFWMD water use permit, the application of which currently covers the areas identified with the approved PDA and ERP. Since the operation and maintenance of the proposed golf course irrigation system will be managed by the golf course superintendent, we are delaying the submittal of a detailed water conservation plan until after the superintendent has been selected. The superintendent's input into the conservation plan will ensure that the submitted plan will be an efficient one, and that it will be accurately adhered to. In the future, as additional areas are developed, the SWFWMD water use permit will be modified accordingly and revisions will be made to the water conservation plan as needed.

The existing and proposed wells tap the upper Floridan aquifer at depths between about 550 ad 800 feet below land surface (bls). The results of the investigation at the ROMP 9 site indicate the presence of four transmissive zones between the land surface and the top of the upper Floridan aquifer at a depth of 545 feet bls. The existing and proposed wells are cased through all of these zones to a depth of about 550 feet bls. These four transmissive zones are the surficial aquifer system (0 to 21.5 feet bls) and three other transmissive zones (40.1 to 64.4, 118.7 to 128, and 213 to 316.5 feet bls) within the intermediate aquifer system. These four transmissive zones are separated by four confining units located in the intervening depth intervals above the top of the upper Floridan aquifer, this impact on surficial waters is not expected.

Will the developer commit to maintaining all native vegetation on-site, clearing only the minimum needed for development? Would the developer consider requiring xeriscaping throughout the project and not installing commercial or residential irrigation systems? Would the developer commit to providing homeowners with information regarding conservation measures, water restrictions, and other pertinent facts such as how saltwater intrusion and overconsumption have resulted

in the designation of the Southern Water Use Caution Area (SWUCA) and how residential lawns contribute large quantities of nutrients to sensitive coastal environments?

Response:

The developer will commit to minimizing clearing and preserving as much native vegetation on-site as practical, but not all. The developer will encourage (but not require) the use of xeriscaping and would not commit to prohibiting irrigation systems. Xeriscaping does not eliminate the need for supplemental irrigation for landscaping. The developer would commit to providing homeowners with water conservation information.

4. **The issue of the project's consumption of potable water needs to be addressed better as well as the issue of seasonality. Myakkahatchee Creek should not be considered a primary source except for emergencies as the City of North Port does not use it on a regular basis. Water use increases significantly during the dry season due to increased residential irrigation and during the dry season, low flows in Myakkahatchee Creek will preclude its use entirely. Contrary to the representations in the letter dated January 17, 1997, from Hartman & Associates which stated that the City's average daily use varied from 1.073 to 1.529 MGD, the city's average daily 1994 potable water use, as reported to the District, was 2.1 MGD. It is unlikely that this has decreased given that the city is continually growing. This project will likely require the city to invoke its contract to increase the amount of water purchased from the Peace River/Manasota Regional Water Supply Authority and it will consume a considerable portion of the water earmarked for future development within the city. This project may also require treatment and distribution facility expansion. Please state how the potable water needs of this project will be accommodated. Please state what means, if any, will be taken to prevent or reduce residential irrigation use of potable water.**

Response:

We have attached a copy of a May 19, 1997, letter from the City of North Port Utilities Department's consultant that addresses the water use concerns.

A separate irrigation system is proposed throughout the entire project that will preclude the use of potable water for irrigation purposes. Reuse water supplied by the City of North Port will be used to the greatest extent possible. Currently, the city has indicated that they can commit between 100,000 to 200,000 GPD for the first phase of the project. In the future, as wastewater treatment plant flows increase, a greater quantity of reuse water will be used if it is made available. However, because an increase in the committed quantity of reuse water cannot be accurately projected or guaranteed, we propose to supplement the reuse water with well water (and possibly stormwater runoff in the future) in order to meet the required demands. A water use permit application is currently being processed by SWFWMD for this purpose.

A water conservation plan will be implemented as a condition of the SWFWMD water use permit, the application of which currently covers the areas identified with the approved PDA and ERP. In the future, as additional areas are developed, the SWFWMD water use permit will be modified accordingly and revisions will be made to the water conservation plan as needed.

000609

City of North Port

Utilities Department

Post Office Box 7228
North Port, Florida 34287-0228

(941) 426-9500 FAX (941) 426-5409

May 19, 1997

Robert J. Halbach, P.E.
Wilson, Miller, Barton & Peck, Inc.
133 South McIntosh Road,
Sarasota, FL 34232-1934

Subject: Marsh Creek Project

Dear Mr. Halbach:

This is in response to your questions in your letter dated April 25, 1997. Please find attached the letter you requested for utility services. The following are our responses to your questions and DRI concerns: :

Question 1&2: The information and documents you requested were sent by our staff to Wilson , Miller, Barton & Peck, Inc. on May 5, 1997.

Question 3: Yes, it is our plan to use the SWFWMD fund to construct the reuse transmission main on Appomattox Drive.

With regards to the Development of Regional Impact (DRI) letters, based on our meetings and our consultant's correspondence, dated January 17, 1997, you should be able to answer the questions. We are still willing to assist you and therefore, please find the following responses to the DRI letters:

Comment:- 4) *SWFMD comment for potable water needs.*

Response: The values indicated by Hartman & Associates, Inc. for the monthly daily average and the monthly maximum daily flow for 1996 are correct in comparison to the reported consumption in 1994. Until 1994, the Utilities Department was transferring water to Charlotte County and therefore, the higher values for previous years were related to the operation condition at that time.

With regards to the amount of water being purchased from the Peace River/Manasota Water Supply Authority, we believe the present capacity of 435 MGY purchased from the PR/MRWSA and a permitted withdraw capacity of 2.08 MGD from the

Myakkahatchee Creek is sufficient to satisfy the water demands of this project for many years. The City does have the ability to produce greater quantities of drinking water since the Myakkahatchee Creek Plant is designed for over 4 MGD and the City could and will be part of the future expansion of the Peace River Plant as future growth demands.

In addition, the Utilities Department is in the process of developing a long term water demand evaluation as part of a master plan for the entire city.

As you know, the Utilities Department has committed itself to provide potable water to the Marsh Creek Development, but to date have received no commitment from Marsh Creek for providing the required infrastructure.

Comment: *Questions 17 and 18) - Water supply/ Wastewater Management*

Response: As you are aware, at the present time our wastewater treatment plant has a capacity of 1.5 MGD. The flow to the wastewater treatment plant averaged 1.119 MGD during 1996. We have reviewed our rate of growth and our commitments to recent developments in the city such as Sable Trace, Duck Key, Riverwalk Phase I and II, Cocoplum, Market Place, and the Industrial Park, and we have tentative plans to upgrade and expand our treatment facility to at least 2.00 MGD. This expansion as well as actual demand is tentatively scheduled for the next five years and is contingent upon on our future budget.

The reclaimed water is permitted for an average of 0.25 MGD. At the present time, our commitment to our current customers is 0.4 MGD. As you were informed, the wastewater treatment plant has a maximum capacity of 0.6 MGD for producing reclaimed, reuse water. This limited capacity is because of insufficient filtering and chlorination facilities in the wastewater treatment plant. Therefore, as we discussed, the Utilities Department has a 0.1 to 0.2 MGD reuse water capacity available which will be assigned on a first come first serve basis.

The City will continue to pursue alternate funding sources, such as grants, to assist in the expansion of the wastewater treatment plant and reuse system.

In our previous meetings, the Utilities Department expressed our willingness to provide the required services and requested Marsh Creek's assistance in this matter regarding cost sharing. Therefore, at this time we request written notification from the Marsh Creek Group regarding their commitment and how they want to be incorporated into these improvements.

Comment: *7. Will any reclaimed water be available to the Marsh Creek DRI for irrigation usage?*

Response: Was previously sent to you.
Refer to previous correspondence regarding reclaimed water.

Comment: *Question 17. Water*

Response: This question needs to be addressed by the Marsh Creek Group or the design engineer.

If you have any other questions or require additional information, please do not hesitate to contact me.

Very truly yours
City of North Port Utilities

H. R. Boozar

Hamid R. Boozarjomehri, E.I.
Utilities Engineer

Attachments

cc: P. Kaskey, City Manager
S. K. Jones, Director of Planning
C. Mick, Director of Utilities
R. Newkirk, Superintendent of Field Operation
Read file

Letter 7: City of North Port

Reference letter to Glenn E. Heath, AICP from Tom Slaughter, dated April 2, 1997

Outstanding Concerns:

1. **Improvements to two bridges on Price Boulevard which span the Myakkahatchee Creek (natural channel and the relief channel).**

   Response:

   The improvement to the two bridges on Price Boulevard is not required as demonstrated in the revised analysis.

2. **Improvements (prorata share) to Sumter Boulevard and Appomattox Drive (Question 21.F).**

   Response:

   As demonstrated in the revised tables, Sumter Boulevard and Appomattox Drive will not require any improvements.

3. **Installation of one traffic signal (prorata share) at the intersection of Sumter Boulevard and Price Boulevard.**

   Response:

   At the time of zoning, the intersection of Sumter Boulevard and Price Boulevard will be evaluated for signal requirements. If a signal is required at this intersection, the developer will pay the appropriate proportionate share of the improvement.

4. **Developer-funded feasibility study for determining the appropriateness of a traffic circle at the intersection of Sumter Boulevard and Price Boulevard.**

   Response:

   The traffic circle feasibility study is beyond the scope of the current the DRI process.

Letter 8: Florida Game and Fresh Water Fish Commission

Reference letter to Wayne Daltry from Brian Barnett, dated April 1, 1997.

1. **The Florida scrub jay has been documented as nesting on the site. Has the applicant found this year's nest? If so, please indicate on Map G.**

   Response:

   No. The applicant has not conducted any additional listed species surveys since the initial survey was conducted.

2. **What entity will be granted the 45-acre wetland preserve conservation easement?**

   Response:

   The 45-acre wetland preserve area conservation easement will be granted jointly to the FGFWFC and SWFWMD.

3. **The Wildlife and Habitat Management Plan draft was prepared by the applicant and dated January 1997, although we were not provided a copy until March. The plan should be amended and expanded to include more complete information to specifically address the following issues:**

   a. **A dated schedule of activities reflecting the order of restoration and management activities.**

      Response:

      Exotic and nuisance plant species eradication will commence within one year of the initiation of construction activities.

   b. **A table indicating the timing and sequence of the controlled burn design for the upland communities that will be fire managed.**

      Response:

      Control burning or mechanical clearing of the preserve area will be conducted on a five-year rotational schedule. The timetable for management activities will commence within one year of the initiation of construction activities. The management of the upland preserve will be based on the table below. In instances where an active scrub jay nest precludes burning or clearing in a particular segment, that segment will be left untreated until the next rotation, or until an active scrub jay nest is no longer present.

YEAR	SEGMENT TO BE TREATED
1	A
2	B
3	C
4	D
5	No Treatment
6	No Treatment

The next year following the two years of nontreatment, the rotation will begin again with Segment A.

c. **Each spring, a survey should be completed for the scrub jay nest location. This information update may require changes in the timing and location of some management activities.**

Response:

A survey will be conducted during the spring of each year to review the preserve area for scrub jay nest locations and any adjustments to the maintenance schedule will be made accordingly.

d. **If stationary listed species occurrences (eagle nests, bird rookeries, sandhill crane nests) recruit to the site, these features should be mapped and reported to the GFC and U.S. Fish and Wildlife Service. Such occurrences may require changes in the timing and methods of some management activities.**

Response:

Should any stationary listed species occurrences recruit to the site, the location of these features will be reported to the GFC and the USFWS.

4. **Please provide the Wildlife and Habitat Management Plan to the U.S. Fish and Wildlife Service for their review.**

Response:

A copy of the revised Wildlife and Habitat Management Plan has been forwarded to the USFWS.

REVISIONS TO APPLICATION FOR DEVELOPMENT APPROVAL

QUESTION 10 - GENERAL PROJECT DESCRIPTION

Part 1 Specific Project Description

A. Describe and discuss in general terms all major elements of the proposed development in its completed form. Include in this discussion the proposed phases (or stages) of development (not to exceed five years), magnitude in the appropriate units from Chapter 28-24, FAC., where applicable, and expected beginning and completion dates for construction.

Marsh Creek is a master planned community to be developed on an 831.38-acre parcel of land located north of Appomattox Drive, south of the Snover Waterway, east of the Myakkahatchee Creek, west of the Blueridge Waterway, abutting Sumter Boulevard, and approximately 2 miles south of Interstate 75 in the City of North Port, Florida. The developer of Marsh Creek is Marsh Creek Holdings, Ltd. of which Marsh Creek Properties is the General Partner, and will be referred to in this document as applicant or developer.

Marsh Creek will include the following land uses identified in Chapter 28-24, FAC:

1,970 residential dwelling units
500,000 retail/service gross square feet
250,000 office gross square feet

In addition, Marsh Creek will include a variety of associated and accessory uses customarily found in a master planned community, including recreational facilities, golf courses, lakes, conservation areas, and open space.

A focal point of the community will be the Town Center, which will provide a central location for services and facilities that are oriented toward the community residents' daily needs, including retail, dining, recreation, entertainment, medical and general office facilities. Within the designated "Town Center Activity Center" located at intersection of Sumter and Price boulevards is a 52-acre tract of land owned by the City of North Port, 27 acres of which were donated by Marsh Creek Holdings, Inc. in April, 1996. The city-owned parcel of land located in the Northeast quadrant of the intersection abutting the Marsh Creek site is proposed to be developed as a municipal complex. The complex currently under design by the City's consultants is proposed to include a city hall, post office, fire station, library, and recreational facilities.

The Master Plan of Marsh Creek includes approximately 45 acres of wetlands that have been carefully integrated into an overall system of conservation, water management, and open space. As part of the Master Plan, a 26.04-acre parcel of land adjacent to the Myakkahatchee Creek in the northwest corner of the property has been set aside for preservation in order to provide scrub jay habitat. This land is in addition to the Preservation land adjacent to the creek that is owned by the City of North Port.

Table 10.1.A-1
Marsh Creek's Estimated Development Schedule

	Phase I	Phase II	Phase III	Phase IV	Total
Residential Units	400	848	722		1,970
Retail Square Footage (GFA)		212,500	150,000	137,500	500,000
Office Square Footage (GFA)	40,000	105,000	105,000		250,000

B. Provide a breakdown of the existing and proposed land uses on the site for each phase of development through completion of the project. The developed land uses should be those identified in Section 380.0651, F.S. and Chapter 28-24, FAC. Use Level III of *The Florida Land Use and Cover Classification System: A Technical Report* (September 1985), available from each regional planning council. Refer to Maps D (Existing Land Use) and H (Master Plan). Use the format below and treat each land use category as mutually exclusive unless otherwise agreed to at the preapplication conference.

Table 10.1.B-1
Existing Land Uses, Level III FLUCCS* Code Definitions

FLUCCS Code	Definition	Acres	% of Total Acreage
321	Palmetto Prairie	85.1	10.2
411	Pine Flatwoods	521.9	62.8
412	Pine/Xeric Oak	79.0	9.5
428	Cabbage Palm	20.6	2.5
510D	Drainage-ways	4.7	0.6
641	Freshwater Marsh	44.7	5.4
740	Disturbed Land	44.8	5.4
742H	Disturbed Area - Hydric	0.3	0.0
743	Spoil Areas	4.8	0.6
835	Solid Waste Disposal - Landfill	25.0	3.0
	Total	831±	100

* Florida Land Use Cover and Classifications System

Table 10.1.B-2
Proposed Land Uses - Total Acreage Distribution at Buildout

FLUCCS Code	Land Use	Approximate Acres
111,121,131	Residential Single-Family	224 acres 903 units
133,134	Residential Multifamily	104 acres 1,067 units
182,186,194	Recreation, Open Space, Golf and Buffers, including Tennis Center	250.34 acres
141,143,144,147,172,174,178	Mixed Use -Town Center (includes 3.26-acre Commercial parcel at Sumter Boulevard and Marsh Creek Boulevard) Commercial Office	65 acres (not including 137 acres of estimated residential) 500,000 SF 250,000 SF
412,428,641,742	Conservation (Wetlands and Preserve)	71.04 acres
523,524	Lakes (includes estimated 31 acres of lakes in mixed use areas)	99 acres
814	Right-of-way	18 acres
	Total Site	831.38 acres

Note: All acreages are approximate and based on conditions depicted on Map H. They are subject to change, and shall not be considered as binding to the development of Marsh Creek except for the area of conservation which shall be binding. Breakdown of acres by phase has not been provided as the geographical boundaries of phases have not yet been established.

C. Briefly describe previous and existing activities on site. Identify any constraints or special planning considerations that these previous activities have with respect to the proposed development.

With the exception of drainage ditches that were constructed in anticipation of development in accordance with a previously recorded plat (now vacated), the site is vacant, undeveloped land. Except for the existing closed landfill, there is no record of any previous use of the site. The majority of the land is zoned for residential and agricultural uses, with a small parcel designated for General Commercial (CG) at the previously planned intersection of North Port Boulevard extension and Sumter Boulevard.

intent of the planned Activity Center, as well as the current Comprehensive Plan Future Land Use Element Objectives and Policies which encourage urban development in this area. These include:

Objective 2

To the extent possible in light of the numerous outstanding sales agreements outside the Urban Infill area, future development will be encouraged to locate in the Urban Infill area and Planned Community Development Districts shown on the Future land Use Map, to discourage urban sprawl; and

Policy 3.7

Additional subdivision of unplatted agricultural lands shall be granted only within Developments of Regional Impact (DRIs) or Planned Community Development (PCD) Districts; and

Policy 6.1

Higher densities and intensities of development shall be located within the PCD areas, where infrastructure facilities will be made available; and

Policy 6.2

The platting of additional residential, commercial, and industrial land shall be timed and staged in conjunction with provision of supporting community facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.

Traffic Circulation Element

The traffic study (see Question 21) that has been submitted with this ADA illustrates how the proposed development is consistent with the Traffic Circulation Element (TCE). As stated in the Comp. Plan, North Port enjoys a relatively good roadway system that was constructed in anticipation of the buildout of platted GDC lands. Additionally, adequate right-of-way has been reserved to insure that future traffic demands could be accommodated on roads such as Sumter Boulevard and Price Boulevard. The Level of Service standard "C", established in the Comp. Plan for the all major thoroughfares, will be maintained through buildout of the Marsh Creek project. The only amendment that is necessary to facilitate the traffic study is to change the designation for Sumter and Price boulevards from major collector to minor arterial roadway. This change better reflects the current functional classification of these two roadways, given the amount of development that has occurred since the adoption of the Comp. Plan in 1988. Planning staff included this amendment in the EAR-based Comp. Plan amendments, which have been transmitted to the DCA by the City Commission.

C. **Describe how the proposed development will meet goals and policies contained in the State Comprehensive Plan (Chapter 187, F.S.), including, but not limited to, the goals addressing the following issues: housing, water resources, natural systems and recreational lands, land use, public facilities, transportation, and agriculture.**

Housing

The mix of housing types and costs that is proposed to be provided within the Marsh Creek Community is consistent with the goal of the State Comprehensive Plan of increasing the affordability and availability of housing for moderate income persons.

Water Resources

Goal 8, requires that new development be compatible with existing local and regional water supplies. North Port Utilities will be providing water and wastewater service to Marsh Creek.

This goal also requires the protection of surface and groundwater quality and the promotion of water conservation and water reuse techniques. Appropriate best management practices and techniques will be used at Marsh Creek which will comply with the SWFWMD requirements. Treated effluent will be utilized for irrigation purposes to the extent it is available.

Natural Systems And Recreational Lands

Goal 10 encourages the protection and restoration of wetland systems to ensure their long-term environmental value. The conservation of the wetland system within the Marsh Creek development as shown on Map H will comply with this Goal. Please refer to the response to ADA Question 13 for additional information. As described in the response to Question 26, the Marsh Creek development will provide approximately 349 acres of recreation, open space, golf courses, buffers, lakes and 71.04 acres of conservation areas which will more than adequately address the residents needs.

Land Use

The proposed mixed use residential and town center activity center to be developed at Marsh Creek is consistent with the State Comprehensive Plan Policy (16)(b)(3). which provides for the enhancement of livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping and recreational activities.

Public Facilities

As outlined in this ADA, adequate fire, police, emergency medical services and hospital services are presently available to Marsh Creek. Required impact fees and ad valorem taxes will be collected by the City to provide funding to these entities. A net positive fiscal

impact will accrue to each service provider as a result of the Marsh Creek development due to its high property values.

Water and wastewater lines will be extended by the developer and the cost will be borne by both Marsh Creek Holdings, Ltd. and North Port Utilities. This will allow for financial self-sufficiency in providing a fiscally sound and cost effective mechanism to provide and maintain public facilities. This is consistent with State Plan Policy (21)(b)(3).

Transportation

The State Plan Policy (20)(b)13 requires the coordination of transportation improvements with the State, Local and Regional plans. Marsh Creek will be consistent with the transportation provisions of the, City of North Port Comprehensive Plan, and the MPO plan adopted on a regional level.

Part 3 Demographic and Employment Information

A. Complete the following Demographic and Employment Information tables.

Table 10.3.A-1 provides a demographic profile of Marsh Creek by phase and buildout, based upon the North Port Comprehensive Plan and other sources specifically cited.

Table 10.3.A-2 provides the estimated permanent and construction employment for all four phases of Marsh Creek. The number of Marsh Creek employees is estimated in accordance with rule 9J-2.048(4)(a) F.A.C., and the methodology approved for Marsh Creek at the Pre-Application Conference. The approved methodology is included in the Pre-Application document.

As can be seen in Table 10.3.A-2, the estimated number of permanent employees totals 1,905 at buildout. This total includes 1,002 retail jobs, 386 office jobs, 473 medical/professional jobs, and 44 golf course jobs. The estimated construction employment for Marsh Creek totals 2,878. The number and distribution of wages for construction jobs are based on the experience of project planners and engineers with similar projects.

Table 10.3.A-1
Demographic Information Related to Marsh Creek's Population

Phase	Total Dwelling Units		Persons Per Household Per Sarasota County Plan[1]	Total Population	Total School Age Children[2]	Total Elderly
	Single-Family	Multifamily				
Existing	0	0	0	0	0	0
Phase I	275	125	2.17	868	20	278
Phase II	377	471	2.17	186	43	589
Phase III	251	471	2.17	1567	36	501
Total	903	1,067		4275	99	1,368

1 Based upon Apoxsee , Evaluation and Appraisal Report, FLUE (Board of County Commissioners adopted EAR February 20, 1996, Table I-5). This calculation will be used throughout this document, with the exception of Question 21, Transportation, which provides a person per household calculation based on FSUTMS.

2 Based upon .05 students per dwelling units generation rate as stated in the memorandum to Rick Nations, Director, Department of Research Assessment and Evaluation, School Board of Sarasota County, Florida. The developer commits to reevaluating this student generation rate after the first phase, or construction of the 400th dwelling unit.

3 32% of total estimated population is 65 years or older per Table 1.42, Florida Statistical Abstract, 1995.

Table 10.3.A-2
Estimated Employment Generated by Project by Income Range
Marsh Creek DRI

Phases/ Job Types	Under $10,000	$10,000- $14,999	$15,000- $19,999	$20,000- $24,999	$25,000- $29,999	$30,000 $34,999	$35,000- $39,999	Over $40,000	Total Jobs
Permanent									
Phase I	0	15	86	20	14	7	11	17	170
Phase II	15	186	261	120	87	79	51	41	800
Phase III	15	140	219	94	71	36	44	41	660
Phase IV	10	94	78	42	25	12	11	3	275
Total Permanent*	40	435	644	276	197	94	117	102	1,905
Construction									
Phase I	0	0	166	97	21	25	18	40	367
Phase II	0	0	535	311	69	82	58	129	1,184
Phase III	0	0	480	279	62	73	52	116	1,062
Phase IV	0	0	120	70	15	18	13	29	265
Total Construction	0	0	1,301	757	167	198	141	314	2,878

Figures may not total due to rounding.

*Full-time equivalent permanent employment per 9J-2.048, FAC.

Sources:

1. Sources of number of employees are DCA (1991), ITE *Trip Generation* (5th Edition, 1991), Coastal Mall Survey (1992), and Bonita Bay survey (1996).

2. Wage distribution derived from *1995 Florida Occupational Wage Survey Report, MSA 12*, Department of Labor and Employment Security.

B. Summarize public facility capital costs associated with project impacts using the following table:

Table 10.4.B-1
Public Facility Capital Costs

Facility	Phase I	Phase II	Phase III	Phase IV	Entity
Transportation	$ 0.00	$ 0.00	$ 509,368.00	N/A	City of North Port
Wastewater	517,120.00	1,233,920.00	1,013,760.00	107,520.00	City of North Port Utilities
Potable Water	349,733.33	828,466.67	679,400.00	71,666.67	City of North Port Utilities
Parks	65,808.75	129,000.51	106,375.81	0.00	City of North Port
Fire/EMS	18,896.75	70,289.25	5,686.60	15,038.38	North Port Fire and Rescue Department
Public Schools	22,040.00	46,725.00	39,782.00	0.00	Sarasota County Public Schools

The transportation facility costs related to the Marsh Creek Development were calculated based on the DRI Rule 9J-2-045. It is important to note that theses are the total proportionate share costs before any credits are applied for monetary, land, or service contributions made by the developer for transportation. There will be no cost for Phases I and II because there are no transportation improvements needed to accommodate the Phase I and Phase II development. The analysis that demonstrates there are no impacts for Phase I is included in the PDA document dated June 1996, Attachment 21-2. The analysis that demonstrates there are no impacts to Phase II is included in the response to sufficiency review for Question 21. The Phase III impacts are explained in the response to sufficiency review for Question 21. The Phase IV impacts have not been determined at this time. When the development is ready to proceed beyond Phase III totals, a transportation analysis will be done at that time to establish impacts and to determine the transportation public facility costs related to Phase IV. All required road improvements on-site will be paid for by the developer or CDD, should one be established. Road and drainage assessment fees in accordance with the adopted fee resolution (96-R-24) will be paid for all development on an annual basis.

Potable water and wastewater capital costs based on City of North Port Capital Costs, Ordinance No. 92-27. Parks capital costs based on City of North Port Impact Fee rate schedule. Fire/EMS capital costs based on City of North Port EMS impact fee rate schedule.

Public School capital costs based on per student capital outlay costs for FY 95/96 as supplied by the Finance Department of the Sarasota County School Board, multiplied by estimated student population from Table 27.A-2.

QUESTION 11 - REVENUE GENERATION SUMMARY

A. Project the funds anticipated to be generated by the project. This projection should include any source or use of funds which could have any reasonable connection to the proposed development.

1. Make the following projections by year, including the first and last year in which any construction and/or development takes place:

(a) Yearly ad valorem tax receipts
(b) Yearly impact fees collected
(c) Yearly sales tax received by local government
(d) Yearly gasoline tax received by local government
(e) Yearly projections of any other funds by any other sources generated as a result of development of the proposed project within the region

Marsh Creek will be developed over a 20-year period. The plan for development indicates that there will be four phases of five years each. However, in order to respond to this question, the yearly buildout has been extrapolated from this phased plan. For purposes of this revenue estimation it was assumed that all building during each phase will take place in the last year of the phase, rather than throughout the phase. This assumption will produce the most conservative revenue generation estimate.

Table 11A-1 depicts the revenues to local governments generated throughout the 20-year buildout period. As the table indicates, Marsh Creek will produce substantial revenues for Sarasota County and the City of North Port. The total local governmental revenue generated by the Marsh Creek development will be over $21 million by the end of the buildout period. Ad valorem tax receipts, including tax receipts for undeveloped acreage, will be in excess of $7 million. All calculations are based on present dollars and 1996 tax rates.

Sarasota County government's portion of the annual sales taxes paid by residents of Marsh Creek is estimated to be $205,499 during the 20-year buildout. The portion of gasoline tax revenues paid by Marsh Creek residents that will accrue to Sarasota County annually is estimated at over $139,831 during this same period. A portion of these revenues will be shared with the City of North Port.

The City of North Port will potentially receive over $5.2 million from annual assessments charged per improved lot for roads and drainage, solid waste, and fire and rescue services accumulated over the 20-year buildout. It is estimated the City will also receive over $4 million from capital charges for water and wastewater services to residential and commercial properties within the development. The impact fees generated by the development through buildout are estimated at over $833,000. Government revenue from document stamps paid by Marsh Creek homeowners and the commercial property owners is estimated at over $2.7 million.

Table 11.A-1

Marsh Creek Projected Revenue Generation

YEAR	Cumulative Ad Valorem Tax Receipts	Cumulative Sales Tax	Cumulative Gasoline Tax	Annual Ad Valorem Rev Undev Acreage	Annual (1) Assessments	Capital Charges(2) Water & Wastewater	Impact Fees Collected	Doc Stamp Revenue	**Cumulative Revenue**
1	0	0	0	230,781	0	0	0	18,191	248,972
2	0	0	0	230,781	0	0	0	0	479,754
3	0	0	0	230,781	0	0	0	0	710,535
4	65,713	0	0	150,609	0	0	0	0	926,857
5	1,021,980	41,707	28,392	150,609	104,500	863,372	167,115	648,966	3,887,785
6	1,021,980	41,707	28,392	150,609	104,500	0	0	0	4,142,894
7	1,021,980	41,707	28,392	150,609	104,500	0	0	0	4,398,003
8	1,021,980	41,707	28,392	150,609	104,500	0	0	0	4,653,112
9	1,021,980	41,707	28,392	150,609	104,500	0	0	0	4,908,221
10	2,846,502	130,149	88,583	150,609	326,040	1,904,585	353,301	1,157,308	10,773,220
11	2,846,502	130,149	88,583	150,609	326,040	0	0	0	11,249,869
12	2,846,502	130,149	88,583	150,609	326,040	0	0	0	11,726,518
13	2,846,502	130,149	88,583	150,609	326,040	0	0	0	12,203,167
14	2,846,502	130,149	88,583	150,609	326,040	0	0	0	12,679,816
15	4,285,935	205,449	139,831	150,609	514,663	1,584,120	288,599	911,120	17,694,907
16	4,285,935	205,449	139,831	150,609	514,663	0	0	0	18,360,179
17	4,285,935	205,449	139,831	150,609	514,663	0	0	0	19,025,451
18	4,285,935	205,449	139,831	150,609	514,663	0	0	0	19,690,722
19	4,285,935	205,449	139,831	150,609	514,663	0	0	0	20,355,994
20	4,397,484	205,449	139,831	36,077	514,663	111,815	24,171	0	21,154,269
				3,138,166	5,240,675	4,463,892	833,187	2,735,585	21,154,269

(1) Includes Road and Drainage, Fire and Rescue, Solid Waste

(2) For purposes of this estimation, all non-residential square footage charges are calculated at the total equivalent residential connection rate of .038 per 100 SF (which is the ERC rate for office square footage)

2. **List all assumptions used to derive the above projections and estimates, show the methodologies used and describe the generally accepted accounting principles used in all assumptions, estimates and projections.**

The ad valorem tax receipts in Table 11A-1 were calculated by multiplying the value of the development by the Sarasota County and City of North Port total 1996 millage rate of 19.0886 (according to the Sarasota County Tax Collector's Office).

The sales tax amount was estimated by multiplying a per capita sales tax figure by the estimated development population for each year of the buildout period. The per capita sales tax was calculated from data provided in the *1995 Florida Statistical Abstract.*

The gasoline tax paid by Marsh Creek residents was estimated by multiplying the number of households by the gallons of gas per household (taken from a report on the average amount of gasoline consumed per U.S. household) and then multiplying this number by the local optional gas tax amount of .06 and the county voted gas tax of .01.

The ad valorem revenue from undeveloped acreage was estimated by multiplying the undeveloped acres in each buildout year by the approximate value of each rezoned acre. This total was then multiplied by the sum of the Sarasota County and City of North Port millage rates.

The annual assessments for road and drainage, fire and rescue, and solid waste were calculated by multiplying the number of improved lots within Marsh Creek by the assessment for each service per improved lot. The City of North Port provided the assessments amounts. No assessment was estimated for nonresidential development, which will be calculated at the time of development.

Wastewater and potable water capital charges for the residential units within the development were estimated by multiplying the fees for each service by the number of new residential units in each year. The capital charges for the non-residential properties within the development were estimated using the fee for office square footage. The actual capital charges paid will depend on the type of commercial uses within the development at the time of connection. The capital charge amounts were obtained from the office of North Port Utilities.

The impact fees of over $833,000 were based on the City of North Port's impact fees that are usually assessed for parks, fire and rescue, libraries, and law enforcement, for the type of development to be included in Marsh Creek. Currently, the City does not have an impact fee for roads.

To calculate the estimated document stamp revenue, the number of residential units sold, resold, refinanced and equity lines established was approximated. For purposes of this estimation, it was assumed that all residential units would be sold by the end of the buildout period and that 10 percent of the homeowners would resell their homes during this time. It was also estimated that 5 percent of the residential homeowners would refinance or establish equity lines of credit during the buildout period. Applying the value of these transactions to the document stamp fees of $.70 per $100 for deeds and $.35 per $100 for promissory notes and mortgages resulted in a total document stamp revenue of over $2 million.

The $21 million in cumulative revenue generated by Marsh Creek is the sum of all revenues accrued to government as a result of the development.

QUESTION 17 - WATER SUPPLY

Adopted Level of Service:

90 GPD/capita

Existing Level of Service:

56 GPD/capita (based on 1996 records)

Level of Service After Project Buildout:

71 GPD/capita

A.1. Provide a projection of the average daily potable and non-potable water demands at the end of each phase of development. If significant seasonal demand variations will occur, discuss anticipated peaks and duration. Use the format below:

A summary of the projected average daily potable and non-potable water demands is provided in Table 17A-1a. Potable water will be used to satisfy the domestic demands associated with typical residential, recreational, and commercial land uses. Non-potable water will be used to satisfy landscape irrigation requirements for the same land uses. There are no "other" demands placed on the non-potable supply.

Table 17.A-1a
Summary of Potable and Non-Potable Water Demands

Phase	Potable Water Demand (MGD)	Non-Potable Water Demand (MGD)		Total
		Irrigation	Other	
I	0.122	0.710	0	0.832
II	0.289	0.500	0	0.789
III	0.237	0.166	0	0.403
IV	0.025	0.034	0	0.059
Total	0.673	1.410	0	2.083

Table 17.A-1b provides a summary of potable demands calculated by land use and phase. A total potable water demand of 0.710 MGD is expected at buildout. Small seasonal variations in the potable demands are expected to occur due to seasonal occupancies, typically lower than average during the months of May, June, July, August, September, and October, and higher than average during the months of November, December, January, February, March, and April.

Table 17.A-1b Potable Water Demands					
	Demands (MGD)				
Land Use	Phase I	Phase II	Phase III	Phase IV	Total
Single-Family	0.083	0.113	0.075	0.000	0.271
Multifamily	0.033	0.124	0.123	0.000	0.280
Retail	0.000	0.039	0.027	0.025	0.091
Office	0.001	0.006	0.007	0.000	0.014
Medical/Professional	0.004	0.006	0.005	0.000	0.015
Golf/Tennis	0.001	0.001	0.000	0.000	0.002
Total	0.122	0.289	0.237	0.025	0.673

Table 17.A-1c provides a summary of non-potable (irrigation) demands calculated by use and phase. An average irrigation demand of 1.410 MGD is expected at buildout. The peak monthly average is estimated to be 2.700 MGD. Significant seasonal variations in the irrigation demands are expected to occur due to seasonal variations in rainfall. Irrigation demands are greater during the dry season when rainfall is the lowest, with May being the peak demand month. The peak demand periods and durations are reflected in irrigation rate and demand values provided in table 17.A-1c.

Table 17.A-1c Non-Potable (Irrigation) Water Demands					
	Demand (MGD)				
Month	Phase I	Phase II	Phase III	Phase IV	TOTAL
Irrigated Area (acres)	222	131	62	13	428
January	0.370	0.240	0.050	0.010	0.670
February	0.540	0.360	0.075	0.015	0.990
March	0.740	0.500	0.133	0.027	1.400
April	1.160	0.800	0.257	0.053	2.270
*May	1.330	0.960	0.340	0.070	7.700
June	0.790	0.600	0.290	0.060	1.740
July	0.710	0.510	0.199	0.041	1.460
August	0.640	0.450	0.158	0.032	1.280
September	0.530	0.380	0.149	0.031	1.090
October	0.780	0.550	0.183	0.037	1.550
November	0.600	0.410	0.116	0.024	0.150
December	0.370	0.250	0.050	0.010	0.680
Average	0.710	0.500	0.166	0.034	1.410

*Peak Month

A.2. Describe how this demand information was generated, including the identification of the consumption rates assumed in the analysis.

Potable Demands

Potable water demands were based upon consumption rates from the City of North Port's Ordinance No. 92-27. The Marsh Creek buildout utility flow generation projections are as follows:

MARSH CREEK, BUILDOUT UTILITY FLOW GENERATION PROJECTIONS

Calculation procedures are based on City of North Port Ordinance No. 92-27.

SINGLE-FAMILY RESIDENTIAL (903 units)

$$903 \ \ units \times \frac{1.000 \ \ ERC}{unit} = 903 \ \ ERC$$

MULTIFAMILY RESIDENTIAL (1,067 units)

Assuming 75% of these are one or two bedroom units, and 25% are three or more bedroom units...

$$800 \ \ units \times \frac{0.8330 \ \ ERC}{unit} = 666.4 \ \ ERC$$

$$267 \ \ units \times \frac{1.000 \ \ ERC}{unit} = 267 \ \ ERC$$

GENERAL OFFICE SPACE (120,000 SF)

$$120{,}000 \ \ SF \times \frac{0.038 \ \ ERC}{100 \ \ SF} = 45.6 \ \ ERC$$

RETAIL SPACE (500,000 SF)

$$500{,}000 \ \ SF \times \frac{0.038 \ \ ERC}{100 \ \ SF} = 190 \ \ ERC$$

RESTAURANTS (Assume 40,000 SF, 1,000 Seats)

$$1{,}000 \ \ seats \times \frac{0.113 \ \ ERC}{seat} = 113.000 \ \ ERC$$

MEDICAL/PROFESSIONAL OFFICE (130,000 SF)

$$130{,}000 \ \ SF \times \frac{0.038 \ \ ERC}{100 \ \ SF} = 49.4 \ \ ERC$$

GOLF COURSE CLUBHOUSE

Assumed quantities are based on existing Pelican Pointe Golf & C. C. clubhouse...

Dining Area (160 seats): $160 \ seats \times \frac{0.133 \ ERC}{seat} = 21.280 \ ERC$

Lounge (60 seats): $60 \ seats \times \frac{0.075 \ ERC}{seat} = 4.500 \ ERC$

Locker Rooms (4 showers): $4 \ showers \times \frac{3 \ fixture \ units}{shower} = 12 \ fixture \ units$

for potable water ERC... $\frac{(12 \ fixture \ units) \times (30 \ GPD/ \ fixture \ unit)}{300 \ GPD/ \ ERC} = 1.200 \ ERC$

TENNIS CENTER

Lounge (60 seats): $60 \ seats \times \frac{0.075 \ ERC}{seat} = 4.500 \ ERC$

Locker Rooms (16 showers): $16 \ showers \times \frac{3 \ fixture \ units}{shower} = 48 \ fixture \ units$

for potable water ERC... $\frac{(48 \ fixture \ units) \times (30 \ GPD/ \ fixture \ unit)}{300 \ GPD/ \ ERC} = 4.800 \ ERC$

TOTAL POTABLE WATER PROJECTION = 2,240.4 $ERC \times 300 \ GPD$
≅ 673,000 GPD

Non Potable Demands

Non-potable (irrigation) demands were based upon SWFWMD's AGMOD computer model, which utilizes the Blaney-Criddle method. This method provides crop consumption rates in the amount necessary for growth based upon rainfall, evapotranspiration, and soil type. The following variables were utilized in the irrigation demand calculations:

Irrigated Acreage
- Phase I = 222 acres
- Phase II = 131 acres
- Phase III = 62 acres
- Phase IV = 13 acres

Soil Type = EauGallie
Crop Type = sod/golf course

QUESTION 18 - WASTEWATER MANAGEMENT

Adopted Level of Service:

80 GPD/capita

Existing Level of Service:

63 GPD/capita (based on 1996 records)

Level of Service After Project Buildout:

74 GPD/capita

A. Provide, in the table given below, the projected wastewater generation at the end of each phase of development and proposed wastewater treatment. Identify the assumptions used to project this demand.

A projection of the average daily flow for each phase and land use is presented in Table 18.A-1.

Table 18.A-1
Wastewater Flow Projections

	Flows (MGD)				
Land Use	Phase I	Phase II	Phase III	Phase IV	Total
Single-Family	0.068	0.095	0.063	0.000	0.226
Multifamily	0.028	0.102	0.103	0.000	0.233
Retail	0.000	0.033	0.022	0.021	0.076
Office	0.001	0.005	0.005	0.000	0.011
Medical/Professional	0.003	0.005	0.005	0.000	0.013
Golf/Tennis	0.001	0.001	0.000	0.000	0.002
Total	0.101	0.241	0.198	0.021	0.561

The basis of these flows is City Ordinance 92-27. The Marsh Creek buildout utility flow generation projections are as follows:

MARSH CREEK, BUILDOUT UTILITY FLOW GENERATION PROJECTIONS

Calculation procedures are based on City of North Port, FL Ordinance No. 92-27.

SINGLE-FAMILY RESIDENTIAL (903 units)

$$903 \ \ units \times \frac{1000 \ \ ERC}{unit} = 903 \ \ ERC$$

MULTIFAMILY RESIDENTIAL (1,067 units)

Assuming 75% of these are one or two bedroom units, and 25% are three or more bedroom units...

$$800 \ units \times \frac{0.833 \ ERC}{unit} = 666.4 \ ERC$$

$$267 \ units \times \frac{1.000 \ ERC}{unit} = 267 \ ERC$$

GENERAL OFFICE SPACE (120,000 SF)

$$120{,}000 \ SF \times \frac{0.038 \ ERC}{100 \ SF} = 45.6 \ ERC$$

RETAIL SPACE (5000,000 SF)

$$500{,}000 \ SF \times \frac{0.038 \ ERC}{100 \ SF} = 190 \ ERC$$

RESTAURANTS (Assume 40,000 SF, 1,000 Seats)

$$1{,}000 \ seats \times \frac{0.113 \ ERC}{seat} = 113.000 \ ERC$$

MEDICAL/PROFESSIONAL OFFICE (130,000 SF)

$$250{,}000 \ SF \times \frac{0.038 \ ERC}{100 \ SF} = 49.4 \ ERC$$

GOLF COURSE CLUBHOUSE

Assumed quantities are based on existing Pelican Pointe Golf & C. C. clubhouse...

Dining Area (160 seats): $160 \ seats \times \frac{0.133 \ ERC}{seat} = 21.280 \ ERC$

Lounge (60 seats): $60 \ seats \times \frac{0.075 \ ERC}{seat} = 4.500 \ ERC$

Locker Rooms (4 showers): $4 \ showers \times \frac{3 \ fixture \ units}{shower} = 12 \ fixture \ units$

for wastewater ERC... $\frac{(12 \ fixture \ units) \times (30 \ GPD/ \ fixture \ unit)}{250 \ GPD/ \ ERC} = 1.440 \ ERC$

TENNIS CENTER

Lounge (60 seats): $60 \ seats \times \frac{0.75 \ ERC}{seat} = 4.500 \ ERC$

Locker Rooms (16 showers): $16 \ showers \times \frac{3 \ fixture \ units}{shower} = 48 \ fixture \ units$

for wastewater ERC... $\frac{(48 \ fixture \ units) \times (30 \ GPD/ \ fixture \ unit)}{250 \ GPD/ \ ERC} = 5.760 \ ERC$

TOTAL WASTEWATER PROJECTION = $2,241.60 \ ERC \times 250 \ GPD$
≅ 561,000 GPD

All flows will be treated off-site at the City of North Port wastewater treatment plant

B. If applicable, generally describe the volumes, characteristics and pretreatment techniques of any industrial or other effluents prior to discharge from proposed industrial-related use(s).

Although commercial land uses are planned for Marsh Creek, it is anticipated that all wastewater generated, at any time during construction and at buildout, will be of typical domestic wastewater quality. Commercial users will be required to estimate the quantity and quality of the wastewater they generate. In the event their wastewater quality is not compatible with the wastewater treatment plant facilities serving the project, pretreatment will be required or other means of compatibility will be developed.

C.1. If off-site treatment is planned, identify the treatment facility and attach a letter from the agency or firm providing the treatment outlining present and projected excess capacity of the treatment and transmission facilities through buildout, any other commitments that have been made for this excess and a statement of ability to provide service at all times during or after development.

A letter from the City of North Port which outlines their willingness to provide wastewater treatment for Marsh Creek will be provided upon receipt.

C.2. If service cannot be provided, identify the required capital improvements, cost, timing, and proposed responsible entity necessary to provide service at all times during and after development.

Not applicable.

D. If septic tanks will be used on site, indicate the number of units to be served, general locations and any plans for eventual phase-out.

No septic tanks are proposed.

QUESTION 20 - SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

A. Provide a projection of the average daily volumes of solid waste generated at the completion of each phase of development. Use the format below and identify the assumptions used in the projection.

Solid waste generation estimates are shown in Table 20.A-1.

Table 20.A-1
Marsh Creek ADA Solid Waste Projections

	Equivalent Residential Connections	Population per ERC	Per Capita Waste Generation (lb per day)	Total Waste Generation (lb per day)
Single-family Residential	903	2.17	3.5	6,859
Multifamily Residential	934	2.17	3.5	7,094
General Office Space	46	2.17	3.5	350
Retail Space	190	2.17	3.5	1,444
Restaurants	113	2.17	3.5	858
Medical Quick Care Facility	4	2.17	3.5	30
Medical/Professional Office	50	2.17	3.5	380
Golf Course Clubhouse	28	2.17	3.5	213
Tennis Center	10	2.17	3.5	76
			Total lb per day	**17,304**

Notes:

1. Equivalent residential connections (REC) are based upon water and wastewater utility generation procedure as outlined in City of North Port Ordinance No. 92-27 (reference Table WS-1).

2. Population per ERC is based on Sarasota County 1996 population per household statistics.

3. Reference City of North Port Comprehensive Plan for per capita waste generation factors.

The Sarasota/Manatee MPO FSUTMS traffic model (SMATS) was used to analyze impacts of the Marsh Creek DRI. Trip end generation rates, mode split, and persons per vehicles were based on the 1990 validated SMATS model. A post mode choice Matrix Update was developed for each DRI TAZ. The post mode choice Matrix Update adjusted the initial project assignment to reflect the trips estimated using the ITE trip generation rates. Table 21.B-1 summarizes the proposed land uses by phase. Table 21.B-2 summarizes the daily trip generation rates by phase by land use and Table 21.B-3 summarizes the peak hour trip generation rates by phase by land use. Table 21.B-4 details the projection of vehicle trips expected to be generated by the development by phase.

Table 21.B-1
Land Uses

Land Use	Phase I (1997-2001)	Phase II (2002-2006)	Phase III (2007-2011)	Phase IV (2012-2017)
Residential: Single-Family (LUC 210)	275 DU	377 DU	251 DU	---
Residential: Multifamily (LUC 220)	125 DU	471 DU	471 DU	---
Golf Course/Clubhouse (LUC 430)	18 Holes	9 Holes	---	---
Tennis Club (LUC 492)	---	12 Courts	---	---
Medical/Professional (LUC 720)	30,000 GLA	50,000 GLA	50,000 GLA	---
Office: General (LUC 710)	10,000 GLA	55,000 GLA	55,000 GLA	---
Retail: Shopping Center (LUC 820)	---	212,500 GLA	150,000 GLA	137,500 GLA

Table 21.B-2
ITE Trip Generation Rates (Daily)

Land Use	Phase I	Phase II	Phase III
Residential: Single-Family (LUC 210)	2,620	3,530	2,629
Residential: Multifamily (LUC 220)	776	3,019	2,940
Golf Course/Clubhouse (LUC 430)	645	274	0
Tennis Club (LUC 492)	0	515	0
Medical/Professional (LUC 720)	883	1,612	1,612
Office: General (LUC 710)	246	893	893
Retail: Shopping Center (LUC 820)	0	14,432	13,274
Totals	**5,170**	**24,249**	**21,348**

Table 21.B-3
ITE Trip Generation Rates (Peak Hour)

Land Use	Phase I	Phase II	Phase III
Residential: Single-Family (LUC 210)	269	357	249
Residential: Multifamily (LUC 220)	78	269	269
Golf Course/Clubhouse (LUC 430)	60	29	0
Tennis Club (LUC 492)	0	46	0
Medical/Professional (LUC 720)	116	195	195
Office: General (LUC 710)	34	120	120
Retail: Shopping Center (LUC 820)	0	1,341	1,223
Totals	**557**	**2,357**	**2,056**

Table 21.B-4
Trip Generation Comparisons

Phase	ITE Trip	Model Trips
II	29,419	29,453
III	50,767	50,937

C. **Estimate the internal/external split for the generated trips at the end of each phase of development as identified in (B) above. Use the format below and include a discussion of what aspects of the development (i.e., provision of on-site shopping and recreation facilities, on-site employment opportunities, etc.) will account for this internal/external split. Provide supporting documentation showing how splits were estimated, such as the results of the Florida Standard Urban Transportation Model Structure (FSUTMS) model application. Describe the extent to which the proposed design and land use mix will foster a more cohesive, internally supported project.**

FSUTMS was used to identify internal and external trips. The MODE.OUT file provided the internal and external trips by phase as shown in Table 21.C-1. Diskettes containing the model input and output files will be submitted to the reviewing agencies.

Table 21.C-1
Internal/External Trip Split

TAZ	Phase II		Phase III	
	External	Internal	External	Internal
591	2,107	28	10,670	650
745	1,373	12	8,120	362
749	466	6	466	0
750	266	8	2,435	82
753	10,880	482	14,840	660
841	4,588	146	4,615	122
842	9,773	978	9,791	714

TABLE 21D-1
CUMULATIVE PEAK HOUR PROJECT TRIPS
2006 PEAK HOUR, PEAK SEASON
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume		
							Project	Backgr.	Total			Project	Backgr.	Total
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	116	491	607
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	253	301	554
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	214	214	428
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	80	869	949
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	2000	50200	52200	1.141	0.096	169	4241	4410
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	330	4334	4664
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	100	42000	42100	1.141	0.096	8	3548	3557
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	100	56900	57000	1.141	0.096	8	4807	4816
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	275	0	275
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	347	231	578
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	216	137	353
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	741	376	1117
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	735	377	1112
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	298	433	732
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	200	10000	10200	1.132	0.109	19	963	982
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18100	18300	1.132	0.103	18	1647	1665
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	100	16100	16200	1.132	0.104	9	1479	1488
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	404	722	1127
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	462	664	1127
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	478	634	1112
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	533	671	1204
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	423	689	1112
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	400	10200	10600	1.144	0.097	34	868	902
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	900	20300	21200	1.144	0.097	77	1727	1803
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1000	22800	23800	1.144	0.097	85	1939	2024
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	30200	30600	1.144	0.097	34	2569	2603
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	600	25800	26400	1.144	0.097	51	2194	2245
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	300	6200	6500	1.144	0.092	24	499	523
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	400	9700	10100	1.144	0.092	32	780	812
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	161	973	1134
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	1800	58600	60400	1.144	0.097	153	4984	5137
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	2400	36800	39200	1.144	0.097	204	3130	3334
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	204	3045	3249
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	204	2892	3096
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	163	2581	2745
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	1700	33500	35200	1.132	0.097	146	2882	3029
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	309	3008	3318
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	310	2547	2857
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	267	3037	3304
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	700	26900	27600	1.132	0.097	60	2315	2375
U-11		River Road	CR 775	4	Principal Arterial	Urban	200	11800	12000	1.132	0.097	17	1015	1033
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	18000	18200	1.144	0.092	16	1448	1464
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	9400	9400	1.144	0.092	0	756	756

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor workaheets for Sarasota and Charlotte County
K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

S:\195039\03\TAB\TAB21D_1.WK4

TABLE 21D-2
CUMULATIVE PEAK HOUR PROJECT TRIPS
2011 PEAK HOUR, PEAK SEASON
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume		
							Project	Backgr.	Total			Project	Backgr.	Total
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	154	443	597
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	347	327	674
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	153	748	901
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	279	4943	5221
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	541	5069	5610
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	200	48000	48200	1.141	0.096	17	4055	4072
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	200	62900	63100	1.141	0.096	17	5314	5331
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	376	289	664
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	404	501	905
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	260	751	1011
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	385	231	616
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	992	96	1088
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1256	437	1692
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	626	501	1127
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	600	13800	14400	1.132	0.104	55	1268	1323
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18900	19100	1.132	0.103	18	1720	1738
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	200	16600	16800	1.132	0.104	18	1525	1543
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	625	597	1222
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	836	469	1305
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.132	0.104	882	460	1342
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	732	260	992
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	689	873	1562
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	600	11100	11700	1.144	0.097	51	944	995
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	119	1905	2024
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1800	24900	26700	1.144	0.097	153	2118	2271
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	31400	31800	1.144	0.097	34	2671	2705
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	900	26100	27000	1.144	0.097	77	2220	2296
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	72	965	1037
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	800	10700	11500	1.144	0.092	64	860	925
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	233	1247	1480
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	2700	61400	64100	1.144	0.097	230	5228	5457
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	289	3235	3525
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	307	3125	3431
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	318	2994	3313
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	207	2280	2487
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	284	2461	2745
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	430	2745	3175
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	465	2383	2848
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	396	3184	3579
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	95	2461	2555
U-11		River Road	CR 775	4	Principal Arterial	Urban	400	14200	14600	1.132	0.097	34	1222	1256
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	20200	20400	1.144	0.092	16	1624	1641
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	10400	10400	1.144	0.092	0	836	836

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County
K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

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TABLE 21E-1
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE II, YEAR 2006
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Capacity @LOS C	Project Impact	5% Impact
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	116	491	607	990	11.67%	YES
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	253	301	554	990	25.52%	YES
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	214	214	428	1070	19.98%	YES
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	80	869	949	1245	6.46%	YES
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	2000	50200	52200	1.141	0.096	169	4241	4410	4700	3.60%	NO
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	330	4334	4664	4700	7.01%	YES
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	100	42000	42100	1.141	0.096	8	3548	3557	4700	0.18%	NO
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	100	56900	57000	1.141	0.096	8	4807	4816	4700	0.18%	NO
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	275	0	275	990	27.73%	YES
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447	1400	22.21%	YES
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	347	231	578	1400	24.76%	YES
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	216	137	353	1570	13.74%	YES
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	741	376	1117	1320	56.17%	YES
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	735	377	1112	1320	55.68%	YES
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	298	433	732	1320	22.61%	YES
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	200	10000	10200	1.132	0.109	19	963	982	1570	1.23%	NO
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18100	18300	1.132	0.103	18	1647	1665	1570	1.16%	NO
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	100	16100	16200	1.132	0.104	9	1479	1488	3050	0.30%	NO
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	404	722	1127	1400	28.89%	YES
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	462	664	1127	1400	33.01%	YES
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	478	634	1112	1570	30.43%	YES
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	533	671	1204	1570	33.94%	YES
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	423	689	1112	2890	14.62%	YES
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	400	10200	10600	1.144	0.097	34	868	902	3100	1.10%	NO
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	900	20300	21200	1.144	0.097	77	1727	1803	1640	4.67%	NO
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1000	22800	23800	1.144	0.097	85	1939	2024	4440	1.92%	NO
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	30200	30600	1.144	0.097	34	2569	2603	4440	0.77%	NO
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	600	25800	26400	1.144	0.097	51	2194	2245	1790	2.85%	NO
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	300	6200	6500	1.144	0.092	24	499	523	1349	1.79%	NO
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	400	9700	10100	1.144	0.092	32	780	812	1558	2.06%	NO
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	161	973	1134	1558	10.32%	YES
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	1800	58600	60400	1.144	0.097	153	4984	5137	4690	3.26%	NO
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	2400	36800	39200	1.144	0.097	204	3130	3334	4690	4.35%	NO
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	204	3045	3249	3100	6.58%	YES
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	204	2892	3096	3100	6.58%	YES
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	163	2581	2745	3100	5.27%	YES
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	1700	33500	35200	1.132	0.097	146	2882	3029	3100	4.72%	NO
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	309	3008	3318	3100	9.98%	YES
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	310	2547	2857	3100	9.99%	YES
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	267	3037	3304	3100	8.60%	YES
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	700	26900	27600	1.132	0.097	60	2315	2375	3100	1.94%	NO
U-11		River Road	CR 775	4	Principal Arterial	Urban	200	11800	12000	1.132	0.097	17	1015	1033	3100	0.56%	NO
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	18000	18200	1.144	0.092	16	1448	1464	2945	0.55%	NO
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	9400	9400	1.144	0.092	0	756	756	1349	0.00%	NO

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

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TABLE 21E-2
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE III, YEAR 2011
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Capacity @LOS C	Project Impact	5% Impact
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	154	443	597	990	15.56%	YES
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	347	327	674	990	35.01%	YES
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447	1070	29.06%	YES
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	153	748	901	1245	12.27%	YES
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	279	4943	5221	4700	5.93%	YES
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	541	5069	5610	4700	11.50%	YES
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	200	48000	48200	1.141	0.096	17	4055	4072	4700	0.36%	NO
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	200	62900	63100	1.141	0.096	17	5314	5331	4700	0.36%	NO
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333	990	33.68%	YES
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	376	289	664	1400	26.82%	YES
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	404	501	905	1400	28.89%	YES
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	260	751	1011	1400	18.57%	YES
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	385	231	616	1570	24.53%	YES
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	992	96	1088	1320	75.14%	YES
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1256	437	1692	1320	95.13%	YES
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	626	501	1127	1320	47.42%	YES
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	600	13800	14400	1.132	0.104	55	1268	1323	1570	3.51%	NO
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18900	19100	1.132	0.103	18	1720	1738	1570	1.16%	NO
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	200	16600	16800	1.132	0.104	18	1525	1543	3050	0.60%	NO
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	625	597	1222	1400	44.62%	YES
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	836	469	1305	1400	59.72%	YES
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.132	0.104	882	460	1342	1570	56.20%	YES
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	732	260	992	1570	46.61%	YES
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	689	873	1562	2890	23.84%	YES
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	600	11100	11700	1.144	0.097	51	944	995	3100	1.65%	NO
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	119	1905	2024	1640	7.26%	YES
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1800	24900	26700	1.144	0.097	153	2118	2271	4440	3.45%	NO
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	31400	31800	1.144	0.097	34	2671	2705	4440	0.77%	NO
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	900	26100	27000	1.144	0.097	77	2220	2296	1790	4.28%	NO
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	72	965	1037	1349	5.37%	YES
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	800	10700	11500	1.144	0.092	64	860	925	1558	4.13%	NO
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	233	1247	1480	1558	14.97%	YES
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	2700	61400	64100	1.144	0.097	230	5228	5457	4690	4.90%	NO
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	289	3235	3525	4690	6.17%	YES
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	307	3125	3431	3100	9.89%	YES
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	318	2994	3313	3100	10.27%	YES
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	207	2280	2487	3100	6.66%	YES
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	284	2461	2745	3100	9.16%	YES
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	430	2745	3175	3100	13.88%	YES
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	465	2383	2848	3100	14.99%	YES
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	396	3184	3579	3100	12.77%	YES
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	95	2461	2555	3100	3.05%	NO
U-11		River Road	CR 775	4	Principal Arterial	Urban	400	14200	14600	1.132	0.097	34	1222	1256	3100	1.11%	NO
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	20200	20400	1.144	0.092	16	1624	1641	2945	0.55%	NO
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	10400	10400	1.144	0.092	0	836	836	1349	0.00%	NO

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on FDOT statewide average K100s.

The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

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TABLE 21F-1
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE II, YEAR 2006
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Adopted LOS	Capacity @LOS C	LOS
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	116	491	607	C	990	C
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	253	301	554	C	990	C
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	214	214	428	C	1070	B
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	80	869	949	D	1245	B
I-2	I-75	Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	330	4334	4664	D	4700	C
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	275	0	275	C	990	C
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447	C	1400	B
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	347	231	578	C	1400	B
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	216	137	353	C	1570	A
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	741	376	1117	C	1320	B
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	735	377	1112	C	1320	B
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	298	433	732	C	1320	B
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	404	722	1127	C	1400	B
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	462	664	1127	C	1400	B
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	478	634	1112	C	1570	A
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	533	671	1204	C	1570	A
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	423	689	1112	C	2890	A
T-3	Toledo Blade Boulevard N	Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	161	973	1134	D	1558	B
U-3	US 41	Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	204	3045	3249	D	3100	D
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	204	2892	3096	D	3100	C
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	163	2581	2745	D	3100	C
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	309	3008	3318	D	3100	D
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	310	2547	2857	D	3100	C
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	267	3037	3304	D	3100	D

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

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K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department;
K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

TABLE 21F-2
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE III, YEAR 2011
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 28-Jul-97

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Adopted LOS	Capacity @LOS C	LOS
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	154	443	597	C	990	C
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	347	327	674	C	990	C
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	311	136	447	C	1070	B
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	153	748	901	D	1245	B
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	279	4943	5221	D	4700	D
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	541	5069	5610	D	4700	D
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333	C	990	C
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	376	289	664	C	1400	B
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	404	501	905	C	1400	B
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	260	751	1011	C	1400	B
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	385	231	616	C	1570	A
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	992	96	1088	C	1320	B
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1256	437	1692	C	1320	F
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	626	501	1127	C	1320	B
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	625	597	1222	C	1400	B
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	836	469	1305	C	1400	B
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.132	0.104	882	460	1342	C	1570	B
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	732	260	992	C	1570	A
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	689	873	1562	C	2890	A
SR-2	SR 776	CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	119	1905	2024	D	1640	D
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	72	965	1037	D	1349	B
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	233	1247	1480	D	1558	C
U-2	US 41	SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	289	3235	3525	D	4690	B
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	307	3125	3431	D	3100	F
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	318	2994	3313	D	3100	D
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	207	2280	2487	D	3100	B
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	284	2461	2745	D	3100	C
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	430	2745	3175	D	3100	D
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	465	2383	2848	D	3100	C
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	396	3184	3579	D	3100	F
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	95	2461	2555	D	3100	B

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County
K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on FDOT statewide average K100s.
The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

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TABLE 21F-3
MARSH CREEK ADA
PEAK HOUR PROJECT TRIPS, PHASE II
PROPORTIONATE SHARE CALCULATIONS BASED ON DRI RULE 9J-2.045

Assume LOS "C" Standard on US 41 in North Port

LINK INDEX	ROADWAY	FROM	TO	E+C Lanes	Needed Lanes	Length (Miles)	Phase II Trips	Adopted LOS	E+C Service Volume	Needed Service Volume	Change in Service Volume	Improvement Cost per Mile (1)	Total Improvement Cost	Proportionate Share (2)
U-7	US 41	North Port Blvd.	Pan American	4	6	0.485	143	C	3100	4690	1590	$1,328,200	$644,177	$57,935
U-9	US 41	Biscayne Drive	Ortiz Blvd.	4	6	0.828	101	C	3100	4690	1590	$1,328,200	$1,099,750	$69,858

(1) The unit improvement costs per mile of the roadway were obtained from FDOT - District 1 Construction Department

Segment	Construction Cos	Process Until Const.	Environmental Impact	Total
U-7,U-9	$1,145,000	$171,750	$11,450	$1,328,200

(2) Proportionate Share = (Incr. Trips / Change in Service Volume) x Total Improvement Cost.

Total Share **$127,794**

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TABLE 21F-4
MARSH CREEK ADA
PEAK HOUR PROJECT TRIPS, PHASE III
PROPORTIONATE SHARE CALCULATIONS BASED ON DRI RULE 9J-2.045

LINK INDEX	ROADWAY	FROM	TO	E+C Lanes	Needed Lanes	Length (Miles)	Phase III Trips	Adopted LOS	E+C Service Volume	Needed Service Volume	Change in Service Volume	Improvement Cost per Mile (1)	Total Improvement Cost	Proportionate Share (2)
P-3	Price Blvd.	Sumter Blvd.	Salford Blvd.	2	4	0.663	521	C	1320	2720	1400	$1,849,040	$1,225,914	$456,215
U-3	US 41	Enterprise Dr.	Toledo Blade N.	4	6	0.743	103	D	3100	4690	1590	$1,328,200	$986,853	$63,928
U-9	US 41	Biscayne Drive	Ortiz Blvd.	4	6	0.828	129	D	3100	4690	1590	$1,328,200	$1,099,750	$89,225

(1) The unit improvement costs per mile of the roadway were obtained from FDOT - District 1 Construction Department

Total Share **$609,368**

Segment	Construction Cos	Process Until Const.	Environmental Impact	Total
U-3,U-9	$1,145,000	$171,750	$11,450	$1,328,200
P-3	$1,594,000	$239,100	$15,940	$1,849,040

(2) Proportionate Share = (Incr. Trips / Change in Service Volume) x Total Improvement Cost.

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TABLE 21F-4
MARSH CREEK ADA
PEAK HOUR PROJECT TRIPS, PHASE III
PROPORTIONATE SHARE CALCULATIONS BASED ON DRI RULE 9J-2.045

Assume LOS "C" Standard on US 41 in North Port

LINK INDEX	ROADWAY	FROM	TO	E+C Lanes	Needed Lanes	Length (Miles)	Phase III Trips	Adopted LOS	E+C Service Volume	Needed Service Volume	Change in Service Volume	Improvement Cost per Mile (1)	Total Improvement Cost	Proportionate Share (2)
P-3	Price Blvd.	Sumter Blvd.	Salford Blvd.	2	4	0.663	521	C	1320	2720	1400	$1,849,040	$1,225,914	$456,215
U-3	US 41	Enterprise Dr.	Toledo Blade N.	4	6	0.743	103	D	3100	4690	1590	$1,328,200	$986,853	$63,928
U-7	US 41	North Port Blvd.	Pan American	4	6	0.485	121	C	3100	4690	1590	$1,328,200	$644,177	$49,022
U-9	US 41	Biscayne Drive	Ortiz Blvd.	4	6	0.828	129	C	3100	4690	1590	$1,328,200	$1,099,750	$89,225

(1) The unit improvement costs per mile of the roadway were obtained from FDOT - District 1 Construction Department

Total Share **$658,390**

Segment	Construction Cos	Process Until Const.	Environmental Impact	Total
U-3,U-7,U-9	$1,145,000	$171,750	$11,450	$1,328,200
P-3	$1,594,000	$239,100	$15,940	$1,849,040

(2) Proportionate Share = (Incr. Trips / Change in Service Volume) x Total Improvement Cost.

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PART V. Human Resource Impacts

QUESTION 24 - HOUSING

A.1. If the proposed development contains residential development, provide the following information on Table 1 for each phase of the development.

The following table contains the number and estimated median prices of housing units by type. The actual prices will vary based on market factors and the individual choice of buyers.

Table 24.A.1-1
Dwelling Units within Marsh Creek

Tenancy and Type	Average Housing Cost	Number of Dwelling Units
Rental Occupied	N/A	N/A
Phase I		
Owner Occupied		
Single Family Detached	$100,000-$200,000	202
	$200,000 and Up	73
Multiple Family	$ 75,000-$150,000	125
	Subtotal	400
Phase II		
Owner Occupied		
Single Family Detached	$100,000-$200,000	281
	$200,000 and Up	96
Multiple Family	$ 75,000-$150,000	471
	Subtotal	848
Phase III		
Owner Occupied		
Single Family Detached	$100,000-$200,000	187
	$200,000 and Up	64
Multiple Family	$ 75,000-$150,000	471
	Subtotal	722
Phase IV		
Owner Occupied		
Single Family Detached	$ NA	NA
Multiple Family	$ NA	NA
	Subtotal	NA
	Total	1,970

A.2. What number and percent of lots will be sold without constructed dwelling units? What is the extent of improvements to be made on these lots prior to sale?

Market conditions will dictate the methods for sales. It is probable that various approaches will be taken for the sale of residential land. Some lots will be sold with constructed dwelling units. Also, residential parcels, lots and groups of lots will be sold to sub-developers and builders. It is anticipated that conditions will be placed upon the sale of residential land, requiring construction of dwelling units within a specified period of time. It is anticipated that most land will be subdivided prior to sale by the developer.

A.3. What will be the target market for the residential development (break down by number, percent and type the number of dwelling units to be marketed for retirees, families, etc.) What portion will be marketed as second or vacation homes?

Market conditions will determine this breakdown. However, it is anticipated that the target market will be similar to that described in Table 24.A.3-1 below.

Table 24.A.3-1
Target Market of Marsh Creek

Type of Resident	Number	Percent
Empty Nesters (1)	295	15%
Retirees (1)	1,478	75%
Families (2)	197	10%
Total	1,970	100%

(1) "Empty nesters" are typically working individuals whose children are no longer living with them. "Retirees" are typically not working individuals, and typically do not have children living with them.

(2) "Families" have school-age children, and typically work.

B. Indicate and discuss the availability or projected availability of adequate housing and employment opportunities reasonably accessible to the development site. Housing opportunities should be described in terms of type, tenure, and cost range and location within the following circumscribed areas: adjacent, two miles, five miles, ten miles, and within the local jurisdiction or county. Employment opportunities should be described in terms of two digit SIC code numbers located within the local jurisdiction with estimated distances or transit times to the development site.

Methodology

It was determined at the preapplication conference that the applicant would respond on the affordable housing issue by following the adequate housing guidelines in 9J-2.048, F.A.C., as modified by agreed upon methodology, instead of the above question. The affordable housing methodology approved for Marsh Creek is included in the preapplication document..

The discussion below presents the tables and narrative addressing the results of applying the State guidelines and the approved methodology.

Estimated Employment

The affordable housing demand analysis is built on estimated project employment and the incomes of the estimated jobs. The method for estimating this employment is included in 9J-2.048(4)(a), FAC and the approved methodology. The estimated employment is located in Table 10.3.A-2 elsewhere in this ADA. The employment estimates are discussed in Section 10, Part 3.A of this ADA.

Housing Demand Based on Estimated Project Employment

The four tables, 24.B-1a through 24.B-1d, include the housing demand resulting from the Marsh Creek employment generation for all four phases, calculated by applying the East Central Florida Regional Planning Council (ECFRPC) demand methodology. The methodology requires the use of data from five brief tables, which include various Sarasota County statistics applied in the demand calculations. Table 24.B-4 is the set of five tables including the latest available data. Its contents are as follows:

Data Table 1 - The latest median family income (MFI) for Sarasota County, broken down by Very Low, Low, and Moderate income categories. The MFI is the "Median Annual Adjusted Gross Household Income" referenced in 9J-2.048, FAC, available approximately annually from the U.S. Department of Housing and Urban Development (HUD). The current Sarasota County MFI is $41,100. The Very Low Income is up to 50 percent of the MFI, Low is between 50 and 80 percent and Moderate is 80 to 120 percent. The top of each range governs demand calculations.

Data Table 2 - The percent of heads of household for each income category (Very Low, Low, and Moderate). These percentages are applied to the number of jobs in each income category, separating out households whose heads individually earn the amount of the income category in which the household is classified (Very Low, Low, and Moderate). It is only these households which are considered in the demand analysis. The Sarasota County percentages used for each category was developed by the ECFRPC, and furnished to the applicant by the SWFRPC. These percentages are reported to be derived from PUMS data (Public Users Microdata System).

Data Table 3 - The percentage of single and multi-worker families for Sarasota County, derived from Table 147 of the 1990 U.S. Census. The households derived by applying the percentages in Data Table 2 are split into single and multi-worker families by applying the percentages in Data Table 3. The Census data is the most current found for this purpose.

Data Table 4 - The multiplier factor for deriving the multi-worker household income for the demand analysis, by multiplying it by the single-worker wage. This factor was derived from Table 148 of the 1990 U.S. Census. The Census data is the most current found for this purpose.

Data Table 5 - The utility allowances used in calculating affordability of units. The title of this table implies the source is the U.S. Department of Housing and Urban Development (HUD). HUD no longer provides these figures, and relies upon local housing authorities for them. The demand analysis uses the two-bedroom utilities amount as the average.

The demand for housing units calculated based on estimated employment is presented in Column 5 of Tables 24.B-1a through 24.B-1d, covering all four phases of the project. The demand is presented in $5,000 increments, except where the incomes break at the top of the income categories (Very Low, Low, and Moderate). Column 7 shows the affordable monthly rent for the income range, and Column 8 shows the affordable monthly mortgage. Housing affordability is discussed in a separate section below.

The single-worker wages and the multi-worker wages derived from the single-worker wage are presented together in the demand tables, causing the distribution of incomes in the tables not to be in ascending order. The box at the bottom of each demand table summarizes the housing demand generated by the estimated employment by income category.

The demand resulting from the analysis for all phases is summarized in Table 24.B-3. Refer to that table for the detailed breakdown.

Housing Affordability

Housing affordability is calculated for the DRI in order to establish prices when searching for supply to meet the project's affordable housing demand. Housing affordability has been calculated in accordance with 9J-2.048, FAC. Tables 24.B-1a through 24.B-1d include the affordability calculations for rental units, and present the monthly affordable rents and mortgage amounts. Refer to the footnotes of these tables for rental calculations. Table 24.B-2 presents the calculations for purchase housing (owner-occupied) affordability. Purchase housing affordability calculations are explained in the footnotes to that table. The prices of affordable purchase units are included in the far right column of Table 24.B-2. The application of the affordability figures is discussed in the Affordable Housing Supply and Need section below.

Affordable Housing Supply and Need

The available affordable housing supply is more than adequate to cover the housing demand for all phases of Marsh Creek. Table 24.B-3 summarizes the demand from Tables 24.B-2a through 24.B-2d for each phase and income range, and presents the results of the supply surveys conducted within the reasonably accessible area for Marsh Creek. The results of comparing the demand and supply are discussed under the Impact Finding section below.

The available housing supply data was gathered for rental and purchase housing through surveying. Multiple listing services were used to search for purchase housing within the reasonably accessible supply area. Rental units were surveyed by telephone and newspaper listings for the same supply area. These methods of surveying do not represent 100 percent of sampling of available units. Multiple listing service organizations estimate that only 80 to 90 percent of all for-sale units are listed with their services. Most rental units in apartment complexes can be surveyed, but is particularly difficult to find the single-family homes, condominiums, and duplexes that are available for rent. The housing surveys for Marsh Creek are therefore conservative.

The area searched for available units complies with the affordable housing rule, 9J-2.048(2)(r), FAC, which defines the "reasonable accessible area" is being within 10 miles and 20 minutes of the DRI. The area was delineated for Marsh Creek through field testing by automobile trips during the morning peak hour, which is approximately 8:00 a.m. to 9:00 a.m. for retail uses and a somewhat earlier for office uses. The field testing determined that the 10-mile radius from the site is accessible within 20 minutes, with some minor limitations. These limitations were taken into account with the housing surveys.

The affordable housing rule, 9J2.048(5)(c)(5), FAC, requires that no housing units be sued as supply for a DRI if they were used as supply for other DRIs approved within the previous five years. It was agreed with the SWFRPC staff that the Sarasota Business Center DRI and the Murdock Towne Center (Phase IV) DRI meet this criteria, and the SWFRPC staff provided the supply data for these two DRIs. This data was cross-checked against the survey data for Marsh Creek, and all overlapping units were excluded from the Marsh

Creek supply. The resulting supply was further reduced by 5 percent in accordance with 9J-2.48(5)(c)(8), FAC. These exclusions and reductions are reflected in the supply data presented in Table 24.B-3. The supply data for Marsh Creek complies with the other provisions of the affordable housing rule. No substandard or seasonal units are used, and hotel and motel units are excluded. The limits for one-room efficiencies and single-bedroom units are not exceeded.

Impact Finding

As Table 24.B-3 shows, the available affordable housing supply adequately covers the housing demand of each household income category for all phases of Marsh Creek. There are some narrow income ranges having deficits, as indicated by the negative figures in Column 12. Deficits occur at the following income levels: $20,699 (22 units), $27,599 (58 units), $41,399 (51 units), and $49,200 (9 units). However, these deficits do not represent housing need. For each one of the deficits in these income ranges there is obviously a more than sufficient available surplus of less expensive units to cover the deficit.

In accordance with 9J-2.048(7), F.A.C., Marsh Creek has no affordable housing need and no Regionally Significant Impact.

Table 24.B-1a Housing Demand from Employment
Marsh Creek DRI - Phase I (1997-2001)
June 1997

1	2	3	4	5	6	7	8
Base Data						Rent	Purchase
Wage Ranges/ Workers in Household	**Annual Household Wages**	**Number of Jobs (ADA)**	**Total Number of Households**	**Units of Housing Demand**	**30% of Monthly Income**	**Affordable Monthly Rent**	**Affordable Home Price**
Very Low Income Under $10,000		0	0				
Single-Worker	$9,999			0	$250	$172	$30,932
Multi-Worker	$13,799			0	$345	$267	$42,687
$10,000-$14,999		15	5				
Single-Worker	$14,999			2	$375	$297	$46,400
Multi-Worker	$20,699			3	$517	$439	$67,590
$15,000-$19,999		86	31				
Single-Worker	$19,999			11	$500	$422	$61,868
Multi-Worker	$27,599			20	$690	$612	$85,378
$20,000-$20,499	*	2	1				
Single-Worker	$20,499			0	$512	$434	$63,415
Multi-Worker	$28,289			0	$707	$629	$92,374
Low Income $20,500-$24,999		18	11				
Single-Worker	$24,999			4	$625	$547	$81,632
Multi-Worker	$34,499			7	$862	$784	$126,734
$25,000-$29,999		14	9				
Single-Worker	$29,999			3	$750	$672	$97,959
Multi-Worker	$41,399			5	$1,035	$957	$152,082
$30,000-$32,799	*	4	2				
Single-Worker	$32,799			1	$820	$742	$107,102
Multi-Worker	$45,263			2	$1,132	$1,054	$166,276
Moderate Income $32,800-$34,999		3	2				
Single-Worker	$34,999			1	$875	$797	$128,572
Multi-Worker	$48,299			1	$1,207	$1,129	$177,429
$35,000-$39,999		11	8				
Single-Worker	$39,999			3	$1,000	$922	$146,940
Multi-Worker	$55,199			3	$1,380	$1,302	$202,777
$40,000-$49,200	*	17	12				
Single-Worker	$49,200			4	$1,230	$1,152	$180,741
Multi-Worker	$67,896			4	$1,697	$1,619	$249,422
Totals		**170**	**82**	**82**	NA	NA	NA

UNITS BY INCOME RANGE	
Very Low Income	4
Low Income	32
Moderate Income	24
Exceeds Moderate	13

COMBINED HOUSING DEMAND TOTALS	
Very Low & Low	45
Very Low, Low & Moderate	69

Figures may not total due to rounding.

Column Notes:

Column 1- Represents the wages from Table 10.3.A-2, split at the tops of the income categories. Refer to note below with asterisk.
Columns 2 and 3 - The wages & jobs from Table 10.3.A-2, except Multi-worker wages, which are calculated per approved Marsh Creek methodology. The factor for Multi-Worker amount is 1.38 times the Single-Worker amount.
Column 4 - Represents the households calculation per the approved methodology.
Column 5 - Represents the housing demand, including for Very Low, Low and Moderate Income households. Calculated in accordance with the approved methodology.
Column 6 - 30% of monthly income per 9J-2.048, *F.A.C.*
Column 7 - The rental amount in this column is 30% of monthly income minus utilities. Average monthly utilities utilized is $78.
Column 8 - Represents affordable monthly mortgage amount, calculated as principle, interest, taxes and insurance (PITI), not to exceed 30% of monthly income. Calculations for these amounts are included in Table 24.B-2.

* Wages are presented in the income ranges as presented in Table 10.3.A-2, except adjustments are made at the tops of the income categories to facilitate analysis and review . These income categories are derived from the Sarasota-Bradenton Median Annual Adjusted Gross Household Income of $41,000 (DHUD 1996), as defined in 9J-5.048 F.A.C., as follows:

Very low income = $20,500 (50%)
Low income = $32,800 (80%)
Moderate Income = $49,200 (120%) (figures are based on Over $40,000 income)

Shaded Rows - Annual Household Wages exceed Moderate income, and are not relevant to analysis. However, the figures in shaded rows are included in the totals.

Prepared by Foma, Inc.

Table 24.B-1b Housing Demand from Employment
Marsh Creek DRI - Phase II (2002-2006)
June 1997

1	2	3	4	5	6	7	8
	Base Data					Rent	Purchase
Wage Ranges/ Workers in Household	**Annual Household Wages**	**Number of Jobs (ADA)**	**Total Number of Households**	**Units of Housing Demand**	**30% of Monthly Income**	**Affordable Monthly Rent**	**Affordable Home Price**
Very Low Income							
Under $10,000		15	5				
Single-Worker	$9,999			2	$250	$172	$30,932
Multi-Worker	$13,799			3	$345	$267	$42,687
$10,000-$14,999		186	68				
Single-Worker	$14,999			25	$375	$297	$46,400
Multi-Worker	$20,699			43	$517	$439	$67,590
$15,000-$19,999		261	95				
Single-Worker	$19,999			35	$500	$422	$61,868
Multi-Worker	$27,599			60	$690	$612	$85,378
$20,000-$20,499	*	12	4				
Single-Worker	$20,499			2	$512	$434	$63,415
Multi-Worker	$28,289			3	$707	$629	$92,374
Low Income							
$20,500-$24,999		108	67				
Single-Worker	$24,999			24	$625	$547	$81,632
Multi-Worker	$34,499			42	$862	$784	$126,734
$25,000-$29,999		87	54				
Single-Worker	$29,999			20	$750	$672	$97,959
Multi-Worker	$41,399			34	$1,035	$957	$152,082
$30,000-$32,799	*	22	14				
Single-Worker	$32,799			5	$820	$742	$107,102
Multi-Worker	$45,263			9	$1,132	$1,054	$166,276
Moderate Income							
$32,800-$34,999		17	12				
Single-Worker	$34,999			4	$875	$797	$128,572
Multi-Worker	$48,299			8	$1,207	$1,129	$177,429
$35,000-$39,999		51	36				
Single-Worker	$39,999			13	$1,000	$922	$146,940
Multi-Worker	$55,199			23	$1,380	$1,302	$202,777
$40,000-$49,200	*	41	29				
Single-Worker	$49,200			11	$1,230	$1,152	$180,741
Multi-Worker	$67,896			19	$1,697	$1,619	$249,422
Totals		**800**	**384**	**383**			

UNITS BY INCOME RANGE	
Very Low Income	66
Low Income	155
Moderate Income	121
Exceeds Moderate	42

COMBINED HOUSING DEMAND TOTALS	
Very Low & Low	221
Very Low, Low & Moderate	342

Figures may not total due to rounding.

Column Notes:

Column 1- Represents the wages from Table 10.3.A-2, split at the tops of the income categories. Refer to note below with asterisk.

Columns 2 and 3 - The wages & jobs from Table 10.3.A-2, except Multi-worker wages, which are calculated per approved Marsh Creek methodology. The factor for Multi-Worker amount is 1.38 times the Single-Worker amount.

Column 4 - Represents the households calculation per the approved methodology.

Column 5 - Represents the housing demand, including for Very Low, Low and Moderate Income households. Calculated in accordance with the approved methodology.

Column 6 - 30% of monthly income per 9J-2.048, *F.A.C.*

Column 7 - The rental amount in this column is 30% of monthly income minus utilities. Average monthly utilities utilized is $78.

Column 8 - Represents affordable monthly mortgage amount, calculated as principle, interest, taxes and insurance (PITI), not to exceed 30% of monthly income. Calculations for these amounts are included in Table 24.B-2.

* Wages are presented in the income ranges as presented in Table 10.3.A-2, except adjustments are made at the tops of the income categories to facilitate analysis and review . These income categories are derived from the Sarasota-Bradenton Median Annual Adjusted Gross Household Income of $41,000 (DHUD 1996), as defined in 9J-5.048 F.A.C., as follows:

Very low income = $20,500 (50%)
Low income = $32,800 (80%)
Moderate Income = $49,200 (120%) (figures are based on Over $40,000 income)

Shaded Rows - Annual Household Wages exceed Moderate income, and are not relevant to analysis. However, the figures in shaded rows are included in the totals.

Prepared by Foma, Inc.

Table 24.B-1c Housing Demand from Employment
Marsh Creek DRI - Phase III (2007-2011)
June 1997

1	2	3	4	5	6	7	8
	Base Data					Rent	Purchase
Wage Ranges/ Workers in Household	Annual Household Wages	Number of Jobs (ADA)	Total Number of Households	Units of Housing Demand	30% of Monthly Income	Affordable Monthly Rent	Affordable Home Price
Very Low Income Under $10,000		15	5				
Single-Worker	$9,999			2	$250	$172	$30,932
Multi-Worker	$13,799			3	$345	$267	$42,687
$10,000-$14,999		140	51				
Single-Worker	$14,999			19	$375	$297	$46,400
Multi-Worker	$20,699			32	$517	$439	$67,590
$15,000-$19,999		219	79				
Single-Worker	$19,999			29	$500	$422	$61,868
Multi-Worker	$27,599			50	$690	$612	$85,378
$20,000-$20,499	*	9	3				
Single-Worker	$20,499			1	$512	$434	$63,415
Multi-Worker	$28,289			2	$707	$629	$92,374
Low Income $20,500-$24,999		85	52				
Single-Worker	$24,999			19	$625	$547	$81,632
Multi-Worker	$34,499			33	$862	$784	$126,734
$25,000-$29,999		71	44				
Single-Worker	$29,999			16	$750	$672	$97,959
Multi-Worker	$41,399			28	$1,035	$957	$152,082
$30,000-$32,799	*	20	12				
Single-Worker	$32,799			4	$820	$742	$107,102
Multi-Worker	$45,263			8	$1,132	$1,054	$166,276
Moderate Income $32,800-$34,999		16	11				
Single-Worker	$34,999			4	$875	$797	$128,572
Multi-Worker	$48,299			7	$1,207	$1,129	$177,429
$35,000-$39,999		44	31				
Single-Worker	$39,999			11	$1,000	$922	$146,940
Multi-Worker	$55,199			20	$1,380	$1,302	$202,777
$40,000-$49,200	*	41	29				
Single-Worker	$49,200			11	$1,230	$1,152	$180,741
Multi-Worker	$67,896			19	$1,697	$1,619	$249,422
Totals		**660**	**320**	**319**			

UNITS BY INCOME RANGE	
Very Low Income	54
Low Income	124
Moderate Income	102
Exceeds Moderate	38

COMBINED HOUSING DEMAND TOTALS	
Very Low & Low	179
Very Low, Low & Moderate	281

Figures may not total due to rounding.

Column Notes:

Column 1- Represents the wages from Table 10.3.A-2, split at the tops of the income categories. Refer to note below with asterisk.
Columns 2 and 3 - The wages & jobs from Table 10.3 A-2, except Multi-worker wages, which are calculated per approved Marsh Creek methodology. The factor for Multi-Worker amount is 1.38 times the Single-Worker amount.
Column 4 - Represents the households calculation per the approved methodology.
Column 5 - Represents the housing demand, including for Very Low, Low and Moderate Income households. Calculated in accordance with the approved methodology.
Column 6 - 30% of monthly income per 9J-2.048, *F.A.C.*
Column 7 - The rental amount in this column is 30% of monthly income minus utilities. Average monthly utilities utilized is $78.
Column 8 - Represents affordable monthly mortgage amount, calculated as principle, interest, taxes and insurance (PITI), not to exceed 30% of monthly income. Calculations for these amounts are included in Table 24.B-2.

* Wages are presented in the income ranges as presented in Table 10.3.A-2, except adjustments are made at the tops of the income categories to facilitate analysis and review. These income categories are derived from the Sarasota-Bradenton Median Annual Adjusted Gross Household Income of $41,000 (DHUD 1996), as defined in 9J-5.048 F.A.C., as follows:

Very low income = $20,500 (50%)
Low income = $32,800 (80%)
Moderate Income = $49,200 (120%) (figures are based on Over $40,000 income)

Shaded Rows - Annual Household Wages exceed Moderate income, and are not relevant to analysis. However, the figures in shaded rows are included in the totals.

Prepared by Foma, Inc.

Table 24.B-1d Housing Demand from Employment
Marsh Creek DRI - Phase IV (2012-2017)
June 1997

1	2	3	4	5	6	7	8
	Base Data					Rent	Purchase
Wage Ranges/ Workers in Household	**Annual Household Wages**	**Number of Jobs (ADA)**	**Total Number of Households**	**Units of Housing Demand**	**30% of Monthly Income**	**Affordable Monthly Rent**	**Affordable Home Price**
Very Low Income Under $10,000		10	4				
Single-Worker	$9,999			1	$250	$172	$30,932
Multi-Worker	$13,799			2	$345	$267	$42,687
$10,000-$14,999		94	34				
Single-Worker	$14,999			12	$375	$297	$46,400
Multi-Worker	$20,699			22	$517	$439	$67,590
$15,000-$19,999		78	28				
Single-Worker	$19,999			10	$500	$422	$61,868
Multi-Worker	$27,599			18	$690	$612	$85,378
$20,000-$20,499	*	4	1				
Single-Worker	$20,499			1	$512	$434	$63,415
Multi-Worker	$28,289			1	$707	$629	$92,374
Low Income $20,500-$24,999		38	23				
Single-Worker	$24,999			9	$625	$547	$81,632
Multi-Worker	$34,499			15	$862	$784	$126,734
$25,000-$29,999		25	15				
Single-Worker	$29,999			6	$750	$672	$97,959
Multi-Worker	$41,399			10	$1,035	$957	$152,082
$30,000-$32,799	*	7	4				
Single-Worker	$32,799			2	$820	$742	$107,102
Multi-Worker	$45,263			3	$1,132	$1,054	$166,276
Moderate Income $32,800-$34,999		5	4				
Single-Worker	$34,999			1	$875	$797	$128,572
Multi-Worker	$48,299			2	$1,207	$1,129	$177,429
$35,000-$39,999		11	8				
Single-Worker	$39,999			3	$1,000	$922	$146,940
Multi-Worker	$55,199			5	$1,380	$1,302	$202,777
$40,000-$49,200	*	3	2				
Single-Worker	$49,200			1	$1,230	$1,152	$180,741
Multi-Worker	$67,896			1	$1,697	$1,619	$249,422
Totals		275	124	124			

UNITS BY INCOME RANGE	
Very Low Income	27
Low Income	56
Moderate Income	35
Exceeds Moderate	6

COMBINED HOUSING DEMAND TOTALS	
Very Low & Low	83
Very Low, Low & Moderate	118

Figures may not total due to rounding.

Column Notes:

Column 1- Represents the wages from Table 10.3.A-2, split at the tops of the income categories. Refer to note below with asterisk.
Columns 2 and 3 - The wages & jobs from Table 10.3.A-2, except Multi-worker wages, which are calculated per approved Marsh Creek methodology. The factor for Multi-Worker amount is 1.38 times the Single-Worker amount.
Column 4 - Represents the households calculation per the approved methodology.
Column 5 - Represents the housing demand, including for Very Low, Low and Moderate Income households. Calculated in accordance with the approved methodology.
Column 6 - 30% of monthly income per 9J-2.048, *F.A.C.*
Column 7 - The rental amount in this column is 30% of monthly income minus utilities. Average monthly utilities utilized is $78.
Column 8 - Represents affordable monthly mortgage amount, calculated as principle, interest, taxes and insurance (PITI), not to exceed 30% of monthly income. Calculations for these amounts are included in Table 24.B-2.

* Wages are presented in the income ranges as presented in Table 10.3.A-2, except adjustments are made at the tops of the income categories to facilitate analysis and review . These income categories are derived from the Sarasota-Bradenton Median Annual Adjusted Gross Household Income of $41,000 (DHUD 1996), as defined in 9J-5.048 F.A.C., as follows:

Very low income = $20,500 (50%)
Low income = $32,800 (80%)
Moderate Income = $49,200 (120%) (figures are based on Over $40,000 income)

Shaded Rows - Annual Household Wages exceed Moderate income, and are not relevant to analysis. However, the figures in shaded rows are included in the totals.

Prepared by Foma, Inc.

Table 24.B-2 Housing Purchase Affordability
Marsh Creek DRI
June 1997

INCOME/ WORKERS PER HOUSEHOLD	ANNUAL HOUSEHOLD WAGES	30% OF MONTHLY INCOME	AD VALOREM TAX (1)	HOME OWNERS INSURANCE (1)	AFFORDABLE MORTGAGE PAYMENT (2)	AFFORDABLE HOME PRICE (2)
VERY LOW INCOME						
Under $10,000						
SINGLE-WORKER	$9,999	$250	$27	$17	$207	$30,932
MULTI-WORKER	$13,799	$345	$37	$23	$285	$42,687
$10,000-14,999						
SINGLE-WORKER	$14,999	$375	$40	$25	$310	$46,400
MULTI-WORKER	$20,699	$517	$55	$34	$428	$67,590
$15,000-$19,999						
SINGLE-WORKER	$19,999	$500	$53	$33	$413	$61,868
MULTI-WORKER	$27,599	$690	$74	$46	$570	$85,378
$20,000-$20,499 *						
SINGLE-WORKER	$20,499	$512	$55	$34	$424	$63,415
MULTI-WORKER	$28,289	$707	$75	$47	$585	$92,374
LOW INCOME						
$20,500-$24,999						
SINGLE-WORKER	$24,999	$625	$67	$42	$517	$81,632
MULTI-WORKER	$34,499	$862	$92	$57	$713	$126,734
$25,000-$29,999						
SINGLE-WORKER	$29,999	$750	$80	$50	$620	$97,959
MULTI-WORKER	$41,399	$1,035	$110	$69	$856	$152,082
$30,000-$32,779 *						
SINGLE-WORKER	$32,799	$820	$87	$55	$678	$107,102
MULTI-WORKER	$45,263	$1,132	$121	$75	$935	$166,276
MODERATE INCOME						
$32,800-$34,999						
SINGLE-WORKER	$34,999	$875	$93	$58	$723	$128,572
MULTI-WORKER	$48,299	$1,207	$129	$80	$998	$177,429
$35,000-$39,999			$0			
SINGLE-WORKER	$39,999	$1,000	$107	$67	$827	$146,940
MULTI-WORKER	$55,199	$1,380	$147	$92	$1,141	$202,777
$40,000-$49,200 *						
SINGLE-WORKER	$49,200	$1,230	$131	$82	$1,017	$180,741
MULTI-WORKER	$67,896	$1,697	$181	$113	$1,403	$249,422

Figures may not total due to rounding.

NOTES TO TABLE:

(1) Taxes: Annual Household Wages x 2.5 x 80% x 1995 millage (16.00). The 80% reflects appraised/market value. Insurance: Annual Household Wages x 2.5 x 80% x $10 per $1,000. The 80% is a standard for building only. The 2.5 factor for taxes and insurance is a standard. Figures for taxes and insurance expressed in monthly values.

(2) The Affordable Unit Price is the "present value" calculated, based on the monthly mortgage payment for a 30-year loan at 8.0% APR. Assumes 5% down payment for Very Low Income, 10% for Low Income, and 20% for Moderate Income and above. PITI not to exceed 30% of Annual Household Wages.

* Refer to Demand Notes, Tables 24.B-1(I) though 24.B-1(IV).

Shaded Rows - Annual Household Wages exceed Moderate Income, and are not relevant to analysis.

Prepared by Foma, Inc.

Table 24.B-3 Reconciliation of Housing Demand and Supply
Marsh Creek DRI - All Phases
June 1997

1	2	3	4	5	6	7	8	9	10	11	12
INCOME	DEMAND					AFFORDABILITY		SUPPLY			SURPLUS
Annual Household Wages	Total Housing Units					AFFORDABLE HOME PRICE	AFFORDABLE MONTHLY RENT	MLS Search Units	Rental Survey Units	Total Housing Units	OR DEFICIT UNITS
	Phase I	Phase II	Phase III	Phase IV	Total Units						
Very Low Income											
$9,999	0	2	2	1	5	$30,932	$172	48	0	48	43
$13,799	0	3	3	2	8	$42,687	$267	146	0	146	138
$14,999	2	25	19	12	58	$46,400	$297	68	6	74	16
$19,999	11	35	29	10	85	$61,868	$422	314	48	362	277
$20,499	0	2	1	1	4	$63,415	$434	28	1	29	25
Low Income											
$20,699	3	43	32	22	100	$67,590	$439	78	0	78	-22
$24,999	4	24	19	9	56	$81,632	$547	256	49	305	249
$27,599	20	60	50	18	148	$85,378	$612	71	19	90	-58
$28,289	0	3	2	1	6	$92,374	$629	96	3	99	93
$29,999	3	20	16	6	45	$97,959	$672	52	6	58	13
$32,799	1	5	4	2	12	$107,102	$742	87	15	102	90
Moderate Income											
$34,499	7	42	33	15	97	$126,734	$784	176	7	183	86
$34,999	1	4	4	1	10	$128,572	$797	10	0	10	0
$39,999	3	13	11	3	30	$146,940	$922	128	5	133	103
$41,399	5	34	28	10	77	$152,082	$957	26	0	26	-51
$45,263	2	9	8	3	22	$166,276	$1,054	50	1	51	29
$48,299	1	8	7	2	18	$177,429	$1,129	39	2	41	23
$49,200	4	11	11	1	27	$180,741	$1,152	18	0	18	-9
Over Moderate											
$55,199											
$67,896											
TOTAL	67	343	279	119	808			1,691	162	1,853	1,045

SUMMARY BY INCOME CATEGORY											
Very Low Income	13	67	54	26	160			604	55	659	499
Low Income	31	155	123	58	367			640	92	732	365
Moderate Income	23	121	102	35	281			447	15	462	181
TOTAL	67	343	279	119	808			1,691	162	1,853	1,045

Totals unaffected by rounding, and supersede totals in Tables 24.B-1(I) through 24.B-1(IV).

COLUMN NOTES:

Column 1: Incomes from Tables 24.B-1(I) through 24.B-1(IV), arranged in ascending order.

Column 2 - 6: Housing demand from Tables 24.B-1(I) through 24.B-1(IV).

Column 7: Prices for multiple listing services search; Affordable Home Prices from Tables 24.B-2, listed in ascending order.

Column 8: Rents for rental survey; Affordable Monthly Rent from Tables 24.B-1(I) through 24.B-1(IV), listed in ascending order.

Column 9: The results of searches of houses for sale in multiple listing services covering North Port, Venice, and Port Charlotte. The searches were conducted within the "reasonably accessible area". The amounts shown represent the search results minus 5% per 0J-2.049, *F.A.C.*

Column 10: The results of available rental survey within the reasonably accessible area. The amounts shown represent the survey results minus 5% per 9J-2.048, *F.A.C.*

Column 11: The totals of available for sale and for rent units.

Column 12: This column is the balance of housing supply after subtracting Marsh Creek DRI demand. Although some income ranges indicate deficits, adequate less expensive supply exists to cover the ranges. Refer to the narrative for Question 24B.

GENERAL NOTES:

Overlapping DRI Supplies - The Marsh Creek DRI does not use any units used for supply by any other DRI approved within the previous five years. Applicable DRIs are the Sarasota Business Center DRI and the Murdock Towne Center (Phase IV) DRI, per Dottie Cook of SWFRPC, October 1996.

Lightly Shaded Rows - Annual Household Wages exceed Moderate income, and are not relevant to analysis.

Condition Note - All housing units are considered to be in standard condition per 9J-2.048 *F.A.C.*

Prepared by Foma, Inc.

Table 24.B-4 Sarasota County Data for ECFRPC* DRI Housing Demand Methodology
Marsh Creek DRI
June 1997

Table 1 - Median Income and Income Limits of Households

Category	Income
Median Family Income	$41,000
Very Low (50%)	$20,500
Low (80%)	$32,800
Moderate (120%)	$49,200

Source: U.S. Department of Housing and Urban Development (HUD) 1996.

Table 2 - Percent of Heads of Household by Income Level

Category	Percentages
Very Low	36.3%
Low	61.7%
Moderate	71.2%

Source: Susan Caswell, ECFRPC, via Dottie Cook, SWFRPC, 1996.
Method: For each income amount, multiply the number of employees by the percentages provided in Table 2.

Table 3 - Percentage of Single and Multi-Worker Families

Category	Percentages
Single-Worker	36.6%
Multi-Worker	63.4%

Source: Table 147, 1990 U.S. Census.
Method: Multiply the heads of household for each income level by the percentages provided in Table 3 to determine the number of single- and multi-worker families

Table 4 - Multi-Worker Income

Factor x Single-Worker wages to calculate Multi-Worker wages- 1.38
Source: Table 148, 1990 U.S. Census.

Table 5 - HUD Utility Allowances

Unit Size	Amounts
One Bedroom	$62
Two Bedroom	$78
Three Bedroom	$93
Four Bedroom	$117

Source: HUD no longer provides this information. The source is the Sarasota Housing and Community Development Department. Amounts are 1996 Section 8 utilities allowances, rounded to the nearest whole dollar.

Notes:
*ECFRPC - East Central Florida Regional Planning Council.

Prepared by Foma, Inc.

C. If displacement or relocation of existing residents will occur due to the proposed development, identify the number of people that will be affected, any special needs of these people, and any provisions for addressing the effects of the relocation or displacement of these people, particularly in regards to their ability to find suitable replacement housing.

No existing residents will be displaced by Marsh Creek, and there will be no need for relocation.

July 16, 1997

Chief Paul G. Kaskey
North Port Fire Rescue District
5700 North Port Boulevard
North Port, FL 34287

Subject: **Marsh Creek Development of Regional Impact (DRI)**
Proposed Development Changes

Dear Chief Kaskey:

Based on a recently completed financial analysis, the developers of Marsh Creek have amended the development schedule for the proposed DRI as shown on the attached table.

Because there has been a significant decrease in the amount of proposed commercial square footage and only a slight increase (.09%) in the number of residential units, we anticipate reduced impacts and demands on the fire and rescue department.

If we do not receive any additional correspondence from you in the next 60 days, we will assume that your previous correspondence does not need to be amended and that the city has adequate fire and rescue facilities and manpower available to service the proposed development.

Thank you for your continued assistance.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac

Betsy Benac, AICP
Manager of Planning

Table 21.B-1
Land Uses

Land Use	Phase I (1997-2001)	Phase II (2002-2006)	Phase III (2007-2011)	Phase IV (2012-2017)
Residential: Single-Family (LUC 210)	275 DU	377 DU	251 DU	---
Residential: Multifamily (LUC 220)	125 DU	471 DU	471 DU	---
Golf Course/Clubhouse (LUC 430)	18 Holes	9 Holes	---	---
Tennis Club (LUC 492)	---	12 Courts	---	---
Medical/Professional (LUC 720)	30,000 GLA	50,000 GLA	50,000 GLA	---
Office: General (LUC 710)	10,000 GLA	55,000 GLA	55,000 GLA	---
Retail: Shopping Center (LUC 820)	---	212,500 GLA	150,000 GLA	137,500 GLA

2726-4
BB

North Port Fire Rescue District

5700 NORTH PORT BOULEVARD, NORTH PORT, FLORIDA 34287

941-426-3484 FAX 941-423-3177 SUNCOM 934-1300

July 30, 1997

Betsy Benac, Manager of Planning
Wilson, Miller, Barton & Peek, Inc.
P. O. Box 4069
Sarasota, Florida 34230

Re: Marsh Creek DRI Proposed Development Changes

Dear Ms. Benac:

Thank you for the information on the proposed changes to the Marsh Creek. DRI. Our letter of November 6, 1996 outlined the equipment and manpower of the North Port Fire Rescue District (copy attached).

After reviewing the proposed increases and decreases in the different land uses, I expect our call volume to increase. The demands for service will be impacted accordingly.

If I can be of further assistance, please call me at (941) 423 3176.

Sincerely,

Michael J. Auclair
Chief

wp6docsmarsh731

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AUG 0 1 1997

WILSON, MILLER, BARTON
& PEEK, INC.

North Port Fire Rescue District

5700 NORTH PORT BOULEVARD, NORTH PORT, FLORIDA 34287

941-426-8484 FAX 941-423-3177 SUNCOM 934-1300

November 6, 1996

Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
P.O. Box 4069
Sarasota, FL. 34230

Dear Ms. Benac:

Thank you for providing the Fire Rescue District with a copy of the preliminary master plan and phasing schedule for Marsh Creek.

Per your request, the following information will provide you with an overview of the North Port Fire Rescue District facilities and manpower.

The department currently operates from two stations. Station 81 is located at 5700 North Port Blvd. Station 82 is located at 1930 Price Blvd. As you are aware, an additional station will be constructed off Sumter Boulevard.

The district currently operates two 1250 GPM pumpers and one 1000 GPM pumper. These three units are equipped with 1000 gallon water tanks. We also operate four rescue units or ambulances. The rescues are equipped to provide Advanced Life Support (ALS) to North Port residents. Other firefighting apparatus includes two brush trucks, designed for wildland firefighting, and a quint. The quint consists of a 75 ft. aerial ladder, 1500 GPM pump and a 500 gallon water tank.

District manpower includes both career and volunteer firefighters. The district currently employees 39 career firefighters. Firefighters are trained to provide both fire suppression and emergency medical services.

If I can be of further assistance, please do not hesitate to contact me at (941) 426-8484 Ext. 506.

Sincerely,

Ellen S. Kehoe

Ellen S. Kehoe
Prevention Officer

QUESTION 26 - RECREATION AND OPEN SPACE

Existing Level of Service:

10 acres of recreation and open space per 1,000 total population

Adopted Level of Service:

10 acres of recreation and open space per 1,000 total population

Level of Service after Project Buildout:

10 acres (or more) of recreation and open space per 1,000 total population

A. Describe the recreational facilities and open space (including acreage) which will be provided on-site. Locate on Map H. Identify which of these areas or facilities will be open to the general public.

The location of recreation and open space areas are shown on Map H, the Master Development Plan. The plan indicates the general location and type of recreation and open space facilities and the approximate amounts are shown in Table 26.A-1.

Table 26.A-1
Recreation and Open Space Facilities

Land Use	Approximate Acres
Recreation, Open Space Golf Courses, Buffers, Lakes	349.34 acres
Conservation Acres	71.04 acres
Total Recreation and Open Space	420.38 acres

As can be noted in Table 26.A-1, the Marsh Creek community is designed with recreation amenities which will more than adequately address the recreational and open space needs for the residents of the development and which substantially exceed any mandated or recommended ratios.

The recreation/open space level of service standards in the City of North Port Comprehensive Plan provides for 10 acres of recreation/open space per 1,000 population. Based on estimated buildout population of Marsh Creek this represents 40 acres of required recreation/open space. The recreation/open space acreage and facilities proposed for Marsh Creek exceeds these standards. In addition to the active recreational opportunities in the Marsh Creek development, the preservation area located in the

QUESTION 27 - EDUCATION

A. **If the development contains residential units, estimate the number of school age children expected to reside in the development. Use class breakdowns appropriate to the area in which the development is located (specify on chart below):**

According to the Florida Statistical Abstract for 1994, Tables 4.26 and 4.27, approximately 11% of the population of Sarasota County is made up of K-12 students. Utilizing this percentage, Table 27.A-1 has been completed for a bench mark to review the expected number of school age children that might be generated by the buildout of Marsh Creek.

Table 27.A-1
School Age Children by Level As Predicted by Countywide Averages
(Not applicable to Marsh Creek- For Comparison Only)

	Elementary	Middle	High	Total
Phase I: (1997-2001)				
Total Student Generation	50	22	25	97
Private School	6	3	3	12
Public School	44	19	22	85
Phase II: (2002-2006)				
Total Student Generation	10	6	52	202
Private School	13	5	6	24
Public School	91	41	46	178
Phase III (2007-2012)				
Total Student Generation	89	39	44	172
Private School	10	5	5	20
Public School	79	34	39	152
Phases I - IV				
Total Student Generation	243	107	121	471
Private School	29	13	15	57
Public School	214	94	106	414

Following an initial meeting with Dr. Rick Nations, Director of Research, Assessment and Evaluation for the School Board of Sarasota County, a student generation ratio of .34 students per unit was utilized to estimate the number of students expected to be generated by Phase I of Marsh Creek, and included in the PDA application . That number, supplied by Dr. Nations in a memorandum to Dr. Gaul, Superintendent of Schools in Sarasota

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

July 16, 1997

Dr. Rick Nations, Director
School Board of Sarasota County
Department of Planning, Research, Evaluation and Student Information
1960 Landings Boulevard
Sarasota, FL 34231

Subject: **Marsh Creek Development of Regional Impact (DRI) School Impacts**
Revised Development Schedule

Dear Dr. Nations:

Please be aware that the development schedule for the Marsh Creek DRI is proposed to be slightly amended, as shown on the attached table.

As you can see, the total number of units proposed in Phase I of the development has not changed. The slight increase in the total number of students to be generated in Phases II and III will be included when the student generation rate is reanalyzed, as previously agreed to, after the completion of Phase I (of the construction) 400th unit.

As an aside, I have noted that the School Board has agreed to move up the construction of the North Port Middle/High School, which will resolve some of the concerns of the residents regarding travel time to Venice High.

If you have any questions or comments regarding our proposed changes, please contact our office.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac

Betsy Benac, AICP
Manager of Planning

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Web Site: www.wilsonmiller.com E-mail: sarasota@wilsonmiller.com
Naples Fort Myers Sarasota Bradenton

Table 21.B-1
Land Uses

Land Use	Phase I (1997-2001)	Phase II (2002-2006)	Phase III (2007-2011)	Phase IV (2012-2017)
Residential: Single-Family (LUC 210)	275 DU	377 DU	251 DU	---
Residential: Multifamily (LUC 220)	125 DU	471 DU	471 DU	---
Golf Course/Clubhouse (LUC 430)	18 Holes	9 Holes	---	---
Tennis Club (LUC 492)	---	12 Courts	---	---
Medical/Professional (LUC 720)	30,000 GLA	50,000 GLA	50,000 GLA	---
Office: General (LUC 710)	10,000 GLA	55,000 GLA	55,000 GLA	---
Retail: Shopping Center (LUC 820)	---	212,500 GLA	150,000 GLA	137,500 GLA

QUESTION 28 - HEALTH CARE

A. Describe the health care services and facilities that will be required to meet the health needs generated by this project. Please provide a letter from the various providers acknowledging notice of the proposed development and ability to serve the project.

As indicated in the correspondence from Mary W. Schulthess, M.S., Executive Director Health Planning Council of Southwest Florida, Inc. (Attachment 28.A-1), dated October 1, 1996, no acute care or long term beds will be needed in the Sarasota County area as a result of the Marsh Creek project.

There is currently a surplus of acute care beds in place in Southwest Florida. The projections published by the State of Florida Agency for Health Care Administration's Certificate of Need Program, effective January 24, 1996, shows zero projected need for new acute care hospital beds for any of the seven counties in Southwest Florida through 2001.

As shown in Table 28.A-1, approximately five acute care beds and 15 long term beds may be needed by the end of Phase IV. There is sufficient capacity available in the area hospitals and nursing homes to accommodate the Marsh Creek Community. Correspondence to Ms. Mary Schultness is included in Attachment 28.A-1.

Table 28.A-1
Project Demand for Health Care Facilities

Estimated Population	Projected Population 65 and older	Projected Acute Care Beds	Projected Long-Term Beds
4,275	1,368	5	40

Population based on Apoxsee of 2.17 persons per household, and 32 percent of Population is 65 years or older.

Demand Ratios per letter from the Health Planning Council of Southwest Florida, Inc., dated October 21, 1996:

Acute Care = 3 beds per 1,000
Long-term = 30 beds per 1,000
for age 65 and over

July 17, 1997

Ms. Mary W. Schulthess, M.S.
Executive Director
Health Planning Council of Southwest Florida, Inc.
9250 College Parkway, Suite 3
Fort Myers, FL 33916

Subject: **Marsh Creek Development of Regional Impact Revised Development Schedule Health Care Facilities Demand**

Dear Ms. Schulthess:

Please be aware that the development parameters for the subject DRI have been slightly amended.

Based on a projection of 2.17 persons per household and 32 percent of the total population in Sarasota County being 65 years or older, it appears that a total of five acute care beds and 41 long-term beds could be required to meet the demand generated by the buildout of Marsh Creek, tentatively scheduled to occur in the year 2013.

Projected Demand for Health Care Facilities				
Phase	Estimated Population Per Phase	Estimated Population 65 and Older	Projected Acute Care Beds	Projected Long-Term Care Beds
1. 1996-2001	868	278	1	8
2. 2002-2007	1,840	589	2	18
3. 2008-2013	1,567	501	2	15

Standard: Acute Care = 3 beds per 1,000 population age 65 and older
Long-Term = 30 beds per 1,000 population age 65 and older

Because the increase in the proposed number of residential units and the resulting elderly population is minimal (less than 10 percent), it appears that there will continue to be adequate acute care hospital and nursing home beds to meet our projected demand If we do not hear from you within 60 days of receipt of this letter, we will assume that your letter of October 21, 1996, still applies.

Thank you for your continued assistance.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac

Betsy Benac, AICP
Manager of Planning

2726-4
BB

HEALTH PLANNING COUNCIL OF SOUTHWEST FLORIDA, INC.

July 29, 1997

Ms. Betsy Benac, AICP
Manager of Planning
Wilson, Miller, Barton & Peek, Inc.
Post Office Box 4069
Sarasota, Florida 34230

Re: **Marsh Creek Development of Regional Impact Revised Development Schedule**
Health Care Facilities Demand

Dear Ms. Benac,

Thank you for your letter of July 17, amending the development parameters for Marsh Creek Development and its health care facilities demand. Based upon the previous correspondence from this office (October 21, 1996) and standards currently applied, it appears there will continue to be sufficient acute care hospital and nursing home beds to meet your demand projected for this project. You are correct in assuming the previous correspondence still applies.

Thank you for informing this office of these changes to Marsh Creek Development. I will, by copy of your letter and this response, transmit this information to the Florida Certificate of Need Office in Tallahassee. If I can be of further assistance, please feel free to contact me again.

Sincerely,

Mary W. Schulthess

Mary W. Schulthess, M.S.,
Executive Director

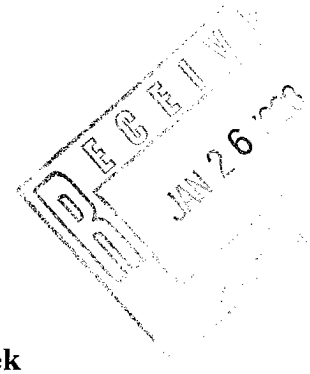
RECEIVED
JUN 30 1997
WILSON, MILLER, BARTON & PEEK, INC.

cc: Elfie Stamm, Chief, Florida Certificate of Need Program, AHCA

9250 COLLEGE PARKWAY SUITE 3 FORT MYERS, FL 33919
(941) 433-6700 SUNCOM 731-6700 FAX (941) 433-6703

MAPS TOO BIG TO SCAN SEE FILE ON SHELF

January 23, 1998



Mr. Wayne E. Daltry
Executive Director
Southwest Florida Regional Planning Council
P.O. Box 3455
North Fort Myers, FL 33918-3455

Subject: **Sufficiency Response for Marsh Creek**
DRI #08-9697-136

Dear Mr. Daltry:

Enclosed are 27 copies of our final response to the sufficiency questions raised by the council staff, the Department of Community Affairs, and the Florida Department of Environmental Protection. We believe that we have responded to all of the questions to the best of our ability. We acknowledge that there is an outstanding issue regarding the method for calculating the proportionate share amount for required transportation improvements. However, at this time, we would like to go forward to the Regional Planning Council, agreeing to defer this discussion to the City of North Port's consideration of the Development Order.

Please let us know when the formal 50-day review period begins.

Sincerely,

WILSON, MILLER, BARTON & PEEK, INC.

Betsy Benac, AICP
Manager of Planning

Enclosure
cc: Dr. Hans-Jurgen Reichardt, Marsh Creek Holdings, Ltd., w/enc.
Mr. Ron York, National Land Group, w/enc.
City of North Port, w/one copy
Department of Community Affairs, w/one copy
DRI team, w/enc.

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MARSH CREEK DRI

THIRD SUFFICIENCY RESPONSES

PREPARED FOR

MARSH CREEK HOLDINGS, LTD.

JANUARY 1998

Marsh Creek DRI
Third Sufficiency Responses

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Letter 4: Florida Department of Transportation 11

Applicant/Owner:

Marsh Creek Holdings, LTD.
Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
c/o Kerkering, Barberio & Company
1858 Ringling Boulevard
Sarasota, FL 34236
Phone: (941) 365-4617
Fax: (941) 954-3207

Application Representative:

Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Project Consultants:

Planning and Community Resource Issues/DRI Team Leader (Authorized Agent):

Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
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Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Legal Counsel:

Charles D. Bailey, Jr., Esq.
Williams, Parker, Harrison, Dietz & Getzen, P.A.
1550 Ringling Boulevard
Sarasota, FL 34236
Phone: (941) 366-4800
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Land Use Planning:

Ken Natoli, RLA, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Engineering - Groundwater:

Dale Hardin, P.G.
Agricultural Information Technologies, Inc.
5100-318 South Cleveland Avenue, No. 143
Fort Myers, FL 33907
Phone: (941) 432-9494
Fax: (941) 43209453

Engineering - Potable Water/Wastewater/Stormwater/Reuse/Solid Waste:

Robert Halbach, P.E.
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Environmental Resources/Surface Waters:

Allen Hoffacker
W. Dexter Bender and Associates, Inc.
2052 Virginia Avenue
Fort Myers, FL 33901
Phone: (941) 334-3680
Fax: (941) 334-8714

Transportation Consultant:

Ravi Devaguptapu, E.I.
Florida Transportation Engineering, Inc.
250 Pascal Drive, Suite 101
Punta Gorda, FL 33950
Phone: (941) 639-2818
Fax: (941) 639-4851

Revenue Assessment:

Meg Middaugh
Wilson, Miller, Barton & Peek, Inc.
4571 Colonial Boulevard
Fort Myers, FL 33912-1062
Phone: (941) 939-1020
Fax: (941) 939-3412

Market Assessment:

Hank Fishkind
Stan Geberer
Fishkind and Associates
12424 Research Parkway
Suite 275
Orlando, FL 32826
Phone: (407) 382-3256
Fax: (407) 382-3254

Affordable Housing:

Ed Stevens, AICP
Foma, Inc.
607 Via Tripoli
Suite #3
Punta Gorda, FL 33950
Phone: (941) 505-0753
Fax: (941) 639-8291

List of Attachments

Note: Attachments appear at the end of referenced section.

Calculation

- Proportionate share calculations for Phase III
- Revised proportionate share calculations for Phase II

Table

- Table 21D-1 through 21F-2

Letter

- Letter to Roger Wilburn, DCA Dated January 9, 1998 (addressing revisions to Phase I projected traffic generation for land uses)

Southwest Florida Regional Planning Council Questions

Question 12: Vegetation and Wildlife

1. **The Florida Game and Freshwater Fish Commission (FGFWFC) will be providing comments on the Wildlife and Habitat Management Plan under separate cover as soon as possible. We anticipate revisions to this plan can be accomplished prior to completion of the Southwest Florida Regional Planning Council (SWFRPC) staff assessment of the project.**

   Response: At this time no comments have been received so the Management Plan appears to be acceptable as presented.

Question 20: Solid Waste/Hazardous Waste/Medical Waste

1. **The applicant notes that the fill cover will not be disturbed and that additional fill will be added to accommodate the proposed driving range. Are there any anticipated or possible problems with additional fills such as a decrease in ventilation that would result in a further buildup of gases in the landfill?**

   Response: Marsh Creek had a meeting with the Florida Department of Environmental Protection in Tampa to discuss the proposed driving range. No buildup in gas is expected. Any structures on the landfill would be elevated to prevent trapping any gas underneath. The gas production levels in the landfill show that decomposition is complete or at a very low level.

2. **Again, please address whether any venting of gases and fumes at the landfill will be done?**

   Response: There are no fumes and little or no methane gas production. No venting is proposed by Marsh Creek.

3. **As the applicant is aware, an environmental audit is much broader in scope than a water stabilization report. Again, will an environmental audit be conducted to determine whether the white goods or other waste products have contaminated the property?**

   Response: No. The monitoring well data provides the evidence that would be used in a Phase I audit.

Question 21: Transportation

1. **Question A:**

   a. **The text states that the level of service (LOS) standard on Interstate 75 should be D due to the Transportation Concurrency Management Area status of the facility. To our knowledge, the City of North Port has not declared this area in its Comprehensive Plan to be a TCMA; therefore, the LOS D standard does not apply. The LOS standard is C. Please revise accordingly.**

   Response: The analysis was originally done assuming level of service (LOS) standard "D" on I-75 at the direction of Mr. Don Amicone of FDOT. However, after reviewing the letter dated September 24, 1997 from Mr. Frank Blank of FDOT, we will utilize LOS "C" as the level of service standard for I-75. I-75 within the project study area will operate at the acceptable LOS "C" at the end of Phase II, Year 2006 (assuming that the level of service standard remains at "C"). The applicant will monitor the traffic on I-75 between Kings Highway and Sumter Boulevard after the year 2006 to determine if the level of service on I-75 falls below LOS C. If and when the LOS C threshold is exceeded, the applicant shall then reevaluate the status of the acceptable level of service standards at that time, and recalculate the proportionate share calculations for any additional required improvements. The balance of the required proportionate share calculations for Phase III is attached (Attachment 1).

   b. **The text states that using LOS C as the standard for U.S. 41 through the City of North Port is "consistent with FDOT's adopted LOS standard." However, FDOT does not govern the LOS standard for any roadways except those on the Florida Intrastate Highway System. As U.S. 41 is not on the FIHS and it is not specifically excepted by the City of North Port in its Comprehensive Plan from the LOS C standard, the applicable LOS standard is C. Please revise accordingly.**

   Response: Sarasota County and Charlotte County adopted LOS "D" as a standard for U.S. 41. This is consistent with FDOT's adopted LOS standard. The City of North Port identified the adopted LOS as LOS "C" for all the roadways within the city limits. For the previous study, LOS "D" was used as an adopted LOS standard for U.S. 41, which is an inter-county roadway, to be consistent with Sarasota County, Charlotte County, and FDOT. However, in order to proceed with the DRI process, the applicant is willing to use LOS "C" as the standard for U.S. 41 within the North Port area. The revised proportionate share calculations are attached (Attachment 2). If the City of North Port level of service standard changes for U.S. 41 to be consistent with Sarasota County, Charlotte County, and

FDOT (i.e. LOS D), the Applicant shall have the right to recalculate the proportionate share and receive a refund and/or credit for the project's transportation impact mitigation payments.

2. **Question B:**

a. **It is inappropriate to apply the generalized roadway K_{100} factors and peak season factors to development traffic to convert daily to peak hour. This results in a peak hour percentage for the project's traffic that varies from 8.0 percent to 9.8 percent. Please note that the use of the FDOT *Design Traffic Handbook* is intended for use in the design of roadways, not the determination of DRI's impacts. A straight calculation from the peak season daily to the peak hour calculation obtained from the ITE *Trip Generation Manual* should be performed. Please revise accordingly.**

Response: We agree with the SWFRPC staff that applying K100 factors is not appropriate to convert the daily project trips to peak hour. However, it should be noted that the level of service calculations on the roadways are based on the total trips from the FSUTMS model runs. The total daily trips were converted to peak hour using the peak season factors and K100 factors which is a standard process in Transportation Engineering practice. Therefore, any revisions to the project trips would not affect the levels of service shown in the responses to the earlier sufficiency rounds. The correct project trips are shown in revised Tables 21D-1 through 21F-2 (Attachment 3).

b. **The table of land uses outlined in Table 21.B-1 differ from those that were previously submitted and reviewed. This is true for those uses in phase I as well as the other phases. As Phase I is the subject to a Preliminary Development Agreement and was determined based on the original uses to not require transportation mitigation, will the PDA be amended to account for the additional trips associated with the changes?**

Response: The applicant made minor changes to the Phase I development identified in the Preliminary Development Agreement (PDA). The land use comparisons are shown below:

LAND USE COMPARISONS

Land Use	PDA		Phase I	
	Units	Trips	Units	Trips
Residential: Single Family (LUC 210)	150 D.U.	156	275 D.U.	269
Residential: Multi-Family (LUC 220)	250 D.U.	149	125 D.U.	78
Golf Course/Clubhouse (LUC 430)	18 Holes	60	18 Holes	60
Tennis Club (LUC 492)	0	0	0	0
Medical/Professional (LUC 720)	30,000 sq.ft.	116	30,000 sq.ft.	116
Office: General (LUC 710)	10,000 sq.ft.	34	10,000 sq.ft.	34
Retail: Shopping Center (LUC 820)	0	0	0	0
Totals		515		557

As shown in the table above, the proposed development will generate about 8.1 percent (557 vph vs. 515 vph) more trips than those shown in the PDA. Because the increase in the project trips is not significant and is less than the threshold of 15% for significant variance, we believe that this trip generation analysis should be considered sufficient to meet your needs. We have written a letter to Roger Wilburn at DCA, pursuant to his suggestion to request DCA's position on this matter. The letter is attached (Attachment 4).

3. **Question 21.D:**

a. **Once again, TAZ 846, which is to contain the City of North Port's government center, does not contain sufficient socio-economic data to adequately represent the intense uses which are envisioned. In order to adequately represent the background traffic conditions in the vicinity of the Marsh Creek DRI, the ZDATA files should be modified to accommodate the entire North Port development. The model should be rerun and all analyses modified accordingly.**

Response: At the time the model runs were performed, the only land uses that were identified in the City of North Port Five-Year Budget document for the City Center Development were a 14,656 sq.ft. fire station and a 16,225 sq. ft. recreational center. These two land uses do not generate a large number of trips. Any other land uses that were identified as proposed outside the city's five-year Capital Improvement Program were not included.

4. **Table 21.E-2 contains several roadway volumes that were to be obtained from the FSUTMS output files which appear to be incorrect:**

   a. **River Road from C.R. 775 to U.S. 41 - 17,400**
   b. **Sumter Boulevard from Sylvania Avenue to I-75 - 18,000**
   c. **U.S. 41 from Cranberry Boulevard to Sumter Boulevard = 29,000**

   Please review and modify accordingly.

   Response: We reviewed the roadway volumes carefully. The discrepancy between the traffic shown in the ADA and those shown in the sufficiency review for the three segments under question is primarily due to the rounding of directional volumes before adding them to the two-way volumes.

   The PSADT shown in the ADA on River Road south of U.S. 41 was 14,400. This is correct. The 17,400 PSADT identified by SWFRPC staff is on River Road north of U.S. 41.

   The PSADT shown in the ADA for Sumter Boulevard from Sylvania to I-75 is 17,000 which is incorrect. The correct volume is 18,000 PSADT.

   The total traffic on U.S. 41 from Cranberry to Sumter is 13,900 EB + 15,000 WB = 28,900 PSADT. However, for this link, the two-way PSADT before rounding is 28,992.

   The difference in the traffic volumes for the two segments; (Sumter Boulevard from Sylvania to I-75 and U.S. 41 from Cranberry to Sumter) is not significant and would not affect the level of service shown in the responses provided to the earlier sufficiency rounds. All other roadway segments were reviewed for accuracy. The traffic data shown for all other roadway segments is correct.

5. **Question 21.F: The calculation of the proportionate share has been performed using only the trips from the specific phase of development in question (i.e., Phase 2 trips only for calculation of proportionate shares for Phase 2). This is incorrect. The proportionate share shall be based on the cumulative impacts of all phases to the date of the calculation (i.e., Phase 1 and 2 trips for Phase 2 share). The text states that the SWFRPC "adopted the position that the method of proportionate share calculation was up to local government, provided the method was in conformance with Rule 9.J.2.045." This is not quite correct. The Riverwood Increment II traffic assessment, adopted by the SWFRPC in November 1996, states that:**

   > **"The mitigation option of determining a proportional share payment and/or pipeline improvements, consistent with mitigation requirements of earlier increments, must be stated in the incremental development order and must be consistent with Section 163.320 of the Florida Statutes, which involves a**

local government development agreement. It should be noted that Riverwood Increment II is a part of an overall Master Development Approval. The overall Master Development Order (MDO) identifies buildout of the project as 2004. Increment I of the MDO was originally approved to buildout in 1994 and later requested and was granted an extension to 1998. These steps in the phasing of the development are not conducive to projecting cumulative impacts for the project, especially when determining proportional share. Although Increment I calculated its proportional share on all roadways which failed regardless of the Increment's percentage of impact, these calculations were performed for the Year 1994. In addition, the calculation was not revised when the buildout was extended. The fact that the calculation was performed for 1994 rather than 2004 leaves ten years of background unaccounted for the proportional share. In order to equitably remedy this inherent shortfall to the Incremental process, the SWFRPC recommends that the county determine proportional share for each Increment cumulatively with previously approved Increment(s) for the year buildout of the current Increment. This total proportional share may then be reduced by the proportional share of the previous Increment(s) to determine the dollars needed for the current Increment. In the alternative, an overall proportional share calculation for the Year 2004 (i.e., buildout of the Master) should be calculated and each Increment should pay its fair share of it. The Year 2004 figure would need to be reevaluated with each Increment to determine what changes may have developed with respect to pricing of the needed improvements. Any proportional share estimation or specific pipeline improvement should be approved by all review agencies."

This approach continues to be recommended by the SWFRPC. Please revise the calculations accordingly.

Response: We acknowledge that there continues to be a disagreement with the method of calculating the proportionate share contribution to be assessed with this development. We desire to go forward with the ADA at this time, acknowledging that this issue has not be resolved.

TABLE 21F-4

MARSH CREEK ADA

ATTACHMENT 1

PEAK HOUR PROJECT TRIPS, PHASE III

PROPORTIONATE SHARE CALCULATIONS BASED ON DRI RULE 9J-2.045

LINK INDEX	ROADWAY	FROM	TO	E+C Lanes	Needed Lanes	Length (Miles)	Phase III Trips	Adopted LOS	E+C Service Volume	Needed Service Volume	Change in Service Volume	Improvement Cost per Mile (1)	Total Improvement Cost	Proportionate Share (2)
P-3	Price Blvd.	Sumter Blvd.	Salford Blvd.	2	4	0.663	559	C	1320	2720	1400	$1,849,040	$1,225,914	$489,490
U-3	US 41	Enterprise Dr.	Toledo Blade N.	4	6	0.743	114	D	3100	4690	1590	$1,328,200	$986,853	$70,755
U-7	US 41	North Port Blvd.	Pan American	4	6	0.485	134	C	3100	4690	1590	$1,328,200	$644,177	$54,289
U-9	US 41	Biscayne Drive	Ortiz Blvd.	4	6	0.828	143	C	3100	4690	1590	$1,328,200	$1,099,750	$98,908

(1) The unit improvement costs per mile of the roadway were obtained from FDOT - District 1 Construction Department

Total Share **$713,443**

Segment	Construction Cost	Process Until Const.	Environmental Impact	Total
U-3,U-7,U-9	$1,145,000	$171,750	$11,450	$1,328,200
P-3	$1,594,000	$239,100	$15,940	$1,849,040

(2) Proportionate Share = (Incr. Trips / Change in Service Volume) x Total Improvement Cost.

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TABLE 21F-3
MARSH CREEK ADA
PEAK HOUR PROJECT TRIPS, PHASE II
PROPORTIONATE SHARE CALCULATIONS BASED ON DRI RULE 9J-2.045

ATTACHMENT 2

LINK INDEX	ROADWAY	FROM	TO	E+C Lanes	Needed Lanes	Length (Miles)	Phase II Trips	Adopted LOS	E+C Service Volume	Needed Service Volume	Change in Service Volume	Improvement Cost per Mile (1)	Total Improvement Cost	Proportionate Share (2)
U-7	US 41	North Port Blvd.	Pan American	4	6	0.485	192	C	3100	4690	1590	$1,328,200	$644,177	$77,787
U-9	US 41	Biscayne Drive	Ortiz Blvd.	4	6	0.828	143	C	3100	4690	1590	$1,328,200	$1,099,750	$98,908

(1) The unit improvement costs per mile of the roadway were obtained from FDOT - District 1 Construction Department

Total Share **$176,696**

Segment	Construction Cost	Process Until Const.	Environmental Impact	Total
U-7,U-9	$1,145,000	$171,750	$11,450	$1,328,200

(2) Proportionate Share = (Incr. Trips / Change in Service Volume) x Total Improvement Cost.

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TABLE 21D-1

CUMULATIVE PEAK HOUR PROJECT TRIPS

2006 PEAK HOUR, PEAK SEASON

EXISTING + COMMITTED NETWORK

000689

ATTACHMENT 3

PROJECT: MARSH CREEK ADA

PROJECT NO: 195039-03

Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume		
							Project	Backgr.	Total			Project	Backgr.	Total
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	119	488	607
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	257	296	554
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	218	210	428
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	99	850	949
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	2000	50200	52200	1.141	0.096	198	4212	4410
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	386	4278	4664
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	100	42000	42100	1.141	0.096	10	3547	3557
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	100	56900	57000	1.141	0.096	10	4806	4816
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	277	0	277
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	317	130	447
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	356	221	578
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	218	135	353
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	762	355	1117
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	792	320	1112
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	307	425	732
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	200	10000	10200	1.132	0.109	20	962	982
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18100	18300	1.132	0.103	20	1645	1665
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	100	16100	16200	1.132	0.104	10	1478	1488
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	416	711	1127
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	475	651	1127
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	515	597	1112
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	574	629	1204
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	455	656	1112
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	400	10200	10600	1.144	0.097	40	862	902
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	900	20300	21200	1.144	0.097	89	1714	1803
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1000	22800	23800	1.144	0.097	99	1925	2024
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	30200	30600	1.144	0.097	40	2563	2603
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	600	25800	26400	1.144	0.097	59	2186	2245
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	300	6200	6500	1.144	0.092	30	493	523
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	400	9700	10100	1.144	0.092	40	773	812
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	198	936	1134
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	1800	58600	60400	1.144	0.097	178	4959	5137
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	2400	36800	39200	1.144	0.097	238	3096	3334
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	238	3011	3249
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	238	2858	3096
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	188	2557	2745
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	1700	33500	35200	1.132	0.097	168	2860	3029
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	356	2961	3318
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	356	2500	2857
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	307	2997	3304
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	700	26900	27600	1.132	0.097	69	2305	2375
U-11		River Road	CR 775	4	Principal Arterial	Urban	200	11800	12000	1.132	0.097	20	1013	1033
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	18000	18200	1.144	0.092	20	1444	1464
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	9400	9400	1.144	0.092	0	756	756

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

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000689

TABLE 21D-2
000690
CUMULATIVE PEAK HOUR PROJECT TRIPS
2011 PEAK HOUR, PEAK SEASON
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume		
							Project	Backgr.	Total			Project	Backgr.	Total
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	157	440	597
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	352	322	674
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	313	134	447
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	186	715	901
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	323	4898	5221
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	627	4983	5610
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	200	48000	48200	1.141	0.096	20	4053	4072
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	200	62900	63100	1.141	0.096	20	5312	5331
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	382	283	664
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	411	494	905
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	264	747	1011
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	392	225	616
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	1008	80	1088
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1351	341	1692
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	636	490	1127
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	600	13800	14400	1.132	0.104	59	1264	1323
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18900	19100	1.132	0.103	20	1718	1738
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	200	16600	16800	1.132	0.104	20	1524	1543
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	666	556	1222
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	891	414	1305
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.1315	0.104	940	402	1342
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	744	248	992
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	734	828	1562
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	600	11100	11700	1.144	0.097	59	936	995
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	137	1887	2024
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1800	24900	26700	1.144	0.097	176	2095	2271
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	31400	31800	1.144	0.097	39	2666	2705
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	900	26100	27000	1.144	0.097	88	2208	2296
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	88	949	1037
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	800	10700	11500	1.144	0.092	78	847	925
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	284	1196	1480
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	2700	61400	64100	1.144	0.097	264	5193	5457
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	333	3192	3525
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	352	3079	3431
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	362	2950	3313
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	235	2252	2487
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	323	2422	2745
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	490	2685	3175
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	529	2319	2848
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	450	3129	3579
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	108	2448	2555
U-11		River Road	CR 775	4	Principal Arterial	Urban	400	14200	14600	1.132	0.097	39	1217	1256
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	20200	20400	1.144	0.092	20	1621	1641
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	10400	10400	1.144	0.092	0	836	836

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

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TABLE 21E-1
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE II, YEAR 2006
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Hour Volume			Capacity @LOS C	Project Impact	5% Impact
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	119	488	607	990	12.00%	YES
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	257	296	554	990	26.00%	YES
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	218	210	428	1070	20.36%	YES
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	99	850	949	1245	7.95%	YES
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	2000	50200	52200	1.141	0.096	198	4212	4410	4700	4.21%	NO
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	386	4278	4664	4700	8.21%	YES
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	100	42000	42100	1.141	0.096	10	3547	3557	4700	0.21%	NO
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	100	56900	57000	1.141	0.096	10	4806	4816	4700	0.21%	NO
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	277	0	277	990	28.00%	YES
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	317	130	447	1400	22.63%	YES
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	356	221	578	1400	25.46%	YES
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	218	135	353	1570	13.87%	YES
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	762	355	1117	1320	57.75%	YES
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	792	320	1112	1320	60.00%	YES
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	307	425	732	1320	23.25%	YES
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	200	10000	10200	1.132	0.109	20	962	982	1570	1.26%	NO
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18100	18300	1.132	0.103	20	1645	1665	1570	1.26%	NO
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	100	16100	16200	1.132	0.104	10	1478	1488	3050	0.32%	NO
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	416	711	1127	1400	29.70%	YES
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	475	651	1127	1400	33.94%	YES
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	515	597	1112	1570	32.79%	YES
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	574	629	1204	1570	36.57%	YES
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	455	656	1112	2890	15.76%	YES
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	400	10200	10600	1.144	0.097	40	862	902	3100	1.28%	NO
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	900	20300	21200	1.144	0.097	89	1714	1803	1640	5.43%	YES
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1000	22800	23800	1.144	0.097	99	1925	2024	4440	2.23%	NO
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	30200	30600	1.144	0.097	40	2563	2603	4440	0.89%	NO
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	600	25800	26400	1.144	0.097	59	2186	2245	1790	3.32%	NO
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	300	6200	6500	1.144	0.092	30	493	523	1349	2.20%	NO
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	400	9700	10100	1.144	0.092	40	773	812	1558	2.54%	NO
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	198	936	1134	1558	12.71%	YES
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	1800	58600	60400	1.144	0.097	178	4959	5137	4690	3.80%	NO
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	2400	36800	39200	1.144	0.097	238	3096	3334	4690	5.07%	YES
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	238	3011	3249	3100	7.66%	YES
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	238	2858	3096	3100	7.66%	YES
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	188	2557	2745	3100	6.07%	YES
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	1700	33500	35200	1.132	0.097	168	2860	3029	3100	5.43%	YES
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	356	2961	3318	3100	11.50%	YES
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	356	2500	2857	3100	11.50%	YES
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	307	2997	3304	3100	9.90%	YES
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	700	26900	27600	1.132	0.097	69	2305	2375	3100	2.24%	NO
U-11		River Road	CR 775	4	Principal Arterial	Urban	200	11800	12000	1.132	0.097	20	1013	1033	3100	0.64%	NO
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	18000	18200	1.144	0.092	20	1444	1464	2945	0.67%	NO
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	9400	9400	1.144	0.092	0	756	756	1349	0.00%	NO

PSF - Peak Season Factor; peak season factors were obtained from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department.
K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

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TABLE 21E-2
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE III, YEAR 2011
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Capacity @LOS C	Project Impact	5% Impact
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	157	440	597	990	15.82%	YES
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	352	322	674	990	35.60%	YES
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	313	134	447	1070	29.28%	YES
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	186	715	901	1245	14.94%	YES
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	323	4898	5221	4700	6.87%	YES
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	627	4983	5610	4700	13.33%	YES
I-3		Sumter Boulevard	River Road	4	Freeway	Urban	200	48000	48200	1.141	0.096	20	4053	4072	4700	0.42%	NO
I-4		River Road	Jacaranda Boulevard	4	Freeway	Urban	200	62900	63100	1.141	0.096	20	5312	5331	4700	0.42%	NO
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333	990	33.62%	YES
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	382	283	664	1400	27.27%	YES
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	411	494	905	1400	29.37%	YES
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	264	747	1011	1400	18.88%	YES
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	392	225	616	1570	24.94%	YES
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	1008	80	1088	1320	76.39%	YES
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1351	341	1692	1320	102.35%	YES
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	636	490	1127	1320	48.21%	YES
R-1	River Road	CR 775	US 41	2	Principal Arterial	Urban	600	13800	14400	1.132	0.104	59	1264	1323	1570	3.74%	NO
R-2		US 41	Pine Street Extension	2	Principal Arterial	Transition	200	18900	19100	1.132	0.103	20	1718	1738	1570	1.25%	NO
R-3		Pine Street Extension	I-75	4	Principal Arterial	Transition	200	16600	16800	1.132	0.104	20	1524	1543	3050	0.64%	NO
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	666	556	1222	1400	47.55%	YES
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	891	414	1305	1400	63.64%	YES
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.1315	0.104	940	402	1342	1570	59.86%	YES
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	744	248	992	1570	47.39%	YES
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	734	828	1562	2890	25.41%	YES
SR-1	SR 776	CR 775	CR 771	4	Principal Arterial	Urban	600	11100	11700	1.144	0.097	59	936	995	3100	1.89%	NO
SR-2		CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	137	1887	2024	1640	8.36%	YES
SR-3		S. Riverwood Entrance	Cornelius Boulevard	4	Principal Arterial	Transition	1800	24900	26700	1.144	0.097	176	2095	2271	4440	3.97%	NO
SR-4		Cornelius Boulevard	Collingswood Boulevard	4	Principal Arterial	Transition	400	31400	31800	1.144	0.097	39	2666	2705	4440	0.88%	NO
SR-5		Collingswood Boulevard	US 41	4	Principal Arterial	Urban	900	26100	27000	1.144	0.097	88	2208	2296	1790	4.92%	NO
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	88	949	1037	1349	6.53%	YES
T-2		US 41	Cranberry Boulevard	2	Minor Arterial	Transition	800	10700	11500	1.144	0.092	78	847	925	1558	5.03%	YES
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	284	1196	1480	1558	18.22%	YES
U-1	US 41	Peace River Bridge	SR 776	6	Principal Arterial	Urban	2700	61400	64100	1.144	0.097	264	5193	5457	4690	5.64%	YES
U-2		SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	333	3192	3525	4690	7.10%	YES
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	352	3079	3431	3100	11.37%	YES
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	362	2950	3313	3100	11.68%	YES
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	235	2252	2487	3100	7.58%	YES
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	323	2422	2745	3100	10.42%	YES
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	490	2685	3175	3100	15.79%	YES
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	529	2319	2848	3100	17.05%	YES
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	450	3129	3579	3100	14.53%	YES
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	108	2448	2555	3100	3.47%	NO
U-11		River Road	CR 775	4	Principal Arterial	Urban	400	14200	14600	1.132	0.097	39	1217	1256	3100	1.26%	NO
V-1	Veterans Boulevard	US 41	Toledo Blade Boulevard	4	Minor Arterial	Urban	200	20200	20400	1.144	0.092	20	1621	1641	2945	0.66%	NO
V-2		Toledo Blade Boulevard	Hillsborough Boulevard	2	Minor Arterial	Urban	0	10400	10400	1.144	0.092	0	836	836	1349	0.00%	NO

PSF - Peak Season Factor; peak season factors were obtained from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County
K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT; K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department; K100 factors for roadways in Charlotte County were based on FDOT statewide average K100s
The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables.

TABLE 21F-1
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE II, YEAR 2006
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Adopted LOS	Capacity @LOS C	LOS
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1200	5100	6300	1.132	0.109	119	488	607	C	990	C
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	2600	3100	5700	1.132	0.110	257	296	554	C	990	C
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	2200	2200	4400	1.132	0.110	218	210	428	C	1070	B
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1000	10800	11800	1.144	0.092	99	850	949	D	1245	B
I-2	I-75	Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	3900	51300	55200	1.141	0.096	386	4278	4664	D	4700	C
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	2800	0	2800	1.132	0.111	277	0	277	C	990	C
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3200	1400	4600	1.132	0.110	317	130	447	C	1400	B
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	3600	2400	6000	1.132	0.109	356	221	578	C	1400	B
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	2200	1400	3600	1.132	0.111	218	135	353	C	1570	A
P-2	North Port Boulevard	Sumter Boulevard		2	Minor Arterial	Transition	7700	3900	11600	1.132	0.109	762	355	1117	C	1320	B
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	8000	4100	12100	1.132	0.104	792	320	1112	C	1320	B
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	3100	4500	7600	1.132	0.109	307	425	732	C	1320	B
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	4200	7500	11700	1.132	0.109	416	711	1127	C	1400	B
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	4800	6900	11700	1.132	0.109	475	651	1127	C	1400	B
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	5200	6900	12100	1.132	0.104	515	597	1112	C	1570	A
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	5800	7300	13100	1.132	0.104	574	629	1204	C	1570	A
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	4600	7500	12100	1.132	0.104	455	656	1112	C	2890	A
T-3	Toledo Blade Boulevard N	Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2000	12100	14100	1.144	0.092	198	936	1134	D	1558	B
U-3	US 41	Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	2400	35800	38200	1.144	0.097	238	3011	3249	D	3100	D
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	2400	34000	36400	1.144	0.097	238	2858	3096	D	3100	C
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	1900	30000	31900	1.132	0.097	188	2557	2745	D	3100	C
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	3600	35000	38600	1.132	0.097	356	2961	3318	D	3100	D
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	3600	29600	33200	1.132	0.097	356	2500	2857	D	3100	C
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	3100	35300	38400	1.132	0.097	307	2997	3304	D	3100	D

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County

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K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT, K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department, K100 factors for roadways in Charlotte County were based on the FDOT statewide average K100s.

The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County; the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables

TABLE 21F-2
CUMULATIVE PEAK HOUR PROJECT TRIPS
CUMULATIVE PROJECT IMPACT, END OF PHASE III, YEAR 2011
EXISTING + COMMITTED NETWORK

PROJECT: MARSH CREEK ADA
PROJECT NO: 195039-03
Revised: 07-Jan-98

Link Index	Roadway	From	To	Lanes (E+C)	Functional Classification	Area Type	Peak Season Daily Volume			PSF	K100	Peak Hour Volume			Adopted LOS	Capacity @LOS C	LOS
							Project	Backgr.	Total			Project	Backgr.	Total			
A-1	Appomattox Drive	Biscayne Drive	Pan American Boulevard	2	Collector	Transition	1600	4600	6200	1.132	0.109	157	440	597	C	990	C
A-2		Pan American Boulevard	North Port Boulevard	2	Collector	Transition	3600	3400	7000	1.132	0.109	352	322	674	C	990	C
A-3		North Port Boulevard	Sumter Boulevard	2	Collector	Transition	3200	1400	4600	1.132	0.110	313	134	447	C	1070	B
C-1	Cornelius Boulevard	SR 776	US 41	2	Minor Arterial	Transition	1900	9300	11200	1.144	0.092	186	715	901	D	1245	B
I-1	I-75	Kings Highway	Toledo Blade Boulevard	4	Freeway	Urban	3300	58500	61800	1.141	0.096	323	4898	5221	D	4700	D
I-2		Toledo Blade Boulevard	Sumter Boulevard	4	Freeway	Urban	6400	60000	66400	1.141	0.096	627	4983	5610	D	4700	D
M-1	Marsh Creek Drive	Sumter Boulevard	S. of North Port Boulevard	2	Collector	Transition	3400	0	3400	1.132	0.111	333	0	333	C	990	C
N-1	North Port Boulevard	US 41	Appomattox Drive	2	Collector	Transition	3900	3000	6900	1.132	0.109	382	283	664	C	1400	B
N-2		Appomattox Drive	Price Boulevard	2	Collector	Transition	4200	5200	9400	1.132	0.109	411	494	905	C	1400	B
N-3		Price Boulevard	Sumter Boulevard	2	Collector	Transition	2700	7800	10500	1.132	0.109	264	747	1011	C	1400	B
P-1	Price Boulevard	Biscayne Drive	North Port Boulevard	2	Minor Arterial	Transition	4000	2400	6400	1.132	0.109	392	225	616	C	1570	A
P-2		North Port Boulevard	Sumter Boulevard	2	Minor Arterial	Transition	10300	1000	11300	1.132	0.109	1008	80	1088	C	1320	B
P-3		Sumter Boulevard	Salford Boulevard	2	Minor Arterial	Transition	13800	4800	18600	1.132	0.103	1351	341	1692	C	1320	F
P-4		Salford Boulevard	Cranberry Boulevard	2	Minor Arterial	Transition	6500	5200	11700	1.132	0.109	636	490	1127	C	1320	B
S-1	Sumter Boulevard	US 41	Appomattox Drive	2	Minor Arterial	Transition	6800	6500	13300	1.132	0.104	666	556	1222	C	1400	B
S-2		Appomattox Drive	Marsh Creek Drive	2	Minor Arterial	Transition	9100	5100	14200	1.132	0.104	891	414	1305	C	1400	B
S-3		Marsh Creek Drive	Price Boulevard	2	Minor Arterial	Transition	9600	5000	14600	1.1315	0.104	940	402	1342	C	1570	B
S-4		Price Boulevard	Sylvania Avenue	2	Minor Arterial	Transition	7600	2700	10300	1.132	0.109	744	248	992	C	1570	A
S-5		Sylvania Avenue	I-75	4	Minor Arterial	Transition	7500	9500	17000	1.132	0.104	734	828	1562	C	2890	A
SR-2	SR 776	CR 771	S. Riverwood Entrance	2	Principal Arterial	Transition	1400	22400	23800	1.144	0.097	137	1887	2024	D	1640	D
T-1	Toledo Blade	SR 776	US 41	2	Minor Arterial	Urban	900	12000	12900	1.144	0.092	88	949	1037	D	1349	B
T-3		Cranberry Boulevard	I-75	2	Minor Arterial	Transition	2900	15500	18400	1.144	0.092	284	1196	1480	D	1558	C
U-2	US 41	SR 776	Enterprise Drive	6	Principal Arterial	Urban	3400	38000	41400	1.144	0.097	333	3192	3525	D	4690	B
U-3		Enterprise Drive	Toledo Blade North	4	Principal Arterial	Urban	3600	36700	40300	1.144	0.097	352	3079	3431	D	3100	F
U-4		Toledo Blade North	Cranberry Boulevard	4	Principal Arterial	Urban	3700	34800	38500	1.132	0.097	362	2950	3313	D	3100	D
U-5		Cranberry Boulevard	Sumter Boulevard	4	Principal Arterial	Urban	2400	26500	28900	1.132	0.097	235	2252	2487	D	3100	B
U-6		Sumter Boulevard	North Port Boulevard	4	Principal Arterial	Urban	3300	28600	31900	1.132	0.097	323	2422	2745	D	3100	C
U-7		North Port Boulevard	Pan American Boulevard	4	Principal Arterial	Urban	5000	31900	36900	1.132	0.097	490	2685	3175	D	3100	D
U-8		Pan American Boulevard	Biscayne Drive	4	Principal Arterial	Urban	5400	27700	33100	1.132	0.097	529	2319	2848	D	3100	C
U-9		Biscayne Drive	Ortiz Boulevard	4	Principal Arterial	Urban	4600	37000	41600	1.132	0.097	450	3129	3579	D	3100	F
U-10		Ortiz Boulevard	River Road	4	Principal Arterial	Urban	1100	28600	29700	1.132	0.097	108	2448	2555	D	3100	B

PSF - Peak Season Factor; peak season factors were obatined from the FDOT weekly volume adjustment factor worksheets for Sarasota and Charlotte County
K100 - The design K factors for the State Roads and the Interstate were obtained from FDOT, K100 factors for roadways in Sarasota County were obtained from the Sarasota County Transportation Department, K100 factors for roadways in Charlotte County were based on FDOT statewide average K100s
The service volumes for roadway link LOS calculations were obtained from Sarasota County Transportation Department for roadways in Sarasota County, the service volumes for roadway link LOS calculations for other roadways were obtained from FDOT generalized LOS tables

\03\TAB21F_2.WK4

Florida Transportation Engineering, Inc.

January 09, 1998

Roger Wilburn
Community Planning Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399

Subject: Marsh Creek DRI Sufficiency Round #3
FTE No. 195039-03

Dear Mr. Wilburn:

Florida Transportation Engineering, Inc. (FTE) is in the process of completing responses to Sufficiency Round #3 for the Marsh Creek DRI project. As per our telephone conversation today, I am sending the following information for your review and comment.

The applicant made minor changes to the Phase I development identified in the Preliminary Development Agreement (PDA). The land use comparisons are shown below:

LAND USE COMPARISONS

Land Use	PDA		Phase I	
	Units	Trips	Units	Trips
Residential: Single Family (LUC 210)	150 D.U.	156	275 D.U.	269
Residential: Multi-Family (LUC 220)	250 D.U.	149	125 D.U.	78
Golf Course/Clubhouse (LUC 430)	18 Holes	60	18 Holes	60
Tennis Club (LUC 492)	0	0	0	0
Medical/Professional (LUC 720)	30,000 sq.ft.	116	30,000 sq.ft.	116
Office: General (LUC 710)	10,000 sq.ft.	34	10,000 sq.ft.	34
Retail: Shopping Center (LUC 820)	0	0	0	0
Totals		515		557

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As shown in the table above, the proposed development will generate about 8.1 percent (557 vph vs. 515 vph) more trips than those shown in the PDA. Because the increase in the project trips is not significant and is less than the threshold of 15% for significant variance, we believe that this trip generation analysis should be considered sufficient.

After you have had a chance to review this letter, if you have any questions please do not hesitate to contact either myself or Nanette Hall at (941) 639-2818.

Sincerely,

Ravi Devaguptapu, E.I.
Project Engineer

Copy: Nanette Hall, P.E.
Betsy Benac, AICP (Wilson Miller)
Jim Bevillard (National Land Management, Inc.)

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Letter 1: Florida Department of Community Affairs

Reference letter to Wayne Daltry from Roger Wilburn, dated September 24, 1997.

1. **Please provide further information as to why you do not cite the Department of Community Affairs (DCA) as a benefiting party with regard to the conservation easement. Please note that Rule 9J-2.041(9)(b)3., FAC, states, "The conservation easement shall name the state of Florida as a benefiting party with a third party right of enforcement, shall allow it our any of its agencies access to the site upon request, and shall provide the state of Florida, specifically the DCA or any successor agency, with the right to require restoration and the right of enforcement..."**

   Response: Please be aware that the conservation easement will be written to comply with the requirements of Rule 9J-2.041(9)(b)3, FAC.

2. **The DCA remains concerned regarding the use of LOS D as the standard for I-75 within an urbanized area. Please coordinate your follow-up answer with the Florida Department of Transportation (FDOT) as to whether the transportation analysis should utilize LOS D in order to determine adverse and significant impacts to I-75, a roadway in the Federal Intrastate Highway System (FIHS). The DCA is of the opinion that the analysis should use LOS C, because that is the applicable standard for levels of service on the FIHS.**

   Response: The analysis was originally done assuming level of service (LOS) standard "D" on I-75 at the direction of Mr. Don Amicone of FDOT. However, after reviewing the letter dated September 24, 1997 from Mr. Frank Blank of FDOT, we will utilize LOS "C" as the level of service standard for I-75. I-75 within the project study area will operate at the acceptable LOS "C" at the end of Phase II, Year 2006. The applicant will monitor the traffic on I-75 between Kings Highway and Sumter Boulevard after the year 2006 to determine if the level of service on I-75 falls below LOS C. If and when the LOS C threshold is exceeded, the applicant shall then reevaluate the status of the acceptable level of service standards at that time, and recalculate the proportionate share calculations for any additional required improvements.

3. **The DCA is of the opinion that, because the City of North Port has adopted LOS C for all roadways within its limits, the transportation analysis should utilized this LOS to determine the potential for adverse and significant impacts for U.S. 41 within the city limits of North Port.**

   Response: Sarasota County and Charlotte County adopted LOS "D" as a standard for U.S. 41. This is consistent with FDOT's adopted LOS standard. The City of North Port identified the adopted LOS as LOS "C" for all the roadways within the city limits. For the current study, LOS "D" was used as an adopted LOS standard for U.S. 41, which is an inter-county roadway, to be consistent with Sarasota County, Charlotte County, and FDOT. However, in order to proceed with the DRI process, the applicant is willing to use

LOS "C" as the standard for U.S. 41 within the North Port area. The revised proportionate share calculations are attached. If the City of North Port level of service standard changes for U.S. 41 to be consistent with Sarasota County, Charlotte County, and FDOT (i.e. LOS D), the Applicant should have the right to calculate the proportionate share and receive a refund and/or credit for the project's transportation impact mitigation payments.

Letter 2: Florida Department of Environmental Protection

Reference letter to Daniel L. Trescott from Dianne McCommons Beck, dated October 2, 1997.

Response:

A meeting between the City of North Port, Atlantic Gulf Corporation, and the FDEP took place on October 28, 1997, to focus in on any remaining issues with regard to the landfill. Marsh Creek representatives attended this meeting. The agreement at this meeting supersedes the FDEP letter of October 2, 1997, by Dianne McCommons Beck. The only issue left with respect to an FDEP final closure letter is improving the landfill cap. The City of North Port has placed fill and regraded the area identified by the stabilization report. FDEP has made one inspection and is waiting for grow-in by hydromulched grasses before issuing the final closure letter.

All issues with respect to groundwater flow and groundwater quality have been resolved as a result of additional SWFWMD, USGS studies and a redevelopment of the monitoring wells to show the existing conditions for groundwater flow and ambient water quality.

Letter 3: Charlotte County-Punta Gorda Metropolitan Planning Organization

Reference letter to Dan Trescott from Robert Johnson, dated September 25, 1997.

1. **"...the LOS criteria on I-75 within Charlotte County is LOS C rather than LOS D, as assumed by the applicant's consultant. Should the FDOT requests that this LOS level be maintained and should Marsh Creek adversely and significantly impact I-75, we suggest that this DRI development pay for its impacts within Charlotte County based on their proportionate share amount for the necessary improvements.**

   Response: Acknowledged.

2. **To address the multijurisdictional transportation impacts caused by the Marsh Creek DRI, we suggest that the City of North Port contact Charlotte County prior to the issuance of the Marsh Creek Development Order. As a suggestion, the governmental entities may want to enter into an interlocal agreement to address the Marsh Creek off-site transportation impacts across jurisdictional lines.**

   Response: Acknowledged.

Letter 4: Florida Department of Transportation

Reference letter to Dan Trescott from T. Franklin Black, dated September 24, 1997.

The applicant has based his analysis and proportionate share calculations on the assumption that the LOS standard for I-75 is D. For its entire length within Charlotte County, from the Lee County line to the Sarasota County line, I-75, an FIHS facility, is located within a transitioning urbanized area. Therefore, the LOS standard is C within these limits. In southeast Sarasota County, I-75 is partially within and partially outside of the urban area of North Port. Based on a strict interpretation of the criteria used to determine LOS standards, the LOS standard would vary between C and B in this area. The FDOT is currently developing a 2020 needs plan and a 2020 cost feasible plan for the FIHS system. As a part of this plan development, the FDOT has examined this area of I-75. In the interest of maintaining logical continuity and reasonable breakpoints, we have determined that the area in Sarasota County from the Charlotte County line to River Road will be considered as either within the urban area of North Port or sufficiently influenced by the urban area of North Port, so as to be assigned the LOS standard of C. The area from River Road north to S.R. 72 is considered Rural, and the LOS standard is B. From S.R. 72 north to S.R. 780, the area type is urban and the LOS standard is C. From north of S.R. 780 to the Manatee County line, the area type is transitioning and the LOS standard is also C. The analysis and proportionate share calculations should be revised based on the correct level of service standards for I-75.

Response: The analysis was originally done assuming level of service (LOS) standard "D" on I-75 at the direction of Mr. Don Amicone of FDOT. However, after reviewing the letter dated September 24, 1997 from Mr. Frank Blank of FDOT, we will utilize LOS "C" as the level of service standard for I-75. I-75 within the project study area will operate at the acceptable LOS "C" at the end of Phase II, Year 2006. The applicant will monitor the traffic on I-75 between Kings Highway and Sumter Boulevard after the year 2006 to determine if the level of service on I-75 falls below LOS C. If and when the LOS C threshold is exceeded, the applicant shall then reevaluate the status of the acceptable level of service standards at that time, and recalculate the proportionate share calculations for any additional required improvements.

RPM-BSP-ADA-1

MARSH CREEK

DEVELOPMENT OF REGIONAL IMPACT

APPLICATION FOR DEVELOPMENT APPROVAL

UNDER SECTION 380.06, FLORIDA STATUTES

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive - Rhyne Building
Tallahassee, Florida 32399

11/15/96 - W-27260040.TLG
3-2726-004-000

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LIST OF ABBREVIATIONS

Application for Development Approval	ADA
Atlantic Gulf Community	AGC
Average Annual Daily Flow	AADF
City Council	CC
City of North Port	City
City of North Port Comprehensive Plan	Comp. Plan
City of North Port Unified Land Development Code	LDC
Community Development District	CDD
Development of Regional Impact	DRI
Equivalent Residential Connection	ERC
Evaluation and Appraisal Report	EAR
Florida Administrative Code	FAC
Florida Department of Community Affairs	DCA
Florida Department of Environmental Protection	FDEP
Florida Game and Fresh Water Fish Commission	FGFWFC
Florida Standard Transportation Model Software	FSUTMS
Florida Statutes	FS
Future Land Use Element	FLUE
Gallons per Day	GPD
Gallons per Minute	GPM
General Development Corporation	GDC
Million Gallons per Day	MGD
Mote Marine Laboratory	MML
Planned Community Development	PCD
Sarasota County	County
Sarasota/Manatee Area Transportation Study	SMATS
Southwest Florida Regional Planning Council	SWFRPC
Southwest Florida Water Management District	SWFWMD
United States Army Corps of Engineers	USACOE
United States Fish and Wildlife Service	USFWS
W. Dexter Bender & Associates, Inc.	WDB
Wilson, Miller, Barton & Peek, Inc.	Wilson Miller

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STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive - Rhyne Building
Tallahassee, Florida 32399

RPM-BSP-ADA-1

DEVELOPMENT OF REGIONAL IMPACT
APPLICATION FOR DEVELOPMENT APPROVAL
UNDER SECTION 380.06, FLORIDA STATUTES

PART I. Application Information.

1. **I, Hans-Jurgen Reichardt, the undersigned officer of Marsh Creek Properties, Inc., hereby propose to undertake a Development of Regional Impact as defined in Section 380.06, Florida Statutes (F.S.), and Chapter 28-24, Florida Administrative Code (FAC.). In support thereof I submit the following information concerning Marsh Creek, which information is true and correct to the best of my knowledge.**

November 15, 1996
(date)

Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
General Partner, Marsh Creek Holdings, LTD.

2. **Owner/Developer (name, address, phone). State whether or not the owner or developer is authorized to do business in the state of Florida pursuant to the provisions of Chapter 607, F.S.**

Marsh Creek Holdings, LTD.
Hans-Jurgen Reichardt, President
Marsh Creek Properties, Inc.
c/o Kerkering, Barbario & Company
1858 Ringling Boulevard
Saraosta, FL 34236
Phone: (941) 365-4617
Fax: (941) 954-3207

Marsh Creek Properties, Inc. is a Florida corporation and general partner of Marsh Creek Holdings, Ltd., a Florida limited partnership, and is authorized to do business pursuant to Chapter 607, F.S.

All references herein to the applicant or developer shall be understood to mean Marsh Creek Holdings, Ltd. or their successors or assigns.

3. **Authorized Agent and Consultants (name, address, phone).**

Planning and Community Resource Issues/DRI Team Leader (Authorized Agent)

Betsy Benac, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Legal Counsel

Charles D. Bailey, Jr., Esq.
Williams, Parker, Harrison, Dietz & Getzen, P.A.
1550 Ringling Boulevard
Sarasota, FL 34236
Phone: (941) 366-4800
Fax: (941) 366-3906

Land Use Planning

Ken Natoli, RLA, AICP
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Engineering- Groundwater
Dale Hardin, PG
Agricultural Information Technologies, Inc.
5100-318 South Cleveland Avenue, No. 143
Fort Myers, FL 33907
Phone: (941) 432-9494
Fax: (941) 43209453

Engineering - Potable Water/Wastewater/Stormwater/Reuse/Solid Waste

Robert Halbach, P.E.
Wilson, Miller, Barton & Peek, Inc.
133 South McIntosh Road
Sarasota, FL 34232
Phone: (941) 371-3690
Fax: (941) 377-9852

Environmental Resources/Surface Waters

Allen Hoffacker
W. Dexter Bender and Associates, Inc.
2052 Virginia Avenue
Fort Myers, FL 33901
Phone: (941) 334-3680
Fax: (941) 334-8714

Transportation Consultant

Nanette Hall, P.E.
Florida Transportation Engineering, Inc.
250 Pascal Drive, Suite 101
Punta Gorda, FL 33950
Phone: (941) 639-2818
Fax: (941) 639-4851

Revenue Assessment

Meg Middaugh
Wilson, Miller, Barton & Peek, Inc.
4571 Colonial Boulevard
Fort Myers, FL 33912-1062
Phone: (941) 939-1020
Fax: (941) 939-3412

Market Assessment

Hank Fishkind
Stan Geberer
Fishkind and Associates
12424 Research Parkway
Suite 275
Orlando, FL 32826
Phone: (407) 382-3256
Fax: (407) 382-3254

Affordable Housing

Ed Stevens, AICP
Forna, Inc.
607 Via Tripoli
Suite #3
Punta Gorda, FL 33950
Phone: (941) 505-0753
Fax: (941) 639-8291

4. **Attach a notarized authorization from all persons or corporations (or authorized agents of said persons or corporations) having fee simple or lessor estate in the site indicating that each of these parties is aware of, and concurs with, the development of this property as described in this Application for Development Approval. Include the names and addresses of all parties with an interest in the property. In addition, include descriptions of any other properties within one-half mile radius of the DRI site in which any of the parties with an interest in the DRI site hold a fee simple or lessor interest.**

   Please refer to Attachment 4-1, Authorization and Consent to Development of Regional Impact Application for Development Approval Under Section 380.06, Florida Statutes.

5. **Attach a legal description of the development site. Include section, township, and range.**

   Please refer to Attachment 5-1, Legal Description.

6. **Have you requested a binding letter of interpretation of DRI status or vested rights, clearance letter, agreement or preliminary development agreement from the Department of Community Affairs? If so, what is the current status of this determination?**

   On August 21, 1996, Marsh Creek Holdings, Ltd. submitted an application for Preliminary Development Agreement to the Florida Department of Community Affairs. The extent of the preliminary development proposed included 400 residential units (150 single-family and 250 multifamily), a 30,000-square foot ambulatory care clinic, a 10,000-square foot office building, an 18-hole golf course, and an 18,000-square foot clubhouse. Sufficiency comments were provided by the DCA and the Region on September 6, 1996. Wilson-Miller provided a response to the sufficiency comments on October 3, 1996. At this time, both the DCA and the Region have found the application to be sufficient.

7. **List all local governments with jurisdiction over the proposed development.**

   City of North Port

Attachment 4-1

**AUTHORIZATION AND CONSENT TO
DEVELOPMENT OF REGIONAL IMPACT
APPLICATION FOR DEVELOPMENT APPROVAL AND REZONING
UNDER SECTIONS 125.01 AND 380.06, FLORIDA STATUTES**

BEFORE ME, a Notary Public, came Hans-Jurgen Reichardt, of Marsh Creek Properties, Inc., a Florida Corporation, the general partner of Marsh Creek Holdings, Ltd., a Florida Limited Partnership, who being duly sworn, deposes and says as follows:

1. I, Hans-Jurgen Reichardt, have reviewed and am familiar with the Development of Regional Impact Application for Development Approval ("ADA") to be submitted by Marsh Creek Properties, Inc. concerning the Marsh Creek community.

2. Marsh Creek Properties, Inc. understands that the ADA being submitted to the Florida Department of Community Affairs pursuant to the requirements of Sections 125.01 and 380.06, Florida Statutes, for approval as a development of regional impact ("DRI").

3. Marsh Creek Properties, Inc. holds fee simple title to all of the lands described in the ADA ("DRI Lands") with the exception of that parcel identified as Tract X on Map D and described in Attachment 5-1 in the ADA, and acknowledges that said lands shall become subject to the terms and conditions of an approved DRI Development Order.

4. Marsh Creek Properties, Inc. acknowledges that Atlantic Gulf Communities Corporation ("AGC") holds fee simple title to that parcel identified in the ADA as Tract X on Map D of the ADA. If Marsh Creek Properties, Inc. either (a) secures consent from AGC or (b) obtains legal title to Tract X, prior to approval of a DRI Development Order, Tract X shall thereupon become subject to the terms and conditions of the DRI Development Order.

5. Marsh Creek Properties, Inc., through its managing partner, Marsh Creek Holdings, Ltd., hereby authorizes the submission of the ADA and consents to the terms of such documents and the inclusion of its property within the DRI lands.

Marsh Creek Holdings, Ltd.
a Florida Limited Partnership

By: Marsh Creek Properties, Inc.
a Florida Corporation, its managing member

By: _____
Hans-Jurgen Reichardt

Its: President

STATE OF FLORIDA)
)
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me this 14th day of November, 1996, by Hans Jurgen Reichardt, as Senior Vice President of Marsh Creek Properties, Inc.

Roberta A. Vasile
Signature of Notary Public

My commission Expires: 9/18/2000

ROBERTA A VASILE
Printed Name of Notary Public

Commission # CC580828

Personally Known ✓
Produced Identification ____
Type of Identification Produced____

Roberta A. Vasile
MY COMMISSION # CC580828 EXPIRES
September 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

11/14/96 - W-27260045.TLG
S2726-0004-000

Attachment 5-1
Legal Description

TRACT "A": A PORTION OF SECTION 21, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGES 50 AND 50-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID CORNER ALSO BEING ON THE CENTERLINE OF THE SNOVER WATERWAY (200' WIDE), AS SHOWN ON THE PLAT OF THE EIGHTEENTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGES 6, 6-A THROUGH 6-V, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00° 43'08"W. ALONG THE WESTERLY BOUNDARY LINE OF SAID FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD (200' WIDE) A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; AT THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE SOUTH LINE OF SAID SNOVER WATERWAY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD THE FOLLOWING TWO COURSES; S.00° 43'08"W., A DISTANCE OF 1346.71 FEET TO THE POINT OF CURVATURE OF A 2100.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.89°16'52"E.; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°16'04", A DISTANCE OF 559.59 FEET TO AN INTER- SECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD, WITH SAID POINT ALSO BEING A POINT OF REVERSE CURVATURE OF A 25.00 RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING S.75°27'04"W.; THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD (100' WIDE) THE FOLLOWING FOUR COURSES; SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 85°42'32", A DISTANCE OF 37.40 FEET TO A POINT OF REVERSE CURVATURE OF A 1650.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.18°50'24"E.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°20'06", A DISTANCE OF 643.20 FEET TO A POINT OF TANGENCY; THENCE S.48°49'30"W., A DISTANCE OF 408.66 FEET TO THE POINT OF CURVATURE OF A 1950.00-FOOT RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING N.41°10'30"W.; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 71°11'22", A DISTANCE OF 2422.85 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD N.29°59'32"E., A DISTANCE OF 1198.77 FEET; THENCE N.15°00'00"W., A DISTANCE OF 1800.00 FEET TO THE SOUTH LINE OF THE AFORESAID SNOVER WATERWAY (O.R. BOOK 1941, PAGE 6); THENCE ALONG SAID SOUTH LINE, S.89°16'51"E., A DISTANCE OF 2953.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 170.30 ACRES, MORE OR LESS.

TRACT "B": A PORTION OF SECTIONS 21 AND 22, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGES 50 AND 50-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID CORNER ALSO BEING ON THE CENTERLINE OF THE SNOVER WATERWAY AS SHOWN ON THE PLAT OF THE EIGHTEENTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGES 6, 6-A THROUGH 6-V, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00°43'08"W., ALONG THE EASTERLY BOUNDARY LINE OF SAID FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD (200' WIDE) A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING THE SAID WESTERLY RIGHT-OF-WAY LINE, S.89° 16'51"E., A DISTANCE OF 606.00 FEET, THENCE N.00°43'09"E., A DISTANCE OF 600.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SNOVER WATERWAY (O.R. BOOK 1941, PAGE 6); THENCE S.89°16'51"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 880.95 FEET TO THE NORTHWESTERLY CORNER OF NORTH PORT WATER CONTROL DISTRICT PROPERTY (O.R. BOOK 2357, PAGE 382); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, AND ALONG THE WESTERLY BOUNDARY LINE OF THE SAID NORTH PORT WATER CONTROL DISTRICT PROPERTY, S.00°43'09"W., A MEASURED DISTANCE OF 1052.76 FEET (DEED 1050.00') TO THE SOUTHWEST CORNER OF SAID NORTH PORT WATER CONTROL DISTRICT PROPERTY; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NORTH PORT WATER CONTROL DISTRICT PROPERTY S.89°16'51"E., A DISTANCE OF 1028.67 FEET TO THE WESTERLY BOUNDARY LINE OF THE BLUERIDGE WATERWAY (100 FEET WIDE) (O.R. BOOK 1941, PAGE 6), SAID POINT ALSO BEING A POINT ON THE ARC OF A 1000.00-FOOT RADIUS CURVE WITH THE CENTER POINT OF SAID CURVE BEARING N.77° 26'14"W.; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BLUERIDGE WATERWAY THE FOLLOWING TWO COURSES; SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°49'01", A DISTANCE OF 974.19 FEET TO A POINT OF REVERSE CURVATURE OF A 1150.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.21°37'14"E.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°16'11", A DISTANCE OF 647.69 FEET TO THE INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE WITH THE NORTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD (100' WIDE); THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRICE BOULEVARD THE FOLLOWING THREE COURSES; N.56°24'18"W., A DISTANCE OF 131.21 FEET TO THE POINT OF CURVATURE OF A 1650.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.33°35'42"W., THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°52'31", A DISTANCE OF 1263.51 FEET TO A POINT OF REVERSE CURVATURE OF A 25.00-FOOT RADIUS CURVE TO THE RIGHT WITH THE CENTER POINT BEARING N.10°16'49"W.; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°43'55", A DISTANCE OF 37.41 FEET TO A POINT IN THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD AND THE EASTERLY BOUNDARY LINE OF THE AFORESAID FIFTY- SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, SAID POINT IS ALSO THE POINT OF COMPOUND CURVATURE OF A 1900.00-FOOT RADIUS

CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING N.75°27'06"E.; THENCE ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO COURSES; NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°16'02", A DISTANCE OF 506.28 FEET TO THE POINT OF TANGENCY; THENCE N.00°43'08"E. A DISTANCE OF 746.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 72.12 ACRES, MORE OR LESS.

11/14/96 - W-27260048.TLG
S2726-004-000

TRACT "C": A PORTION OF SECTIONS 21 AND 28, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE RIGHT-OF-WAY OF NORTH PORT BOULEVARD AS SHOWN ON THE PLAT OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 50 AND 50-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, THENCE S.82°01'05"W. (S.82°00'00"W. PLAT BEARING) ALONG THE NORTHERLY RIGHT-OF WAY OF SAID NORTH PORT BOULEVARD (MYAKKAHATCHEE BOULEVARD) AS SHOWN ON THE PLAT OF THE FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 21 PAGES 13, 13-A THROUGH 13-NN, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 947.20 FEET (946.95 FEET PLAT DISTANCE) TO A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF BLOCK 2653 IN SAID FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID BLOCK 2653 THE FOLLOWING FOUR COURSES; N.08°00'00"W., A DISTANCE OF 955.00 FEET; THENCE S.82°00'00"W., A DISTANCE OF 365.00 FEET; THENCE N.08°00'00"W., A DISTANCE OF 630.90 FEET; THENCE S.82°00'00"W., A DISTANCE OF 150.00 FEET; THENCE LEAVING SAID BOUNDARY LINE, N.29°59'32"E., A DISTANCE OF 1080.80 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD (100' WIDE); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE COURSES; S.59°55'11"E., A DISTANCE OF 23.99 FEET TO THE POINT OF CURVATURE OF A 2050.00-FOOT RADIUS CURVE TO THE LEFT WITH THE CENTER POINT BEARING N.30°04'49"E.; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 71°15'19", A DISTANCE OF 2549.46 FEET TO A POINT OF TANGENCY; THENCE N.48°49'30"E., A DISTANCE OF 408.68 FEET TO THE POINT OF CURVATURE OF A 1550-FOOT RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING S.41°10'30"E.; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°06'43", A DISTANCE OF 598.19 FEET TO A POINT OF COMPOUND CURVATURE OF A 25-FOOT RADIUS CURVE TO THE RIGHT WITH THE CENTER POINT BEARING S.19°03'47"E., THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 27'50", A DISTANCE OF 39.47 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD AS SHOWN ON THE AFORESAID PLAT OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, SAID POINT ALSO BEING A POINT OF REVERSE CURVATURE OF A 2100.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING N.71°24'03"E.; THENCE ALONG SAID WESTERLY RIGHT-OF- WAY LINE OF SUMTER BOULEVARD THE FOLLOWING FOUR COURSES; SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°13'14", A DISTANCE OF 8.09 FEET TO A POINT OF REVERSE CURVATURE OF A 1300.00-FOOT RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING S.71°10'49"W.; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 77°57'00", A DISTANCE OF 1768.63 FEET TO A POINT OF REVERSE CURVATURE OF A 1600.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.30°52'11"E.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°57'23", A DISTANCE OF 1674.30 FEET TO A POINT OF REVERSE CURVATURE OF A 50.11-FOOT RADIUS CURVE TO THE RIGHT, WITH THE

CENTER POINT BEARING S.89°10'26"W.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 86°32'36", A DISTANCE OF 75.69 FEET TO THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF NORTH PORT BOULEVARD; THENCE ALONG THE SAID NORTHERLY RIGHT-OF WAY LINE THE FOLLOWING THREE COURSES; S.85°43'11"W., A DISTANCE OF 208.42 FEET TO THE POINT OF CURVATURE OF A 2750.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING S.04°16'49"E.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°42'20", A DISTANCE OF 177.85 FEET TO A POINT OF TANGENCY; THENCE S.82°00'51"W., A DISTANCE OF 355.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 140.58 ACRES, MORE OR LESS.

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S2726-004-000

TRACT "D": A PORTION OF SECTIONS 21 AND 22, TOWNSHIP 39 SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF THE FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 13, 13-A THROUGH 13-NN, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID CORNER ALSO BEING ON THE CENTERLINE OF THE BLUERIDGE WATERWAY (100' WIDE)(O.R. BOOK 1941, PAGE 6); THENCE LEAVING THE SAID CENTERLINE AND ALONG THE NORTHERLY BOUNDARY LINE OF THE SAID FIFTY-SECOND ADDITION TO PORT CHARLOTTE SUBDIVISION, N.84°56'11"W., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SAID BLUERIDGE WATERWAY; THENCE LEAVING SAID WESTERLY RIGHT- OF-WAY LINE AND ALONG THE NORTHERLY BOUNDARY LINE OF SAID FIFTY-SECOND ADDITION THE FOLLOWING THREE COURSES; N.84°56'11"W., A DISTANCE OF 1375.64 FEET TO THE POINT OF CURVATURE OF 400-FOOT RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING N.05°03'49"E., THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°49'49". A DISTANCE OF 208.26 FEET TO A POINT OF TANGENCY; THENCE N.55°06'22"W., A DISTANCE OF 442.85 FEET TO A CORNER ON THE BOUNDARY LINE OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 50 AND 50-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID POINT IS ALSO ON THE ARC OF A 2350.00-FOOT RADIUS NONTANGENT CURVE WITH THE CENTER POINT BEARING N.55°05'20"W.; THENCE SOUTHWESTERLY ALONG THE WESTERLY BOUNDARY LINE OF TRACT "D" AS PLATTED IN SAID FIFTY-SIXTH ADDITION AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°06'22", A DISTANCE OF 414.51 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD (200' WIDE) AS PLATTED IN SAID FIFTY-SIXTH ADDITION WITH SAID POINT ALSO BEING ON THE ARC OF A 1400.00-FOOT RADIUS NONTANGENT CURVE WITH THE CENTER POINT BEARING S.73°36'02"E.; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE COURSES; ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°43'51" A DISTANCE OF 1044.11 FEET TO A POINT OF REVERSE CURVATURE OF A 1500.00-FOOT RADIUS CURVE TO THE LEFT, WITH THE CENTER POINT BEARING N.30°52'11"W.; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°31'15", A DISTANCE OF 2029.49 FEET TO A POINT OF REVERSE CURVATURE OF A 25.00-FOOT RADIUS CURVE TO THE RIGHT, WITH THE CENTER POINT BEARING N.71°36'34"E., THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°45'30", A DISTANCE OF 43.09 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PRICE BOULEVARD (100' WIDE), TO A POINT OF COMPOUND CURVATURE OF A 1550.00-FOOT RADIUS CURVE TO THE RIGHT WITH THE CENTER POINT BEARING S.09°37'56"E., THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO COURSES; ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°13'39", A DISTANCE OF 1169.42 FEET TO A POINT OF TANGENCY; THENCE S.56°24'18'E., A DISTANCE OF 131.17 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF THE BLUERIDGE WATERWAY, SAID POINT ALSO BEING ON THE ARC OF A 1150.00-FOOT RADIUS CURVE, WITH THE CENTER POINT BEARING S.58°52'26"E.; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES; SOUTHWESTERLY ALONG THE ARC OF SAID

CURVE THROUGH A CENTRAL ANGLE OF 26°04'14", A DISTANCE OF 523.27 FEET TO A POINT OF TANGENCY; THENCE S.05°03'20"W. A DISTANCE OF 1932.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 83.90 ACRES, MORE OR LESS.

DESCRIPTION OF THE PROPOSED REVERSIONARY BOUNDARY FOR A PORTION OF THE 52ND. ADDITION TO PORT CHARLOTTE SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 13 THROUGH 13NN AND A PORTION OF THE 56TH ADDITION PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 50 AND 50A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA WITH SAID BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF NORTH PORT BLVD. (FORMERLY MYAKKAHATCHEE BOULEVARD) WITH THE NORTHERLY LINE OF APPOMATTOX DRIVE AS PLATTED IN SAID 52ND. ADDITION; THENCE S.45°34'35"E., ALONG SAID NORTHERLY LINE OF APPOMATTOX DRIVE A DISTANCE OF 1833.51 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 23°13'38", A CHORD BEARING OF S.57°11'24"E. AND A CHORD LENGTH OF 104.68 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 105.40 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.68°48'13"E., ALONG SAID NORTHERLY LINE A DISTANCE OF 2715.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 17°44'15", A CHORD BEARING OF S.77°40'20"E. AND A CHORD LENGTH OF 80.17 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 80.49 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.86°32'28"E., ALONG SAID NORTHERLY LINE A DISTANCE OF 403.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°58'27", A CHORD BEARING OF N.48°28'18"E. AND A CHORD LENGTH OF 35.35 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 39.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.03°29'05"E., ALONG THE WESTERLY LINE OF SUMTER BLVD. (200 FEET WIDE) A DISTANCE OF 7.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1524.84 FEET, A CENTRAL ANGLE OF 26°10'34", A CHORD BEARING OF N.16°34'22"E. AND A CHORD LENGTH OF 690.60 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 696.64 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.29°39'39"E., ALONG SAID WESTERLY LINE OF SUMTER BLVD. A DISTANCE OF 1900.39 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 949.64 FEET, A CENTRAL ANGLE OF 35°45'49", A CHORD BEARING OF N.11°46'44"E. AND A CHORD LENGTH OF 583.18 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 592.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.06°06'10"W., ALONG SAID WESTERLY LINE A DISTANCE OF 682.16 FEET TO THE SOUTHEAST CORNER OF TRACT "A" AS PLATTED IN SAID 56TH ADDITION; THENCE N.06°06'10"W., ALONG SAID WESTERLY LINE OF SUMTER BLVD. A DISTANCE OF 405.72 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1600.00 FEET, A CENTRAL ANGLE OF 05°18'00", A CHORD BEARING OF N.03°27'41"W. AND A CHORD LENGTH OF 147.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 148.01 FEET TO A POINT OF CUSP WITH A CURVE TO THE RIGHT, HAVING: A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 86°32'01", A CHORD BEARING OF S.42°27'20"W. AND A CHORD LENGTH OF 68.54 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 75.51 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.85°43'21"W., ALONG THE NORTH LINE OF AFORESAID NORTH PORT BLVD. (100 FEET WIDE) A DISTANCE OF 208.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE

LEFT, HAVING: A RADIUS OF 2750.00 FEET, A CENTRAL ANGLE OF 03°42'18", A CHORD BEARING OF S.83°52'12"W. AND A CHORD LENGTH OF 177.80 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 177.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.82°01'03"W., ALONG SAID NORTH LINE A DISTANCE OF 355.74 FEET TO THE NORTHWEST CORNER OF SAID 56TH ADDITION; THENCE S.82°01'01"W., ALONG THE NORTH LINE OF SAID NORTH PORT BLVD. AS PLATTED IN SAID 52ND ADDITION A DISTANCE OF 947.20 FEET; THENCE N.08°00'00"W., ALONG THE EAST LINE OF BLOCK 2653 A DISTANCE OF 955.00 FEET; THENCE S.82°00'00"W., ALONG THE NORTH LINE OF BLOCK 2653 A DISTANCE OF 365.00 FEET; THENCE N.08°00'00"W., ALONG THE EAST LINE OF BLOCK 2653 A DISTANCE OF 630.90 FEET; THENCE S.82°00'00"W., A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF LOT 39 IN SAID BLOCK 2653; THENCE S.08°00'00"E., ALONG AND EXTENDING THE WEST LINE OF SAID LOT 39 A DISTANCE OF 175.00 FEET TO THE CUL-DE-SAC CENTER AT THE NORTH END OF FLEETWAY ROAD (50 FEET WIDE); THENCE S.07°57'17"E., ALONG THE CENTERLINE OF SAID FLEETWAY ROAD A DISTANCE OF 605.90 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF CAMERO STREET (50 FEET WIDE); THENCE S.82°00'00"W., ALONG SAID CENTERLINE OF CAMERO STREET A DISTANCE OF 1636.11 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF S.37°00'00"W. AND A CHORD LENGTH OF 141.42 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 157.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.08°00'00"E., ALONG THE CENTERLINE OF DAMON AVE. (50 FEET WIDE) A DISTANCE OF 185.03 FEET; THENCE S.82°00'00"W., ALONG THE LINE DIVIDING LOTS 7 AND 8 IN AFORESAID BLOCK 2653 A DISTANCE OF 150.11 FEET TO THE WEST LINE OF SAID BLOCK 2653; THENCE S.08°00'00"E., ALONG SAID WEST LINE OF SAID BLOCK 2653 A DISTANCE OF 606.62 FEET TO A POINT ON THE NORTHWESTERLY LINE OF AFORESAID NORTH PORT BLVD.; THENCE S.19°45'51"E., A DISTANCE OF 50.00 FEET TO THE CENTERLINE OF SAID NORTH PORT BLVD. AND A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 4070.00 FEET, A CENTRAL ANGLE OF 16°49'34", A CHORD BEARING OF S.61°49'22"W. AND A CHORD LENGTH OF 1190.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 1195.24 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 18°24'35", A CHORD BEARING OF S.44°12'17"W. AND A CHORD LENGTH OF 223.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 224.92 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1422.00 FEET, A CENTRAL ANGLE OF 09°25'25", A CHORD BEARING OF S.39°42'43"W. AND A CHORD LENGTH OF 233.62 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 233.88 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.44°25'25"W., ALONG SAID CENTERLINE A DISTANCE OF 203.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 392.07 ACRES, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING:

A PORTION OF SECTIONS 21 AND 22, TOWNSHIP SOUTH, RANGE 21 EAST, SARASOTA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGES 50 AND 50-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID CORNER ALSO BEING ON THE CENTERLINE OF THE SNOVER WATERWAY AS SHOWN ON THE PLAT OF THE EIGHTEENTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGES 6, 6-A THROUGH 6-V, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00°43'08"W., ALONG THE EASTERLY BOUNDARY LINE OF SAID FIFTY-SIXTH ADDITION TO PORT CHARLOTTE SUBDIVISION, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SUMTER BOULEVARD (200' WIDE) A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING THE SAID WESTERLY RIGHT-OF-WAY LINE, S.89°16'51"E., A DISTANCE OF 606.00 FEET, THENCE N.00°43'09"E., A DISTANCE OF 600.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SNOVER WATERWAY (O.R. BOOK 1941, PAGE 6); THENCE S.89°16'51"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 880.95 FEET TO THE NORTHWESTERLY CORNER OF NORTH PORT WATER CONTROL DISTRICT PROPERTY (O.R. BOOK 2357, PAGE 382); THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, AND ALONG THE WESTERLY BOUNDARY LINE OF THE SAID NORTH PORT WATER CONTROL DISTRICT PROPERTY, S.00°43'09"W., A MEASURED DISTANCE OF 1052.76 FEET (DEED 1,050.00') TO THE SOUTHWEST CORNER OF SAID NORTH PORT WATER CONTROL DISTRICT PROPERTY; THENCE N.89°16'51"W., A DISTANCE OF 1486.95 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AFORESAID SUMTER BOULEVARD; THENCE N.00°43'08"E., ALONG SAID LINE A DISTANCE OF 452.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.59 ACRES, MORE OR LESS.

LANDFILL:

ALL OF TRACT X AS SHOWN ON SAID RECORD PLAT OF THE 52ND ADDITION TO PORT CHARLOTTE SUBDIVISION.

CONTAINING 367.27 ACRES, MORE OF LESS AFTER EXCEPTION.

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8. **List all agencies (local, state, and federal) from which approval and/or a permit must be obtained prior to initiation of development. Indicate the permit or approval for each agency and its status. Indicate whether the development is registered or whether registration will be required with the Division of Florida Land Sales, Condominiums and Mobile Homes under Chapter 478, Florida Statutes. Indicate whether the development will be registered with the H.U.D., Division of Interstate Land Sales Registration or with other states.**

A. **City of North Port:**

1. DRI Development Order
2. PCD approval
3. Potable Water System
4. Wastewater System
5. Subdivision Approvals, Development Order, Plats
6. Building Permits, Clearing Permits
7. Concurrency Certificate
8. Right-of-Way Permits

B. **Regional:**

1. Southwest Florida Regional Planning Council:

    a) DRI Review/Development Order

C. **State of Florida:**

1. Florida Department of Environmental Protection

    a) Notice of Intent to Use General Permit for Wastewater Collection/Transmission System
    b) Notice of Intent to Use General Permit for Potable Water Distribution System
    c) Notice of Intent to Use General Permit for Addition of a Major User of Reclaimed Water (modify city permit)

2. Southwest Florida Water Management District

    a) Environmental Resource Permit
    b) Water Use Permit

3. Florida Game and Freshwater Fish Commission

   a) Relocation "Incidental Take" and/or Management Plans for Threatened or Endangered Species

4. Florida Department of Health and Rehabilitative Services (Sarasota County Public Health Unit)

   a) Potable Water (delegated from FDEP)
   b) Irrigation Well Construction Permit

5. Division of Historical Resources

D. **Federal:**

1. Army Corps of Engineers

2. Environmental Protection Agency

   a) National Pollutant Discharge Elimination System Permit

3. USFWS

E. Initially, the project will not require registration with the Division of Florida Land Sales, Condominiums and Mobile Homes. Certain projects within the DRI may require such registration in the future.

F. There is no current intent to register this project with HUD, Division of Interstate Land Sales Registration, or with other states.

PART II. General Section

QUESTION 9 - MAPS

The following maps have been provided as a part of the ADA.

Map A. A general location map indicating the location of any urban service area boundaries and regional activity centers in relation to the project site.

Map B. A recent vertical aerial photo of the site showing project boundaries, which reasonably reflects current conditions and specifies the date the photo was taken.

Map C. A topographic map with project boundaries identified. The 100-year flood prone areas and major land surface features have been delineated. The hurricane flood zone (Category 4/5) is shown on Attachment 23.A.1-1.

Map D. A land use map showing existing and approved uses on and abutting the site. The uses shown include existing on-site land uses, recreational areas, utility and drainage easements, wells, right-of-way, and historic, archaeological, scientific and architecturally significant resources and lands held for conservation purposes.

Map E. A soils map of the site, with an identification of the source of the information.

Map F. A vegetation associations map indicating the total acreage of each association, based on the Level III vegetation types described in *The Florida Land Use and Cover Classification System: A Technical Report*, obtained from the regional planning council

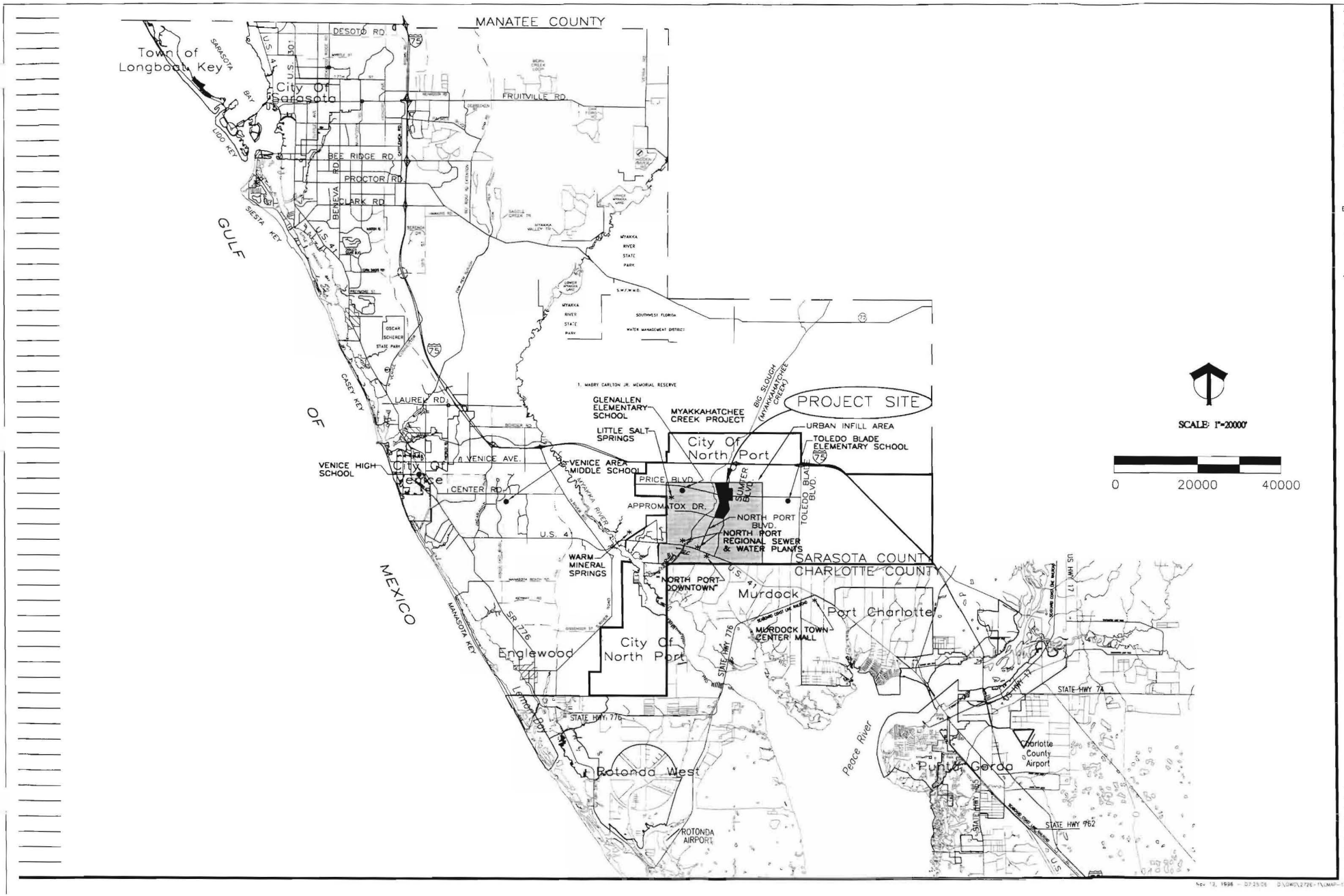
Map G. A location map of all transects, trap grids, or other sampling stations used to determine the on-site status of significant wildlife and plant resources. The location of all observed significant wildlife and plant resources and the location of suitable habitat for all significant resources expected to be on-site are shown.

Map H. A master development plan for the site. Proposed land uses and locations, development phasing, major public facilities, utilities, preservation areas, easements, right-of-way, roads, and other significant elements are indicated. This plan will provide the basis for discussion in Question 10-A as well as other questions in the ADA.

Map I-1. The plan delineates existing drainage basins, flow direction, water retention areas, drainage structures, flow route off-site, drainage easements, waterways, and other major drainage features, and wetland survey information.

Map I-2. A master drainage plan for the site. The plan delineates proposed drainage basins, flow direction, water retention areas, drainage structures, flow route off-site, drainage easements, waterways, other major drainage features.

Map J. A map of the existing highway and transportation network within the study area. The study area includes the site, and locations of all transportation facilities which are substantially impacted. This area has been finally defined on the basis of the findings of the traffic impact analysis, including determinations of where the criteria for a substantial impact are met. Map J will become the base for the maps requested in Question 21.



WILSON MILLER BARTON & PEEK INC.

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MAP A
LOCATION MAP

MARSH CREEK HOLDINGS, LTD.
MARSH CREEK
NORTH PORT, FLORIDA

SEC TWP RGE
Designed by: KN
Drawn by: EJP
Checked by:
Date: 11/96
Scale: 1"=20000'
Project #: 2726-4
WO #: 6374
Sheet: 1

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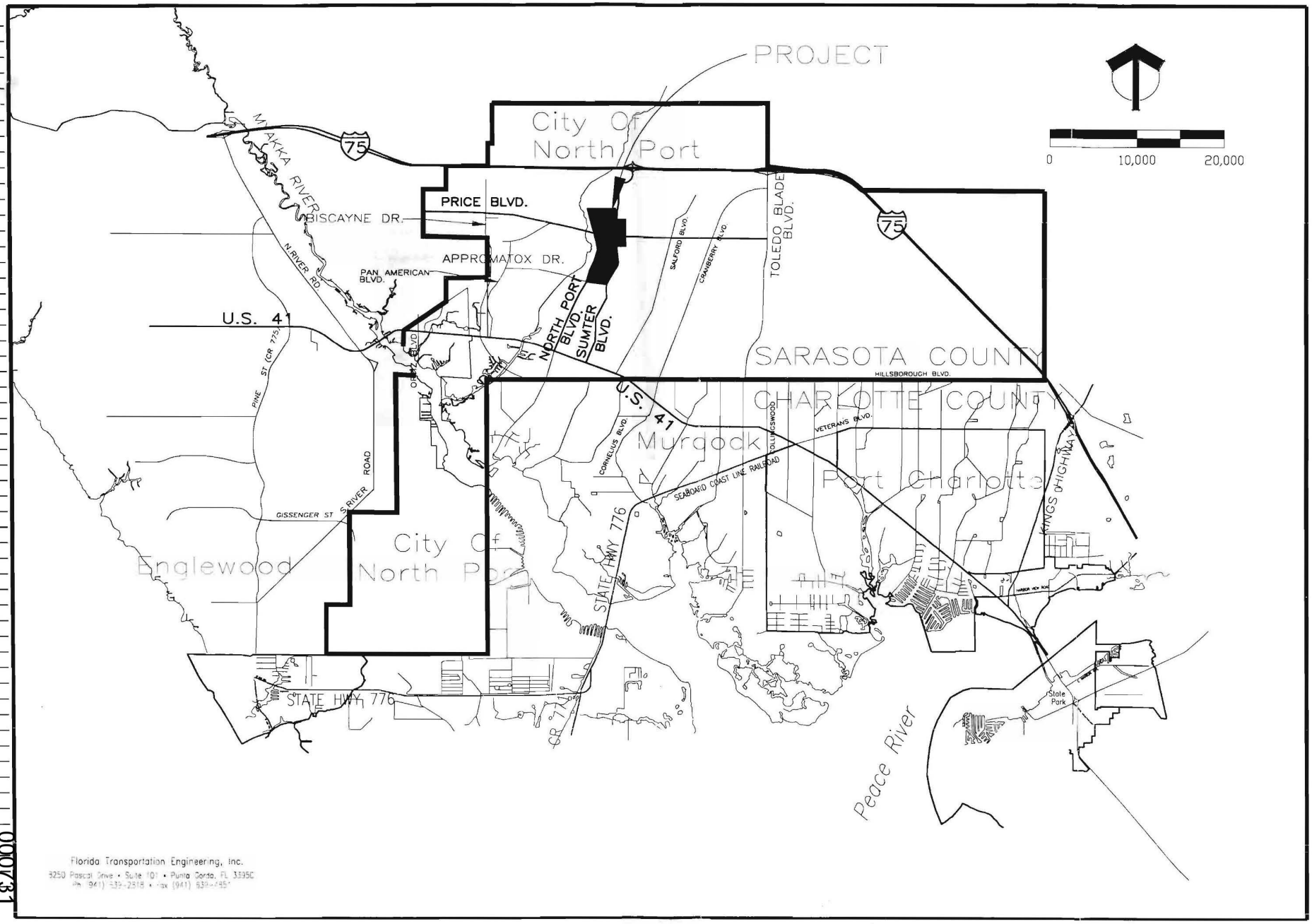

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MAP J

MARSH CREEK TRANSPORTATION NETWORK

MARSH CREEK HOLDINGS, LTD.
NORTH PORT, FLORIDA

SECTIONS 20, 21, 22, 28 & 29
TOWNSHIP 39 S., RANGE 21 E.
Designed by:
Drawn by:
Checked by:
Date: NOVEMBER, 1996
Scale:
Project #: 2726-4
WO #: 6374
Sheet

QUESTION 10 - GENERAL PROJECT DESCRIPTION

Part 1 Specific Project Description

A. Describe and discuss in general terms all major elements of the proposed development in its completed form. Include in this discussion the proposed phases (or stages) of development (not to exceed five years), magnitude in the appropriate units from Chapter 28-24, FAC., where applicable, and expected beginning and completion dates for construction.

Marsh Creek is a master planned community to be developed on an 831.38-acre parcel of land located north of Appomattox Drive, south of the Snover Waterway, east of the Myakkahatchee Creek, west of the Blueridge Waterway, abutting Sumter Boulevard, and approximately 2 miles south of Interstate 75 in the City of North Port, Florida. The developer of Marsh Creek is Marsh Creek Holdings, Ltd. of which Marsh Creek Properties is the General Partner, and will be referred to in this document as applicant or developer.

Marsh Creek will include the following land uses identified in Chapter 28-24, FAC:

1,800 residential dwelling units
1 million retail/service gross square feet
500,000 office gross square feet

In addition, Marsh Creek will include a variety of associated and accessory uses customarily found in a master planned community, including recreational facilities, golf courses, lakes, conservation areas, and open space.

A focal point of the community will be the Town Center, which will provide a central location for services and facilities that are oriented toward the community residents' daily needs, including retail, dining, recreation, entertainment, medical and general office facilities. Within the designated "Town Center Activity Center" located at intersection of Sumter and Price boulevards is a 52-acre tract of land owned by the City of North Port, 27 acres of which were donated by Marsh Creek Holdings, Inc. in April, 1996. The city-owned parcel of land located in the Northeast quadrant of the intersection abutting the Marsh Creek site is proposed to be developed as a municipal complex. The complex currently under design by the City's consultants is proposed to include a city hall, post office, fire station, library, and recreational facilities.

The Master Plan of Marsh Creek includes approximately 45 acres of wetlands that have been carefully integrated into an overall system of conservation, water management, and open space. As part of the Master Plan, a 26.04-acre parcel of land adjacent to the Myakkahatchee Creek in the northwest corner of the property has been set aside for preservation in order to provide scrub jay habitat. This land is in addition to the Preservation land adjacent to the creek that is owned by the City of North Port.

Marsh Creek's Master Plan (Map H) illustrates the general location and configuration of major community land uses and features. The community will consist of several neighborhoods, with linkages provided for pedestrian access (including golf cart access) to the Town Center. It is the desire of the developer that the Town Center be constructed in the style of a European Village, encouraging interaction between the residents at a pedestrian scale. The design of Marsh Creek's proposed mixed use (commercial/office/residential) area has been coordinated with the design of the city's planned municipal complex to create North Port's new Town Center Activity Center .

The site is located within the designated Urban Infill Area of the City, abutting lands that have been primarily developed with scattered single-family homesites (platted by the former General Development Corporation). As an alternative to the pattern of scattered site development prevalent in North Port, Marsh Creek presents an opportunity for development of a self-sustained master planned community, including urban services and amenities. Marsh Creek is well located to take advantage of existing and planned governmental/community facilities and services, while providing the necessary infrastructure needed to support the project's population.

As shown in Table 10.1.A-1, the project is planned to be constructed in four phases, with site preparation of Phase I commencing in early 1997 (following approval of the PDA) and residential construction anticipated to commence later in 1997. Phase I will encompass the years 1997 through 2001; Phase II will include years 2002 through 2006; Phase III is anticipated to include years 2007-2011; and Phase IV will include years 2012-2017. The dates and rate of development presented within this document are best estimates at the time of DRI application filing. Actual development rate will be governed by market demand and economic conditions, and therefore, this estimate shall be considered to be non-binding and are provided for information only.

Table 10.1.A-1
Marsh Creek's Estimated Development Schedule

	Phase I	Phase II	Phase III	Phase IV	Total
Residential Units	400	700	700		1800
Retail Square Footage (GFA)		425,000	300,000	275,000	1,000,000
Office Square Footage (GFA)	40,000	230,000	230,000		500,000

B. Provide a breakdown of the existing and proposed land uses on the site for each phase of development through completion of the project. The developed land uses should be those identified in Section 380.0651, F.S. and Chapter 28-24, FAC. Use Level III of *The Florida Land Use and Cover Classification System: A Technical Report* (September 1985), available from each regional planning council. Refer to Maps D (Existing Land Use) and H (Master Plan). Use the format below and treat each land use category as mutually exclusive unless otherwise agreed to at the preapplication conference.

Table 10.1.B-1
Existing Land Uses, Level III FLUCCS* Code Definitions

FLUCCS Code	Definition	Acres	% of Total Acreage
321	Palmetto Prairie	85.1	10.2
411	Pine Flatwoods	521.9	62.8
412	Pine/Xeric Oak	79.0	9.5
428	Cabbage Palm	20.6	2.5
510D	Drainage-ways	4.7	0.6
641	Freshwater Marsh	44.7	5.4
740	Disturbed Land	44.8	5.4
742H	Disturbed Area - Hydric	0.3	0.0
743	Spoil Areas	4.8	0.6
835	Solid Waste Disposal - Landfill	25.0	3.0
	Total	831±	100

* Florida Land Use Cover and Classifications System

Table 10.1.B-2
Proposed Land Uses - Total Acreage Distribution at Buildout

FLUCCS Code	Land Use	Approximate Acres
111,121,131	Residential Single-Family	150 acres 700 units
133,134	Residential Multifamily	80 acres 1,100 units
182,186,194	Recreation, Open Space, Golf and Buffers, including Tennis Center	273.34 acres
141,143,144,147,172,174,178	Mixed Use -Town Center (includes 3.26-acre Commercial parcel at Sumter Boulevard and Marsh Creek Boulevard) Commercial Office	129 acres (not including 22 acres of estimated residential) 1,000,000 SF 500,000 SF
412,428,641,742	Conservation (Wetlands and Preserve)	71.04 acres
523,524	Lakes (includes estimated 32 acres of lakes in mixed use areas)	99 acres
814	Right-of-way	29 acres
	Total Site	831.38 acres

Note: All acreages are approximate and based on conditions depicted on Map H. They are subject to change, and shall not be considered as binding to the development of Marsh Creek except for the area of conservation which shall be binding. Breakdown of acres by phase has not been provided as the geographical boundaries of phases have not yet been established.

C. Briefly describe previous and existing activities on site. Identify any constraints or special planning considerations that these previous activities have with respect to the proposed development.

With the exception of drainage ditches that were constructed in anticipation of development in accordance with a previously recorded plat (now vacated), the site is vacant, undeveloped land. Except for the existing closed landfill, there is no record of any previous use of the site. The majority of the land is zoned for residential and agricultural uses, with a small parcel designated for General Commercial (CG) at the previously planned intersection of North Port Boulevard extension and Sumter Boulevard.

Located in the southern portion of the site, but not in the current ownership of the developer is a closed landfill. The landfill site consists of approximately 24 acres and is currently owned by Atlantic Gulf Communities, Inc. The landfill was originally designed and constructed under the direction of General Development Corporation to dispose of construction debris. In 1966, GDC leased it to the City of North Port Charlotte to be used as a "garbage dump". As Part of the Myakka Estates DRI, GDC agreed to certain commitments including setting up a solid waste disposal site within the City of North Port. The City managed and maintained the landfill until January 1995. Review of the City of North Port records indicate that the disposal material included construction debris, household garbage, grass clippings, lawn maintenance trimmings, furniture, bedding, and white goods. Based upon these records, there is no indication of hazardous materials being placed in the landfill. As a condition of the operation permit, North Port was required to monitor the groundwater quality with a monitoring program which started as a part of the original operation permit.

The current status of the landfill is that it is no longer in use and some closure of the site has been completed. The issues surrounding the ownership of the site includes who will be responsible for the long term monitoring of the site. The Florida Department of Environmental Protection water quality monitoring data over the period from 1990-1994 has not caused the FDEP to take any enforcement actions to clean up or reduce the potential for contamination.

Because the issue of responsibly of the long-term maintenance for the landfill site has not been resolved at this time, title to the landfill property has not yet been transferred to Marsh Creek Properties. The landfill site has been included as part of the Master Plan, and is proposed to be incorporated into the golf course, more specifically the driving range area (see Map H). No residential or other habitable land uses are proposed on the landfill site.

D. If the development is proposed to contain a shopping center, describe the primary and secondary trade areas which the proposed shopping center will serve.

The market area that the shopping center will serve includes the cities of North Port and Port Charlotte. Currently there are 32,000 households in these areas with average annual household income of $31,000. Households are expected to grow to 56,300 by the year 2005. The market area was limited to this geography because of the naturally occurring market boundaries including the Myakka and Peace rivers, I-75, and stretches of currently undeveloped, unpopulated areas to the west and north.

E. Describe, in general terms, how the demand for this project was determined.

Fishkind & Associates, Inc. conducted a market study to determine whether there is a need for additional retail space. The retail demand model used is a proprietary model developed by Fishkind & Associates, Inc. The model identifies retail demand by center type and square footage by store type. The model synthesizes household consumer expenditure patterns and retail per square foot data. The support data regarding square footage of center and store types is provided by the Urban Land Institute, Dollars and Cents of Shopping Centers, 1995. The consumer expenditure pattern data is provided by the U.S. Department of Labor Consumer Expenditure Survey, 1995.

First, existing retail supply was examined. There are 1.6 million square feet of existing retail space, in 11 shopping centers, in the market area. From this, household generated retail demand was subtracted. The subtraction of demand from supply yields net demand. Findings indicate the market area can support 1.1 million square feet of additional retail space by the year 2005. The table below is the year 2005 summary table from the Fishkind & Associates, Inc. market report.

Table 10.1.E-1
Marsh Creek Retail Analysis - 2005

	Supply 1995	Demand 1995	Net Supply 1995
Regional	532,200	1,164,980	(632,780)
Community	628,261	858,446	(230,185)
Neighborhood	462,266	712,435	(250,169)
Total	1,622,727	2,735,860	(1,113,133)

Part 2 Consistency with Comprehensive Plans

A. Demonstrate how the proposed project is consistent with the local comprehensive plan and land development regulations. Indicate whether the proposed project will require an amendment to the adopted local comprehensive plan, including the capital improvements element. If so, please describe the necessary changes.

Future Land Use Element

The Marsh Creek project is consistent with the City of North Port Comprehensive Plan Future Land Use Element. The entire project lies within the Urban Infill area, and a majority of the site is located within the designated Future Growth Area. The Future Growth Area is proposed to be incorporated into the Town Center Activity Center, in accordance with the City's draft EAR. This Town Center is proposed to be developed with a mix of residential, retail, office, and recreational uses, consistent with the stated

intent of the planned Activity Center, as well as the current Comprehensive Plan Future Land Use Element Objectives and Policies which encourage urban development in this area. These include:

Objective 2

To the extent possible in light of the numerous outstanding sales agreements outside the Urban Infill area, future development will be encouraged to locate in the Urban Infill area and Planned Community Development Districts shown on the Future land Use Map, to discourage urban sprawl; and

Policy 3.7

Additional subdivision of unplatted agricultural lands shall be granted only within Developments of Regional Impact (DRIs) or Planned Community Development (PCD) Districts; and

Policy 6.1

Higher densities and intensities of development shall be located within the PCD areas, where infrastructure facilities will be made available; and

Policy 6.2

The platting of additional residential, commercial, and industrial land shall be timed and staged in conjunction with provision of supporting community facilities, such as streets, utilities, police and fire protection service, emergency medical service, and public schools.

Traffic Circulation Element

The traffic study (see Question 21) that has been submitted with this ADA illustrates how the proposed development is consistent with the Traffic Circulation Element (TCE). As stated in the Comp. Plan, North Port enjoys a relatively good roadway system that was constructed in anticipation of the buildout of platted GDC lands. Additionally, adequate right-of-way has been reserved to insure that future traffic demands could be accommodated on roads such as Sumter Boulevard and Price Boulevard. The Level of Service standard "C", established in the Comp. Plan for the all major thoroughfares, will be maintained through buildout of the Marsh Creek project. The only amendment that is necessary to facilitate the traffic study is to change the designation for Sumter and Price boulevards from major collector to minor arterial roadway. This change better reflects the current functional classification of these two roadways, given the amount of development that has occurred since the adoption of the Comp. Plan in 1988. Planning staff has included this amendment in the EAR-based Comp. Plan amendments, which have been recommended for transmittal by the Planning and Zoning Advisory Board.

Also stated in the TCE, Policy 2.2, is the need "to negotiate" (with the former GDC) for the extension of North Port Boulevard from Appomattox to Sumter Boulevard. This project is projected to be completed in Phase III of Marsh Creek. The development of Marsh Creek will also facilitate Objective 7 of the TCE, which promotes development of an integrated pedestrian circulation system in accordance with the goals of the SWFPC and FDOT. Marsh Creek is being designed with an integrated system of pedestrian, bikeway, and golf cart paths, providing access to all phases of the development, as well as the municipal complex and the school/park site located to the east of the Myakkahatchee Creek. Marsh Creek's master development plan will facilitate meeting Objective 9 of the Element, which calls for increasing the amount of landscaping provided along the City's arterial and collector roadway system in order to improve the aesthetic appearance of these roadways and serve as noise buffers.

Capital Improvement Program (CIP)

As reflected in the most recently adopted Capital Improvement Program (CIP) (1996-1997), Sumter Boulevard is programmed to be expanded to a four-lane section from I-75 to LaFrance Boulevard with construction scheduled to begin in 1997. The road is also being raised in order to allow it to function as a hurricane evacuation route. Also funded within the CIP are a proposed new fire station, and a multipurpose building that will be located on the site donated by the developer of Marsh Creek. No other changes to the CIP are necessary to facilitate the Marsh Creek development.

Housing Element

Consistent with the needs identified in the Housing Element, as well as the preliminary EAR for the Housing Element, Marsh Creek proposes to offer a range of housing opportunities. A shortage of property zoned for multifamily housing has been identified in the current Comp. Plan as well as the preliminary EAR. Marsh Creek will provide a range of housing product and price ranges, including a significant amount of multifamily development that will increase the opportunities for housing choice beyond what is currently available. Additionally, the master plan for Marsh Creek provides for a mixture of housing, commercial and office uses which will promote a sense of community and neighborhood character consistent with Policy 4.3 of the Plan, which encourages deed restricted communities and property owner associations.

Sanitary Sewer/Solid Waste/Drainage/Potable Water Elements

Marsh Creek will meet or exceed all levels of service identified within the sanitary sewer, solid waste, potable water, and drainage elements of the Plan. The development of Marsh Creek as a master planned community, in accordance with current regulations, as opposed to the development which would have been allowed consistent with the previously vacated plat, exceeds standards that were set for the site. All of the Marsh Creek development will be serviced by central sanitary sewer and potable water, and meet all SWFWMD requirements.

Conservation And Coastal Zone Management Element

Element 9 has goals, objectives and policies for Conservation and Coastal Zone Management. Marsh Creek is consistent with the objectives of this element. Specifically, Objective 1.1 requires protection and enhancement of critical water resources and biologically productive flora and fauna habitats.

Habitat studies have been completed, listed species identified and habitat preservation and management agreed upon by the applicant. Upland and wetland habitats will be preserved and buffers placed around them. Conservation areas will remain free of exotic and noxious plants and placed within a conservation easement. Marsh Creek will coordinate with the FGFWFC and USFWS in providing species management criteria.

Element 9 has goals, objectives and policies for Conservation and Coastal Zone Management. Marsh Creek is consistent with the objectives of this element. Specifically, Objective 1.4 concerns conserving and protecting the health, function and biological integrity of all remaining viable wetland systems.

Wetlands on the site have been identified and reviewed by the USACOE and SWFWMD. Twenty-five wetland areas exist within the site totaling 65.6 acres. 45 acres will be preserved and enhanced. In areas of unavoidable impacts local, state and federal approvals will be obtained prior to any activities. Appropriate compensating mitigation is proposed for impacts.

B. Describe how the proposed development will meet goals and policies contained in the appropriate Regional Comprehensive Policy Plan.

The Marsh Creek development is consistent with the Goals and Policies outlined in the *Strategic Regional Policy Plan of the Southwest Florida Regional Planning Council*, dated August 1995. The Goals and Policies of the Plan address five regional issues including affordable housing, economic development, emergency preparedness, natural resources and regional transportation.

Affordable Housing

Goal I-1 states that housing in the Region will continue to include a wide variety of housing types to accommodate all segments of society in both rural and urban areas. The proposed Marsh Creek community will include a wide variety of housing types, including some moderately priced units (see response to Question 24). Policy 5 under this goal states that low intensity commercial structures proposed for development should be examined for their potential as mixed use structures, with small apartments included for employees. The Town Center proposed for Marsh Creek will include a mix of uses, including an opportunity for mixed commercial/residential structures. The proposed development also is consistent with Goal I-5, Policy 2 which states that future growth should be encouraged to occur on lands most suitable through natural capacity, accessibility, previous preparation for urban

purposes, and the availability of adequate public facilities and support services. The proposed development is located within the area designated for future growth by the City of North Port's Comp. Plan, on previously platted lands where public facilities and support services either exist or are being made available to accommodate planned growth in this area.

Economic Development

Goal II-6 Policies 7.a. and b. (and Goal II-25, Policies 7.a. and 7.b.) require that new developments provide sufficient lands for rights-of-way and the applicant participate in the installation or financing of necessary facilities. In anticipation of the development of Marsh Creek, and prior to the submittal of the ADA, the developer donated 27 acres of land to the City of North Port to allow for development of a municipal complex. Additionally, Marsh Creek will provide right-of-way, subject to appropriate impact fee credits, for the extension of North Port Boulevard. Marsh Creek will also be subject to all lawful locally adopted impact fees, which will assist in the funding of necessary public facilities. The developer will also bear the financial responsibility for the provision of all required internal project infrastructure. This addresses Goal II-6, Policy 8.c., d, and f , and 11.

Goal II-21 and 22 address the need for a reduction in the proportion of the Region's energy supplied by fossil fuels. Policies 6a., b., and d call for land use plans that provide an appropriate mix of land uses which reduce unnecessary travel time between activity centers; promote innovative land development designs aimed toward more efficient use of energy and require PUDs to use innovative energy conservation techniques such as bike paths. Marsh Creek will promote energy efficiency by providing a mix of uses and a system of bike paths and cart paths to allow for alternative travel modes and shortened trip lengths. The Town Center will provide a full range of retail and service uses within a short (<2 miles) travel distance promoting overall energy efficiency for the residents.

Emergency Preparedness

Marsh Creek is located outside of the Category 3 Zone on the Hurricane Storm Tide Atlas for Sarasota County prepared by the SWFRPC, and only partially located within the Category 4/5 Storm Zone. Therefore the site in not located in a "hurricane vulnerability zone" according to Rule 9J2.0256. The developers of Marsh Creek recognize that there is a need for shelters to be located outside of the vulnerability zone, and will commit to working with the eventual developers of the retail and office uses in the development to establish the potential for creating shelters that their employees may be able to use, if necessary.

Goal III-15 in the Emergency Preparedness section of the Plan requires a community to inform its citizens of opportunities to dispose of hazardous materials. Sarasota County provides quarterly opportunities to dispose of hazardous wastes and encourages all Sarasota County residents to participate as necessary. Goal III-18 further requires communities to have up to date information on relief and recovery after a severe storm. The developer of Marsh Creek and the Homeowners/Property Owners Associations will coordinate with the

Sarasota County Emergency Management Services to provide information to the residents as necessary.

Natural Resources

Goal II-15, Policy 1, Goal IV-8, Policy 1.e., and Goal IV-2, Policy 2, state that wetland areas should be protected, conserved and restored to maintain their value. The project will comply with this Policy by conserving the areas designated on Map H as Conservation.

Goal IV-2, Policy 14, requires an inventory to be taken of existing plant and wildlife communities on-site prior to the development of the property. The response to ADA Question 12 describes the existing vegetation and wildlife surveys conducted.

Goal IV-3, Policy 5, requires local governments to ensure that development occurs which is consistent and coordinated with the delivery of adequate potable water supplies. North Port Utilities has adequate treatment capacity and will be providing potable water to Marsh Creek.

Goal IV-6, Policy 7, directs that central sewer systems be utilized in development. The North Port Utilities wastewater system will provide service to the community.

Regional Transportation

Goal V-3, Policy 2 states that land use plans should provide an appropriate mix of land uses which will reduce unnecessary travel time between activity centers (also Goal V-11, Policy 12). The intent of this policy is met by the providing the Town Center within the development.

Goal V-6 relates to bicycle and pedestrian facilities. Marsh Creek will include bike paths and sidewalks to accommodate bicycle and pedestrian traffic.

Goal V-12, Policy 6, explains that developments will be in conformance with area-wide transportation plans and participate in the elimination of expected adverse impacts on the transportation system. The response to ADA Question 21 demonstrates that the development of Marsh Creek will conform with this policy.

C. Describe how the proposed development will meet goals and policies contained in the State Comprehensive Plan (Chapter 187, F.S.), including, but not limited to, the goals addressing the following issues: housing, water resources, natural systems and recreational lands, land use, public facilities, transportation, and agriculture.

Housing

The mix of housing types and costs that is proposed to be provided within the Marsh Creek Community is consistent with the goal of the State Comprehensive Plan of increasing the affordability and availability of housing for moderate income persons.

Water Resources

Goal 8, requires that new development be compatible with existing local and regional water supplies. North Port Utilities will be providing water and wastewater service to Marsh Creek.

This goal also requires the protection of surface and groundwater quality and the promotion of water conservation and water reuse techniques. Appropriate best management practices and techniques will be used at Marsh Creek which will comply with the SWFWMD requirements. Treated effluent will be utilized for irrigation purposes.

Natural Systems And Recreational Lands

Goal 10 encourages the protection and restoration of wetland systems to ensure their long-term environmental value. The conservation of the wetland system within the Marsh Creek development as shown on Map H will comply with this Goal. Please refer to the response to ADA Question 13 for additional information. As described in the response to Question 26, the Marsh Creek development will provide approximately 273.34 acres of recreation, open space, golf courses, buffers, lakes and 71.04 acres of conservation areas which will more than adequately address the residents needs.

Land Use

The proposed mixed use residential and town center activity center to be developed at Marsh Creek is consistent with the State Comprehensive Plan Policy (16)(b)(3). which provides for the enhancement of livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping and recreational activities.

Public Facilities

As outlined in this ADA, adequate fire, police, emergency medical services and hospital services are presently available to Marsh Creek. Required impact fees and ad valorem taxes will be collected by the City to provide funding to these entities. A net positive fiscal

impact will accrue to each service provider as a result of the Marsh Creek development due to its high property values.

Water and wastewater lines will be extended by the developer and the cost will be borne by both Marsh Creek Holdings, Ltd. and North Port Utilities. This will allow for financial self-sufficiency in providing a fiscally sound and cost effective mechanism to provide and maintain public facilities. This is consistent with State Plan Policy (21)(b)(3).

Transportation

The State Plan Policy (20)(b)13 requires the coordination of transportation improvements with the State, Local and Regional plans. Marsh Creek will be consistent with the transportation provisions of the, City of North Port Comprehensive Plan, and the MPO plan adopted on a regional level.

Part 3 Demographic and Employment Information

A. Complete the following Demographic and Employment Information tables.

Table 10.3.A-1 provides a demographic profile of Marsh Creek by phase and at buildout, based upon Sarasota County statistics and other sources specifically cited.

Table 10.3A-2 provides the estimated permanent and construction employment for all four phases of Marsh Creek. The number of Marsh Creek employees is estimated in accordance with Rule 9J-2.048(4)(a) FAC, and the methodology approved for Marsh Creek at the preapplication conference. The approved methodology is included in the preapplication document.

As can be seen in Table 10.3A-2, the estimated number of permanent employees totals 3,596 at buildout. This total includes 1,842 retail jobs, 804 office jobs, 906 medical/professional jobs, and 44 golf jobs. The estimated construction employment for Marsh Creek totals 3,595. The number and distribution of wages for construction jobs are based on the experience of project planners and engineers with similar projects.

Table 10.3.A-1
Demographic Information Related to Marsh Creek's Population

Phase	Total Dwelling Units		Persons Per Household Per Sarasota County Plan[1]	Total Population	Total School Age Children[2]	Total Elderly
	Single-Family	Multifamily				
Existing	0	0	0	0	0	0
Phase I	150	250	2.17	868	20	282
Phase II	275	425	2.17	1519	35	486
Phase II	275	425	2.17	1519	35	486
Total	700	1,100		3906	90	972

1 Based upon Apoxsee , Evaluation and Appraisal Report, FLUE (Board of County Commissioners adopted EAR February 20, 1996, Table I-5). This calculation will be used throughout this document, with the exception of Question 21, Transportation, which provides a person per household calculation based on FSUTMS.

2 Based upon .05 students per dwelling units generation rate as stated in the memorandum to Rick Nations, Director, Department of Research Assessment and Evaluation, School Board of Sarasota County, Florida. The developer commits to reevaluating this student generation rate after the first phase, or construction of the 400th dwelling unit.

3 32% of total estimated population is 65 years or older per Table 1.42, Florida Statistical Abstract, 1995.

Table 10.3.A-2
Estimated Employment Generated by Project by Income Range
Marsh Creek DRI

Phases/ Job Types	Under $10,000	$10,000- $14,999	$15,000- $19,999	$20,000- $24,999	$25,000- $29,999	$30,000 $34,999	$35,000- $39,999	Over $40,000	Total Jobs
Permanent									
Phase I	0	15	86	20	14	7	11	17	170
Phase II	30	374	532	232	164	79	89	83	1,583
Phase III	25	287	459	196	137	73	79	81	1,337
Phase IV	25	190	142	70	38	19	18	4	506
Total Permanent*	80	866	1,219	518	353	178	197	185	3,596
Construction									
Phase I	0	0	216	126	28	33	23	52	478
Phase II	0	0	716	417	92	109	78	173	1,585
Phase III	0	0	644	375	83	98	70	155	1,425
Phase IV	0	0	159	92	20	24	17	38	350
Total Construction	0	0	1,735	1,010	223	264	188	418	3,838

Figures may not total due to rounding.

*Full-time equivalent permanent employment per 9J-2.048, FAC.

Sources:

1. Sources of number of employees are DCA (1991), ITE *Trip Generation* (5th Edition, 1991), Coastal Mall Survey (1992), and Bonita Bay survey (1996).

2. Wage distribution derived from *1995 Florida Occupational Wage Survey Report, MSA 12*, Department of Labor and Employment Security.

Part 4 Impact Summary

A. Summarize the impacts this project will have on natural resources.

No regionally significant impacts to natural resources will result from the development of Marsh Creek. Local, project specific impacts to natural resources are divided into seven categories to be addressed in this section: Vegetation and Wildlife (ADA Question 12), Wetlands (ADA Question 13), Water Resources (ADA Questions 14 and 17), Soils (ADA Question 15), Floodplains and Stormwater Management (ADA Questions 16 and 19). More detailed information regarding these resources may be found in each corresponding section of this document.

Vegetation and Wildlife (Question 12)

As discussed in detail in the response to Question 12, Marsh Creek has been planned to minimize adverse impacts on the environment. Preservation of upland habitats consisting primarily of pine/xeric oak scrub and pine flatwoods will consist of a 26.06-acre scrub jay preserve and the incorporation of existing native vegetation as part of the 30 percent open space requirement in areas such as the golf course and other landscaping features. Upland habitat preservation in the form of 25' average, 15' minimum width buffers around the preserved wetlands will preserve additional native upland vegetation as well.

Impacts to listed species of wildlife on the subject parcel will be offset by the creation of a 25-acre scrub jay preserve, which will also serve as suitable habitat for other listed species that utilize upland habitats on the site. The scrub jay preserve will be placed under a Conservation Easement, which will provide for the maintenance of the preserve as suitable scrub jay habitat including the periodic removal of understory vegetation and the removal of exotic and nuisance species.

Impacts to the gopher tortoise and their commensals will be offset by excavating or bucket trapping active and inactive gopher tortoise burrows within areas to be developed. All recovered tortoises and their commensals will be relocated to start holes within the preserve area. The preservation, restoration, and enhancement of on-site wetlands and the creation of wetlands will offset any impacts to wetland dependent listed species such as wading birds and the American alligator.

The only impact to project wetlands are the fill and excavation of approximately 20.6 acres of SWFWMD jurisdictional wetlands. These proposed wetland impacts occur primarily in isolated wetlands with exotic infestation, which have a marginal function and value. A total of 45 acres of wetlands will be enhanced and conserved.

Wetlands (Question 13)

Total wetland impacts at buildout of the site will consist of 6.95 acres to Freshwater Marsh (FLUCCS 641) and 13.6 acres to Cabbage Palm Hammock (FLUCCS 428) totaling 20.6 acres). Impacts to wetlands will be offset by the creation of man-made wetlands, and placing the remaining wetlands on-site under a Conservation Easement. Enhancement of preserved wetlands will be accomplished by restoring hydrology and maintaining free of exotic and nuisance species in perpetuity.

Water Resources (Questions 14 and 17)

Marsh Creek is utilizing potable water and reclaimed water supplies and wastewater treatment services from the City to minimize degradation of natural resources. Supplemental waters are required for the project's irrigation demands since the City is limiting the supply. A combination of on-site wells and off-site canal water intake is being studied at this time with SWFWMD involvement. All project irrigation will be provided from the proposed system, thus eliminating an irrigation well at each home or business.

Floodplains and Stormwater Management (Questions 16 and 19)

A small portion Marsh Creek adjacent to the Myakkahatchee Creek lies within the FEMA 100-year flood zone area, as per the FEMA Flood Insurance Rate Map (Panel 1202790010.B, dated September 2, 1981).

As discussed in the response to Question 19, the surface water management design of Marsh Creek will meet the detention/retention requirements of a 25-year, 3-day storm event, while also providing minimum road and building elevations, based upon estimated flood elevations for the internal project drainage system and corresponding outfall conveyances.

Soils (Question 15)

The Marsh Creek site includes soil types common to Sarasota County and the Southwest Florida area. Similar to other Sarasota County projects, limitations inherent in these soils will be overcome through the use of suitable compact fill for building and roadway areas. Please refer to the response to Question 15, page 15-1.

B. Summarize public facility capital costs associated with project impacts using the following table:

Table 10.4.B-1
Public Facility Capital Costs

Facility	Phase I	Phase II	Phase III	Phase IV	Entity
Transportation	$ 0.00	$ 307,638	$ 549,276	N/A	City of North Port
Wastewater	491,376.00	1,195,096.00	1,134,296.00	133,760.00	City of North Port Utilities
Potable Water	330,143.25	802,955.12	762,105.12	89,870.00	City of North Port Utilities
Parks	91,950.00	87,802.75	87,802.75	0.00	City of North Port
Fire/EMS	20,809.90	92,665.05	78,903.80	30,076.75	North Port Fire and Rescue Department
Public Schools	22,040.00	38,570.00	38,570.00	0.00	Sarasota County Public Schools

The transportation facility costs related to the marsh Creek Development were calculated based on the proportionate share formula used by DCA and SWFRPC. It is important to note that theses are the total proportionate share costs before any credits are applied for monetary, land, or service contributions made by the developer for transportation. There will be not cost for Phase I because there are no improvements needed to accommodate the Phase I development. The analysis that demonstrates there are no impacts is included in the PDA document dated June 1996, Attachment 21-2. The Phase II and Phase III impacts are explained in Question 21 of this ADA. The Phase IV impacts have not been determined at this time. When the development is ready to proceed beyond Phase III totals, a transportation analysis will be done at that time to establish impacts and to determine the transportation public facility costs related to Phase IV. All required road improvements on-site will be paid for by the developer or CDD, should one be established. Road and drainage assessment fees in accordance with the adopted fee resolution (96-R-24) will be paid for all development on an annual basis.

Potable water and wastewater capital costs based on City of North Port Capital Costs, Ordinance No. 92-27.

Parks capital costs based on City of North Port Impact Fee rate schedule.

Fire/EMS capital costs based on City of North Port EMS impact fee rate schedule.

Public School capital costs based on per student capital outlay costs for FY 95/96 as supplied by the Finance Department of the Sarasota County School Board, multiplied by estimated student population from Table 27.A-2.

QUESTION 11 - REVENUE GENERATION SUMMARY

A. Project the funds anticipated to be generated by the project. This projection should include any source or use of funds which could have any reasonable connection to the proposed development.

1. Make the following projections by year, including the first and last year in which any construction and/or development takes place:

(a) Yearly ad valorem tax receipts
(b) Yearly impact fees collected
(c) Yearly sales tax received by local government
(d) Yearly gasoline tax received by local government
(e) Yearly projections of any other funds by any other sources generated as a result of development of the proposed project within the region

Marsh Creek will be developed over a twenty year period. The plan for development indicates that there will be four phases of five years each. However, in order to respond to this question, the yearly buildout has been extrapolated from this phased plan. For purposes of this revenue estimation it was assumed that all building during each phase will take place in the last year of the phase, rather than throughout the phase. This assumption will produce the most conservative revenue generation estimate.

Table 11A-1 depicts the revenues to local governments generated throughout the twenty year buildout period. As the table indicates, Marsh Creek will produce substantial revenues for Sarasota County and the City of North Port. The total local governmental revenue generated by the Marsh Creek development will be almost $21 million by the end of the buildout period. Ad valorem tax receipts, including tax receipts for undeveloped acreage, will be in excess of $8 million. All calculations are based on present dollars and 1996 tax rates.

Sarasota County government's portion of the annual sales taxes paid by residents of Marsh Creek is estimated to be $187,737 during the twenty year buildout. The portion of gasoline tax revenues paid by Marsh Creek residents that will accrue to Sarasota County annually is estimated at over $127,764 during this same period. A portion of these revenues will be shared with the City of North Port.

The City of North Port will potentially receive over $4.7 million from annual assessments charged per improved lot for roads and drainage, solid waste, and fire and rescue services accumulated over the 20-year buildout. It is estimated the City will also receive over $4 million from capital charges for water and wastewater services to residential and commercial properties within the development. The impact fees generated by the development through buildout are estimated at over $871,000. Government revenue from document stamps paid by Marsh Creek homeowners and the commercial property owners is estimated at over $2.3 million.

Table 11.A-1

Marsh Creek Projected Revenue Generation

YEAR	Cumulative Ad Valorem Tax Receipts	Cumulative Sales Tax	Cumulative Gasoline Tax	Annual Ad Valorem Rev Undev Acreage	Annual (1) Assessments	Capital Charges(2) Water & Wastewater	Impact Fees Collected	Doc Stamp Revenue	Cumulative Revenue
1	0	0	0	230,781	0	0	0	18,191	248,972
2	0	0	0	230,781	0	0	0	0	479,754
3	0	0	0	230,781	0	0	0	0	710,535
4	65,713	0	0	150,609	0	0	0	0	926,857
5	829,781	41,743	28,392	150,609	104,500	818,700	152,036	516,381	3,503,286
6	829,781	41,743	28,392	150,609	104,500	0	0	0	3,758,396
7	829,781	41,743	28,392	150,609	104,500	0	0	0	4,013,505
8	829,781	41,743	28,392	150,609	104,500	0	0	0	4,268,614
9	829,781	41,743	28,392	150,609	104,500	0	0	0	4,523,723
10	2,657,157	114,740	78,078	150,609	287,375	1,878,760	346,507	916,926	10,053,958
11	2,657,157	114,740	78,078	150,609	287,375	0	0	0	10,491,942
12	2,657,157	114,740	78,078	150,609	287,375	0	0	0	10,929,926
13	2,657,157	114,740	78,078	150,609	287,375	0	0	0	11,367,910
14	2,657,157	114,740	78,078	150,609	287,375	0	0	0	11,805,894
15	4,383,124	187,737	127,764	150,609	470,250	1,777,110	324,533	916,926	17,293,971
16	4,383,124	187,737	127,764	150,609	470,250	0	0	0	17,914,830
17	4,383,124	187,737	127,764	150,609	470,250	0	0	0	18,535,689
18	4,383,124	187,737	127,764	150,609	470,250	0	0	0	19,156,548
19	4,383,124	187,737	127,764	150,609	470,250	0	0	0	19,777,407
20	4,606,222	187,737	127,764	36,077	470,250	223,630	48,342	0	20,778,805
				3,138,166	4,780,875	4,698,199	871,418	2,368,424	20,778,805

(1) Includes Road and Drainage, Fire and Rescue , Solid Waste

(2) For purposes of this estimation, all non-residential square footage charges are calculated at the total equivalent residential connection rate of .038 per 100 SF (which is the ERC rate for office square footage)

2. **List all assumptions used to derive the above projections and estimates, show the methodologies used and describe the generally accepted accounting principles used in all assumptions, estimates and projections.**

The ad valorem tax receipts in Table 11A-1 were calculated by multiplying the value of the development by the Sarasota County and City of North Port total 1996 millage rate of 19.0886 (according to the Sarasota County Tax Collector's Office).

The sales tax amount was estimated by multiplying a per capita sales tax figure by the estimated development population for each year of the buildout period. The per capita sales tax was calculated from data provided in the *1995 Florida Statistical Abstract.*

The gasoline tax paid by Marsh Creek residents was estimated by multiplying the number of households by the gallons of gas per household (taken from a report on the average amount of gasoline consumed per U.S. household) and then multiplying this number by the local optional gas tax amount of .06 and the county voted gas tax of .01.

The ad valorem revenue from undeveloped acreage was estimated by multiplying the undeveloped acres in each buildout year by the approximate value of each rezoned acre. This total was then multiplied by the sum of the Sarasota County and City of North Port millage rates.

The annual assessments for road and drainage, fire and rescue, and solid waste were calculated by multiplying the number of improved lots within Marsh Creek by the assessment for each service per improved lot. The City of North Port provided the assessments amounts. No assessment was estimated for nonresidential development, which will be calculated at the time of development.

Wastewater and potable water capital charges for the residential units within the development were estimated by multiplying the fees for each service by the number of new residential units in each year. The capital charges for the non-residential properties within the development were estimated using the fee for office square footage. The actual capital charges paid will depend on the type of commercial uses within the development at the time of connection. The capital charge amounts were obtained from the office of North Port Utilities.

The impact fees of over $871,000 were based on the city of North Port's impact fees that are usually assessed for parks, fire and rescue, libraries, and law enforcement, for the type of development to be included in Marsh Creek. Currently, the City does not have an impact fee for roads.

To calculate the estimated document stamp revenue, the number of residential units sold, resold, refinanced and equity lines established was approximated. For purposes of this estimation, it was assumed that all residential units would be sold by the end of the buildout period and that 10 percent of the homeowners would resell their homes during

this time. It was also estimated that 5 percent of the residential homeowners would refinance or establish equity lines of credit during the buildout period. Applying the value of these transactions to the document stamp fees of $.70 per $100 for deeds and $.35 per $100 for promissory notes and mortgages resulted in a total document stamp revenue of over $2 million.

The $20.7 million in cumulative revenue generated by Marsh Creek is the sum of all revenues accrued to government as a result of the development.

Marsh Creek
City of North Port

PRELIMINARY DEVELOPMENT AGREEMENT

This Agreement is entered into between Marsh Creek Holdings, Ltd. ("Developer") and the State of Florida, Department of Community Affairs ("Department") subject to all other governmental approvals and solely at the developer's own risk.

WHEREAS, the Department is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of the Florida Environmental Land and Water Management Act of 1972 (Chapter 380, Florida Statutes) which includes provisions regarding developments of regional impact ("DRI"); and

WHEREAS, the Department is authorized to enter into agreements that enforce and effectuate the provisions and intent of Chapter 380, Florida Statutes, pursuant to subsection 380.032(3) and 380.06(8), Florida Statutes, and Rule 9J-2.0185, Florida Administrative Code; and

WHEREAS, the developer represents and states that:

A. It is the sole owner of a parcel of land comprising a total of 806.693 acres of real property located in the City of North Port, Florida, which will hereinafter be described as "the Property" or "Marsh Creek". A legal description and boundary sketch of the Property within the Proposed DRI is attached hereto as Exhibit 1.

B. The Developer proposes to develop a portion of the project prior to issuance of a final development order and to implement a plan of development for the Property as further described below.

C. The Developer does not have any interest in any other land or located within five miles of the project.

D. The preliminary development authorized by this Agreement is limited to lands which are suitable for development.

E. The existing public infrastructure will accommodate the uses planned for the preliminary development authorized by this Agreement, when such would utilize public infrastructure.

F. The preliminary development authorized by this Agreement will not result in material adverse impacts to existing or planned activities.

G. Developer has filed an application for development approval pursuant to Section 380.06, Florida Statutes, for a DRI on the property in the City of North Port, Florida. For purposes of this Agreement, the proposed development will be referred to as the "Marsh Creek DRI". The Marsh Creek DRI as currently envisioned will include the following:

1. 1800 residential units (800 single family and 1,000 multi-family) and recreational amenities, utilities, roadways, stormwater structures and other uses ancillary to residential;

2. 1.5 million square feet of office and retail space as follows:

- Medical/Professional
- Office
- Community Retail
- Regional Retail

3. A golf course with a total of 27 holes, maintenance facilities, two club houses, and 12 tennis courts.

H. The development, as presently contemplated, will be a DRI subject to Chapter 380, Florida Statutes, and developer wishes to ensure that all on the property that will constitute the Marsh Creek DRI, is in full compliance with the requirements of that law.

I. Developer has attended a preapplication conference and, it has submitted the aforementioned application for approval ("ADA") for the entire Marsh Creek project, and Developer will proceed to obtain a final DRI Order to be issued by the City of North Port, Florida.

J. All activity authorized to be initiated or contemplated by developer during the period of time in which the ADA is being processed pursuant to Section 380.06, Florida Statutes, shall be specifically identified in this Agreement and the attached exhibits incorporated herein by reference.

K. Attached to this Agreement and incorporated herein by reference are Exhibits 1, 2 and 3, which contain the specified information provided in the following documents:

- Exhibit 1 - DRI legal description and boundary sketch of the consolidated Marsh Creek project to be included within the DRI.
- Exhibit 2 - legal description and boundary sketch of the portion of the Marsh Creek project to be included within the PDA development area.
- Exhibit 3 - PDA master plan of the portion of the Marsh Creek project to be included within the PDA development area.

NOW, THEREFORE, based upon the understanding of the parties as stated above, and in consideration of the mutual benefits and covenants herein contained, developer and the department hereby agree and state as follows:

1. Based upon the information and factual representations provided by Developer concerning the proposed Marsh Creek DRI and the specific portions of that which may be commenced pursuant to this Agreement, and upon information from other sources obtained by the Department, the Department concludes that there are adequate public facilities and infrastructure to accommodate the preliminary development approved herein and such development will not result in any material adverse impacts to existing resources, or existing or planned facilities. The land proposed for development (Exhibit 2) is suitable for development and the development approved by this Agreement is less than eighty percent (80%) of any applicable DRI threshold. This Agreement is consistent with the requirements of subsection 380.06(8), Florida Statutes.

2. Development of the entire property, as currently envisioned, will be a development of regional impact pursuant to guidelines and standards set forth in Section 380.0651, Florida Statutes, and will be located on the property described in Exhibit 1.

3. Developer has arranged and attended a preapplication conference pursuant to subsection 380.06(7), Florida Statutes, and Developer has filed an ADA pursuant to Section 380.06, Florida Statutes. The ADA includes the lands described in the DRI legal description and boundary sketch (Exhibit 1) and includes developments authorized in the PDA legal description and boundary sketch, attached hereto as Exhibit 2, and the PDA master plan, attached as Exhibit 3. The ADA shall sufficiently describe, and assess the impacts resulting from, the entire Marsh Creek DRI, including all development described in the PDA master plan and authorized in accordance with the terms of this Agreement, to enable the Department to discharge its responsibilities under the subsection 380.06(12), Florida Statutes. The Southwest

Florida Regional Planning Council ("SWFRPC") shall not be prohibited or limited from reviewing and commenting on any regional issues which SWFRPC determines should be addressed and included in its final DRI report issued pursuant to Section 380.06, Florida Statutes.

4. The Department agrees that prior to the issuance of a final DRI development order pursuant to Chapter 380, Florida Statutes, Developer may undertake and complete the construction of those portions of the Property shown in the PDA master plan (Exhibit 3). The authorized development is limited to the following:

- 30,000 square foot ambulatory care clinic
- 10,000 square foot office building
- 18-hole golf course
- 18,000 square foot clubhouse
- 400 residential units (150 single-family and 250 multi-family)

5. The development authorized by this Agreement also includes the necessary ancillary infrastructure to serve such horizontal development as depicted on Exhibit 3. All development permitted by this Agreement, shall be carried out in accordance with all pertinent ordinances or regulations of the City of North Port, SWFWMD, and the Florida Department of Environmental Regulation.

6. This Agreement authorizes only the Development described in paragraph 4 above upon the land depicted in the PDA master plan (Exhibit 3) and development shall also be in accordance with said PDA master plan. Developer shall not carry out any other development,

as that term is defined in Section 380.04, Florida Statutes, on the property without the occurrence of one of the following events:

A. An amendment to this Agreement.

B. A revision and reduction of the DRI development plan which results in the project no longer being a DRI followed by written acknowledgement by the Department that this Agreement is terminated or abandoned pursuant to subparagraph 380.06(8)(a)11, Florida Statutes, and no longer binding on the parties; or

C. Issuance of a final DRI development order.

7. The Developer understands and acknowledges that the development authorized pursuant to this Agreement is subject to any and all other permitting procedures and authorizations required to be issued by the local government and the appropriate permitting agencies. Attempting to obtain such approvals and attempting to undertake any development pursuant to this Agreement is solely at the risk of the Developer. The Developer shall not claim vested rights nor assert equitable estoppel arising from this Agreement or the expenditures or actions taken by the Developer in reliance upon this Agreement beyond the Development authorized by this Agreement. This Agreement does not entitle the Developer to a final DRI development order approving the entire Marsh Creek DRI or to any other particular conditions in any final DRI development order issued pursuant to Chapter 380, Florida Statutes.

8. Developer shall disclose to all prospective purchasers of all or any portion of the property described in Exhibit 1 that the Project will be undergoing a DRI review so long as Developer continues to pursue the current development proposal or any proposal that constitutes a DRI. Any such prospective purchaser shall be advised that the Property to be

purchased is subject to this Agreement and that the property will be developed in accordance with the final DRI development order adopted by the City of North Port. Disclosure shall be in writing and shall be given to such prospective purchaser prior to the sale. Developer shall make all DRI application materials and plans for the Marsh Creek DRI available at its business office, during normal business hours, and developer shall inform such prospective purchasers that all such materials are available for their inspection.

9. Time is of the essence. Developer shall diligently proceed in good faith through the DRI process in accordance with all applicable procedures in Chapter 380, Florida Statutes, and the rules of the Department and of the SWFRPC, unless and until this Agreement is abandoned pursuant to subparagraph 380.06(8)(a)11, Florida Statutes. Failure to diligently proceed in good faith to obtain a final DRI development order, shall constitute a breach of the Agreement. In the event of such breach, the Developer shall immediately cease all development of the Project including the Development authorized by this Agreement until it is determined by the Department that the Developer has abandoned this Agreement pursuant to subparagraph 380.06(8)(a)11, Florida Statutes. In the event of a breach of this Agreement or failure to comply with any conditions of this Agreement, or if this Agreement was based upon materially inaccurate information provided by the Developer, the Department may terminate this Agreement or initiate proceedings to enforce this Agreement as provided in Section 380.11, Florida Statutes, including a suit to enjoin development activity. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. Nothing in this Agreement shall be construed as prejudicing, compromising or limiting in any way of the lawful authority of the City of North Port or the lawful discretion of the City

Commission of North Port to approve, deny, or condition the approval of the Marsh Creek DRI or any portion thereof, whether or not such review and considerations take place simultaneously with review procedures under Chapter 380, Florida Statutes. This Agreement does not eliminate or affect the obligation of the Developer to acquire all necessary local and state development approvals and permits from the City of North Port and any other applicable governmental agencies.

10. The terms and conditions of this Agreement shall inure to the benefit and be binding upon the heirs, personal representatives, successors, or assigns, of the parties hereto and upon any established community development district that carries out development within the area that is subject to this Agreement. Developer shall ensure and provide that any successor in interest in and to any lands or parcels within the property is aware of and bound by the terms of this Agreement. This Agreement shall remain effective until it is superseded by a final DRI development order to be issued pursuant to Section 380.06, or 380.07, Florida Statutes, until it is rescinded by mutual written consent of both parties, or until it is abandoned pursuant to subparagraph 380.06(8)(a)11, Florida Statutes.

11. The parties acknowledge that they retain and have not waived their authority to appeal any DRI development order issued by the City of North Port as a result of developer's ADA, and acknowledge that if such appeal is taken pursuant to Section 380.07, Florida Statutes, said DRI development order shall not become effective until that appeal is resolved.

12. Developer shall record a notice of this Agreement which complies with subparagraph 380.06(8)(a)10, Florida Statutes, in the official records of Sarasota County,

Florida, and shall provide the Department with a copy of the recorded notice within two weeks of the day of execution thereof.

13. The effective date of this Agreement shall be the date that the last party, through its authorized representative executes and acknowledges this Agreement.

IN WITNESS WHEREOF, the parties by and through their respective undersigned duly authorized representatives have set their hands on the date appearing below their respective signatures.

MARSH CREEK HOLDINGS, LTD.
By: Marsh Creek Properties, Inc.,
a Florida corporation,
As General Partner

By: _____
Hans-Jürgen Reichardt
As its President

Dated: 1-7-97

DEPARTMENT OF COMMUNITY AFFAIRS

By: _____
J. Thomas Beck
Chief, Bureau of State Planning

Dated: 1-7-97

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 20th day of Dec., 1996 by Hans-Jürgen Reichardt, as President of Marsh Creek Properties, Inc., a Florida corporation and general partner of Marsh Creek Holdings, Ltd., a Florida limited partnership, on behalf of the corporation and the partnership. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

Roberta A. Vasile
Signature of Notary Public

(Notary Seal)

Roberta A. Vasile
MY COMMISSION # CC580828 EXPIRES
September 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

ROBERTA A. VASILE
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on 9/18/2000.

STATE OF FLORIDA
COUNTY OF Leon

The foregoing instrument was acknowledged before me this 7th day of Jan., 1997 by J. Thomas Beck as Bureau Chief of the Department of Community Affairs, an agency of the State of Florida, on behalf of the Department. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

Lavoise Whittington
Signature of Notary Public

(Notary Seal)

LAVOISE T. WHITTINGTON
MY COMMISSION EXPIRES
AUGUST 12, 1997
#CC 303615
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Lavoise Whittington
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on 8/12/97.

182402

97-010A

Marsh Creek
City of North Port

FIRST AMENDED AND RESTATED PRELIMINARY DEVELOPMENT AGREEMENT

This Agreement is entered into between Marsh Creek Holdings, Ltd., a Florida General Partnership ("Marsh Creek"), Renea M. Glendinning, as Trustee under Trust Agreement dated April 30, 1998 ("Glendinning"), and the State of Florida, Department of Community Affairs ("Department") subject to all other governmental approvals and solely at Developer's own risk.

WHEREAS, the Department is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of the Florida Environmental Land and Water Management Act of 1972 (Chapter 380, Florida Statutes) which includes provisions regarding developments of regional impact ("DRI"); and

WHEREAS, the Department is authorized to enter into agreements that enforce and effectuate the provisions and intent of Chapter 380, Florida Statutes, pursuant to Subsection 380.032(3) and 380.06(8), Florida Statutes, and Rule 9J-2.0185, Florida Administrative Code; and

WHEREAS, the Department and Marsh Creek previously entered into a preliminary development agreement in December 1996, and the parties now desire to amend and restate that agreement by attaching revised exhibits; by modifying the mix of proposed uses; and by adding an additional ±24.8-acre parcel (Tract "X") to the proposed development; and

WHEREAS, Marsh Creek and Glendinning represents and states that:

A. Marsh Creek is the sole owner of a parcel of land comprising a total of 806.693 acres of real property located in the City of North Port, Florida, which will hereinafter be described as "the Marsh Creek Property".

B. Glendinning is the sole owner of a parcel of land (Tract "X") comprising ±24.8 acres, which parcel abuts, and is completely incorporated within the boundaries of the Marsh Creek Property referred to in subparagraph A, above.

C. Marsh Creek and Glendinning desire to maintain the separate identity of their respective parcels, but develop them as part of a unified plan, pursuant to a DRI development order.

D. Marsh Creek and Glendinning, when referred to collectively, shall be referred to herein as "Developer"; and the Marsh Creek Property and Tract "X", when referred to in combination, shall be referred to as "the Marsh Creek Development."

E. The Developer proposes to develop a portion of the Marsh Creek Development prior to issuance of a final development order and to implement a plan of development for the Marsh Creek Development as further described below.

F. The Developer does not have any interest in any other land or located within five miles of the project.

G. The preliminary development authorized by this Agreement is limited to lands which are suitable for development.

H. The existing public infrastructure will accommodate the uses planned for the preliminary development authorized by this Agreement, when such would utilize public infrastructure.

I. The preliminary development authorized by this Agreement will not result in material adverse impacts to existing or planned activities.

J. Marsh Creek has filed an application for development approval pursuant to Section 380.06, Florida Statutes, for a DRI on the Marsh Creek Development in the City of North Port, Florida. For purposes of this Agreement, the proposed development will be referred to as the "Marsh Creek DRI". The Marsh Creek DRI as currently envisioned will be developed on ±831.49 acres and will include the following:

1. 1,970 residential units (903 single family and 1,067 multi-family) and recreational amenities, utilities, roadways, stormwater structures and other uses ancillary to residential;

2. 750,000 square feet of office and retail space as follows:

- Medical/Professional
- Office
- Community Retail
- Regional Retail

3. A golf course with a total of 27 holes, maintenance facilities, two club houses, and 12 tennis courts.

K. The Marsh Creek DRI, as presently contemplated, will be a DRI subject to Chapter 380, Florida Statutes, and Developer wishes to ensure that all on the property that will constitute the Marsh Creek DRI, is in full compliance with the requirements of that law.

L. Developer has attended a preapplication conference and it has submitted the aforementioned application for approval ("ADA") for development of the entire Marsh Creek Development, and Developer will proceed in due course to obtain a final DRI Development Order to be issued by the City of North Port, Florida.

M. All activity authorized to be initiated or contemplated by Developer during the period of time in which the ADA is being processed pursuant to Section 380.06, Florida Statutes, shall be specifically identified in this Agreement and the attached exhibits incorporated herein by reference.

N. Attached to this Agreement and incorporated herein by reference are Exhibits 1, 2, 3, and 4, which contain the specified information provided in the following documents:

Exhibit 1 - DRI legal description and boundary sketch of the Marsh Creek Property to be included within the DRI.

Exhibit 2 - Legal description and boundary sketch of Tract "X" to be included within the DRI.

Exhibit 3 - Legal description and boundary sketch of the portion of the Marsh Creek Development to be included within the PDA development area.

Exhibit 4 - PDA master plan (including the master drainage plan) of the portion of the Marsh Creek Development to be included within the PDA development area.

NOW, THEREFORE, based upon the understanding of the parties as stated above, and in consideration of the mutual benefits and covenants herein contained, Developer and the Department hereby agree and state as follows:

1. Based upon the information and factual representations provided by Developer concerning the proposed Marsh Creek DRI and the specific portions of that which may be commenced pursuant to this Agreement, and upon information from other sources obtained by the Department, the Department concludes that there are adequate public facilities and infrastructure to accommodate the preliminary development approved herein and such development will not result in any material adverse impacts to existing resources, or existing or planned facilities. The land proposed for development (Exhibit 3) is suitable for development and the development approved by this Agreement is less than eighty percent (80%) of any applicable DRI threshold. This Agreement is consistent with the requirements of Subsection 380.06(8), Florida Statutes.

2. Development of the entire property, as currently envisioned, will be a development of regional impact pursuant to guidelines and standards set forth in Section 380.0651, Florida Statutes, and will be located on the property described in Exhibits 1 and 2.

3. Developer has arranged and attended a preapplication conference pursuant to subsection 380.06(7), Florida Statutes, and Developer has filed an ADA pursuant to Section 380.06, Florida Statutes. The ADA includes the lands described in the DRI legal description and boundary sketches (Exhibits 1 and 2) and includes developments authorized in the PDA legal description and boundary sketch, attached hereto as Exhibit 3, and the PDA master plan, attached as Exhibit 4. The ADA shall sufficiently describe, and assess the impacts resulting from, the entire Marsh Creek DRI, including all development described in the PDA master plan and authorized in accordance with the terms of this Agreement, to enable the Department to discharge its responsibilities under the provisions of Subsection 380.06(12), Florida Statutes. The Southwest Florida Regional Planning Council ("SWFRPC") shall not be prohibited or limited from reviewing and commenting on any regional issues which SWFRPC determines should be addressed and included in its final DRI report issued pursuant to Section 380.06, Florida Statutes.

4. The Department agrees that prior to the issuance of a final DRI development order pursuant to Chapter 380, Florida Statutes, Developer may undertake and complete the construction of those portions of the Property shown in the PDA master plan (Exhibit 3). The authorized development is limited to the following:

30,000 square foot ambulatory care clinic
10,000 square foot office building
18-hole golf course
18,000 square foot clubhouse
400 residential units (275 single-family and 125 multi-family)

5. The development authorized by this Agreement also includes the necessary ancillary infrastructure to serve sueh horizontal development as depicted on Exhibit 4. All development permitted by this Agreement, shall be carried out in accordance with all pertinent ordinances or regulations of the City of North Port, SWFWMD, and the FDEP.

6. This Agreement authorizes only the development described in Paragraph 4 above upon the land depicted in the PDA master plan (Exhibit 4) and development shall also be in accordance with said PDA master plan. Developer shall not carry out any other development, as that term is defined in Section 380.04, Florida Statutes, on the property without the occurrence of one of the following events:

A. An amendment to this Agreement;

B. A revision and reduction of the DRI development plan which results in the project no longer being a DRI followed by written acknowledgment by the Department that this Agreement is terminated or abandoned pursuant to Subparagraph 380.06(8)(a)11, Florida Statutes, and no longer binding on the parties; or

C. Issuance of a final DRI development order.

7. The Developer understands and acknowledges that the development authorized pursuant to this Agreement is subject to any and all other permitting procedures and authorizations required to be issued by the local government and the appropriate permitting agencies. Attempting to obtain such approvals and attempting to undertake any development pursuant to this Agreement is solely at the risk of the Developer. The Developer shall not claim vested rights nor assert equitable estoppel arising from this Agreement or the expenditures or actions taken by the Developer in reliance upon this Agreement beyond the Development authorized by this Agreement. This Agreement does not entitle the Developer to a final DRI development order approving the entire Marsh Creek DRI or to any other particular conditions in any final DRI development order issued pursuant to Chapter 380, Florida Statutes.

8. Developer shall disclose to all prospective purchasers of all or any portion of the property described in Exhibit 1 that the Project will be undergoing a DRI review so long as Developer continues to pursue the current development proposal or any proposal that constitutes a DRI. Any such prospective purchaser shall be advised that the Property to be purchased is subject to

this Agreement and that the property will be developed in accordance with the final DRI development order adopted by the City of North Port. Disclosure shall be in writing and shall be given to such prospective purchaser prior to the sale. Developer shall make all DRI application materials and plans for the Marsh Creek DRI available at its business office during normal business hours, and Developer shall inform such prospective purchasers that all such materials are available for their inspection.

9. Time is of the essence. Developer shall diligently proceed in good faith through the DRI process in accordance with all applicable procedures in Chapter 380, Florida Statutes, and the rules of the Department and of the SWFRPC, unless and until this Agreement is abandoned pursuant to subparagraph 380.06(8)(a)11, Florida Statutes. Failure to diligently proceed in good faith to obtain a final DRI development order, shall constitute a breach of the Agreement. In the event of such breach, the Developer shall immediately cease all development of the Project including the development authorized by this Agreement until it is determined by the Department that the Developer has abandoned this Agreement pursuant to subparagraph 380.06(8)(a)11, Florida Statutes. In the event of a breach of this Agreement or failure to comply with any conditions of this Agreement, or if this Agreement was based upon materially inaccurate information provided by the Developer, the Department may terminate this Agreement or initiate proceedings to enforce this Agreement as provided in Section 380.11, Florida Statutes, including a suit to enjoin development activity. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. Nothing in this Agreement shall be construed as prejudicing, compromising or limiting in any way of the lawful authority of the City of North Port or the lawful discretion of the City Commission of North Port to approve, deny, or condition the approval of the Marsh Creek DRI or any portion thereof, whether or not such review and considerations take place simultaneously with review procedures under Chapter 380, Florida Statutes. This Agreement does not eliminate or affect the obligation of the Developer to acquire all necessary local and state development approvals and permits from the City of North Port and any other applicable governmental agencies.

10. Glendinning joins in this First Amended and Restated Preliminary Development Agreement in his capacity as owner of Tract "X" solely for the purpose of committing Tract "X" to a unified plan of development under the terms and conditions of this Agreement. Glendinning is a full party to the Agreement, pursuant to Section 380.06(8)(a), Florida Statutes.

11. The terms and conditions of this Agreement shall inure to the benefit and be binding upon the heirs, personal representatives, successors, or assigns, of the parties hereto and upon any established community development district that carries out development within the area that is subject to this Agreement. Developer shall ensure and provide that any successor in interest in and to any lands or parcels within the property is aware of and bound by the terms of this Agreement. This Agreement shall remain effective until it is superseded by a final DRI development order to be issued pursuant to Section 380.06, or 380.07, Florida Statutes, until it is rescinded by mutual written consent of both parties, or until it is abandoned pursuant to subparagraph 380.06(8)(a)11, Florida Statutes.

12. The parties acknowledge and understand that they retain and have not waived their authority to appeal any DRI development order issued by the City of North Port as a result of

Developer's ADA, and acknowledge that if such appeal is taken pursuant to Section 380.07, Florida Statutes, said DRI development order shall not become effective until that appeal is resolved.

13. Developer shall record a notice of this Agreement which complies with Subparagraph 380.06(8)(a)10, Florida Statutes, in the official records of Sarasota County, Florida, and shall provide the Department with a copy of the recorded notice within two weeks of the day of execution thereof.

14. The effective date of this Agreement shall be the date that the last party, through its authorized representative, executes and acknowledges this Agreement.

IN WITNESS WHEREOF, the parties by and through their respective undersigned duly authorized representatives have set their hands on the date appearing below their respective signatures.

MARSH CREEK HOLDINGS, LTD.
By: Marsh Creek Properties, Inc.,
a Florida Corporation, As General Partner

By: _____
Hans-Jürgen Reichardt
As its President

Dated: July 28, 1998

Renea M. Glendinning
Renea M. Glendinning, as Trustee
Under Trust Agreement dated April 30, 1998

Dated: July 27, 1998

DEPARTMENT OF COMMUNITY AFFAIRS

By: J. Thomas Beck
J. Thomas Beck
Chief, Bureau of ~~State~~ Local Planning

Dated: August 19, 1998

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 29th day of July, 1998 by Hans-Jürgen Reichardt, as President of Marsh Creek Properties, Inc., a Florida corporation and general partner of Marsh Creek Holdings, Ltd., a Florida limited partnership, on behalf of the corporation and the partnership. The above-named person is personally known to me or has produced as identification. If no type of identification is indicated, the above-named person is personally known to me.

NOTARY PUBLIC
Karen G. Mayes
STATE OF FLORIDA
My Comm. Exp. 2/13/99
BONDED

(Notary Seal)

Signature of Notary Public

Karen G. Mayes
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on 02/13/99.

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 27 day of July, 1998 by Renea M. Glendinning, as Trustee under Trust Agreement dated April 30, 1998. The above-named person is personally known to me or has produced as identification. If no type of identification is indicated, the above-named person is personally known to me.

Signature of Notary Public

(Notary Seal)

Margaret Shoaf
Print Name of Notary Public
My Commission CC606052
Expires December 8, 2000

I am a Notary Public of the State of Florida, and my commission expires on _____.

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 19th day of August, 1998 by J. Thomas Beck as Bureau Chief of the Department of Community Affairs, an agency of the State of Florida, on behalf of the Department. The above-named person is personally known to me or has produced as identification. If no type of identification is indicated, the above-named person is personally known to me.

Lavoise T. Whittington
MY COMMISSION EXPIRES
AUGUST 12, 2001
NOTARY PUBLIC, STATE OF FLORIDA
Bonded thru Troy Fain-Insurance

(Notary Seal)

Signature of Notary Public

Laroise Whittington
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on 8/12/01.

000772

DOC TAX $ .70
RECORD $10.50

Prepared by and return to:
George A. Dietz, Esq.
Williams, Parker, Harrison, Dietz & Getzen
200 South Orange Avenue
Sarasota, Florida 34236
(941) 366-4800

SPECIAL WARRANTY DEED

This Indenture, made this 5th day of May 1998 by and between ATLANTIC GULF COMMUNITIES CORPORATION, a Delaware corporation authorized to do business in the State of Florida, hereinafter referred to as Grantor, whose post office address is 2601 S. Bayshore Drive, Miami, Florida 33131-5461, and RENEA M. GLENDINNING, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 30, 1998, hereinafter referred to as Grantee, whose post office address is 1858 Ringling Boulevard, Sarasota, Florida 34236.

Witnesseth: Grantor, in consideration of the sum of ten dollars 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, his heirs and assigns forever, the following described property situate in Sarasota County, Florida:

> Tract "X", 52nd ADDITION TO PORT CHARLOTTE SUBDIVISION, as per plat thereof recorded in Plat Book 21, Page 13, Public Records of Sarasota County, Florida, together with any and all easements appurtenant thereto (the "Property").
>
> Subject to applicable zoning regulations, easements, reservations, and restrictions of record; and ad valorem taxes and assessments for the year 1998 and subsequent years.

together with all appurtenances, privileges, rights, interests, dower, reversions, remainders and easements thereunto appertaining.

TO HAVE AND TO HOLD the Property with the following powers and for the following uses and purposes:

1. The Grantee is vested with full rights of ownership over the Property, and Grantee is specifically granted and given the power and authority:

a) To protect and conserve the Property and improvements located thereon and to pay the taxes assessed thereon;

b) To sell the Property for cash or on credit, at public or private sale, to exchange the Property for other property and to grant options to sell the Property, and to determine the price and terms of sales, exchanges and options;

c) To execute leases and subleases for terms as long as 200 years, to subdivide or improve the Property and tear down or alter improvements, to grant easements, give consent and make contracts relating to the Property or its use and to release or dedicate any interest in the Property;

d) To borrow money and to mortgage, pledge or encumber any or all of the Property to secure payment thereof;

e) To manage, control and operate the Property, to collect the rents, issues and profits, to pay all expenses thereby incurred, and in addition, to manage and operate any business that may now or hereafter be operated and maintained on the Property, and in general, to exercise any powers authorized by the provisions of Chapter 737, Florida Statutes.

2. The Grantee shall hold the Property and make distributions of the Property or of the proceeds derived therefrom in accordance with the terms and conditions of that certain Trust Agreement dated April 30, 1998 ("Trust Agreement").

3. No purchaser, grantee, mortgagee, lessee, assignee or any other person dealing with Grantee need see to the application of any proceeds of any sale, lease, mortgage or pledge, but the receipt of Grantee shall be a complete discharge and acquittance therefor. Any and all persons, including but not limited to grantees, mortgagees, lessees, transferees and assigns dealing with Grantee need not inquire into the identification or status of any beneficiary under this deed or any collateral instrument nor inquire into or ascertain the authority of Grantee to act in and exercise the powers granted by this deed or the adequacy or disposition of any consideration paid to Grantee nor inquire into the provisions of the Trust Agreement.

4. Grantor does hereby define and declare that the interests of any beneficiary hereunder or under the Trust Agreement and any amendment thereto shall be personal property only.

5. Grantor recites that this conveyance is made in conformance with the provisions of Section 689.071, Florida Statutes.

000772

000773

6. By the acceptance of this conveyance, Grantee covenants and agrees to do and perform the duties, acts and requirements of the Trustee under the terms hereof and under the Trust Agreement and any amendments thereto.

7. Anything herein to the contrary notwithstanding, Grantee's liability hereunder, under the Trust Agreement or by operation of law to any person, firm or corporation is limited to the trust assets, and Grantee shall not become individually or personally obligated in any manner related thereto.

8. In the event of the resignation, death, unwillingness or inability of Renea M. Glendinning to serve as Trustee under the Trust Agreement, Allan J. Barberio shall serve as successor Trustee, without bond. In the event Allan J. Barberio is deceased or is unable or unwilling to serve or to continue to serve as Trustee, a successor Trustee may be appointed either under the terms of the Trust Agreement or by a court of competent jurisdiction. Every successor Trustee shall have all of the title, powers and discretion herein given to the Trustee, without any act of conveyance or transfer. A certificate signed and acknowledged by any Trustee or any successor Trustee shall be conclusive evidence upon all persons and for all purposes of the facts stated in the certificate with regard to the Trust Agreement, the Property, the terms of this instrument and the identity of the Trustees. Wherever used herein, the words "Grantee" and "Trustee" shall specifically include any successor Trustee.

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 shall have quiet enjoyment thereof. Grantor does hereby warrant the title to said property and will defend the same against the lawful claims of all persons claiming by, through, under or against Grantor. As used herein, the terms "Grantor" and "Grantee" shall 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.

In Witness Whereof, Grantor has caused this deed to be executed in its name by its undersigned duly authorized officer the date above written.

WITNESSES:

ATLANTIC GULF COMMUNITIES CORPORATION

Signature of Witness

By: _____
Print Name: Joel Goldman
As its Vice President

BIA MORSELLOS
Print Name of Witness

(Corporate Seal)

Signature of Witness

JANE A. CAINES
Print Name of Witness

STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 5 day of May, 1998 by Joel Goldman, as Vice President of ATLANTIC GULF COMMUNITIES CORPORATION, a Delaware corporation, on behalf of the corporation. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

Signature of Notary Public

(Notary Seal)

JANE A. CAINES
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on _____.

GAD-302340.1

OFFICIAL NOTARY SEAL
JANE A CAINES
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC421181
MY COMMISSION EXP. NOV. 16,1998

000773

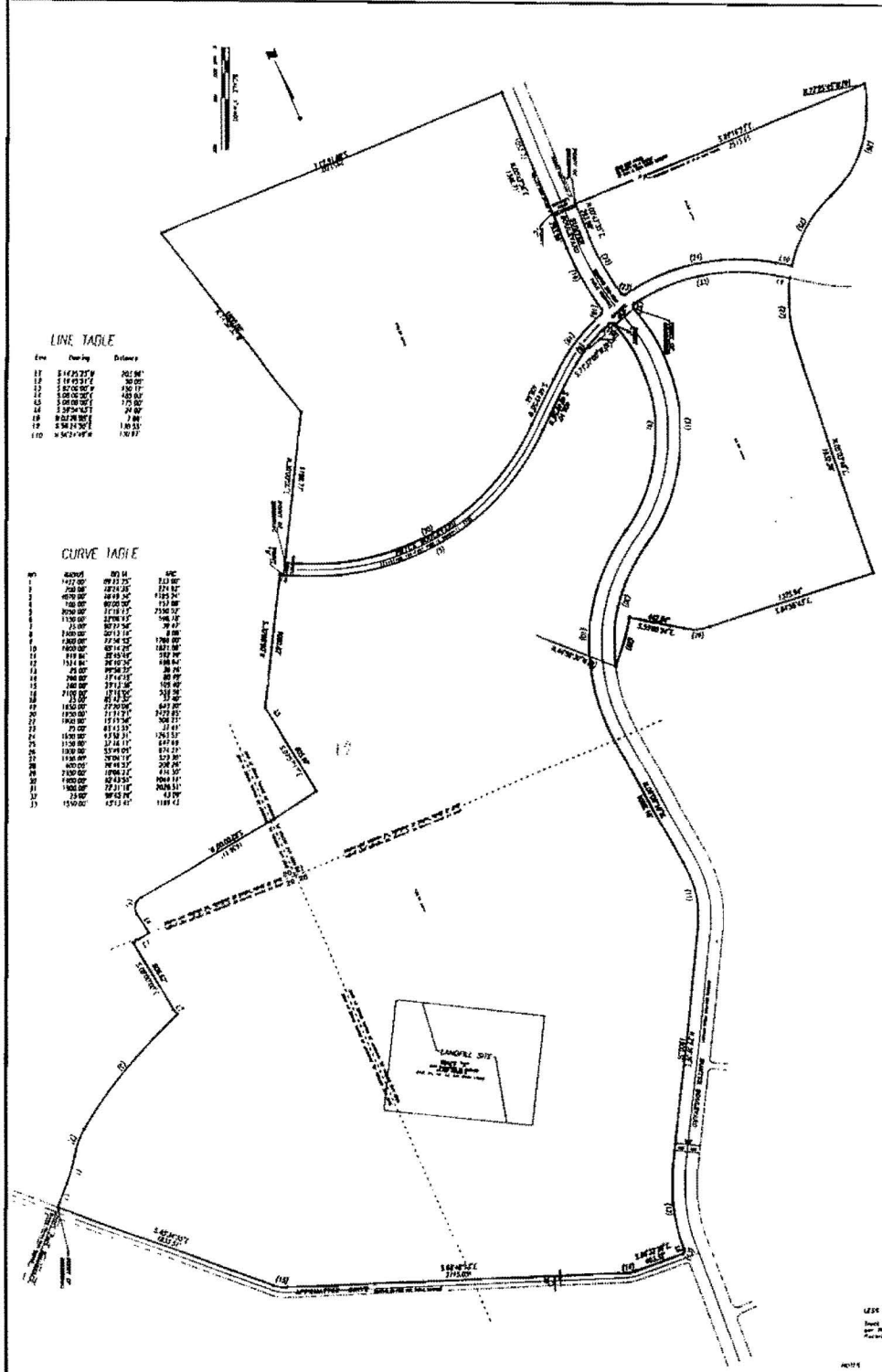

EXHIBIT 1

MARSH CREEK HOLDINGS, LTD

MARSH CREEK NORTH PORT, FLORIDA

D.R.I. SKETCH AND DESCRIPTION

WILSON MILLER BARTON & PEEK INC.

Planning & Landscape Architecture Division

Engineers · Surveyors
Environmental Consultants
Planners
Landscape Architects
Construction Managers

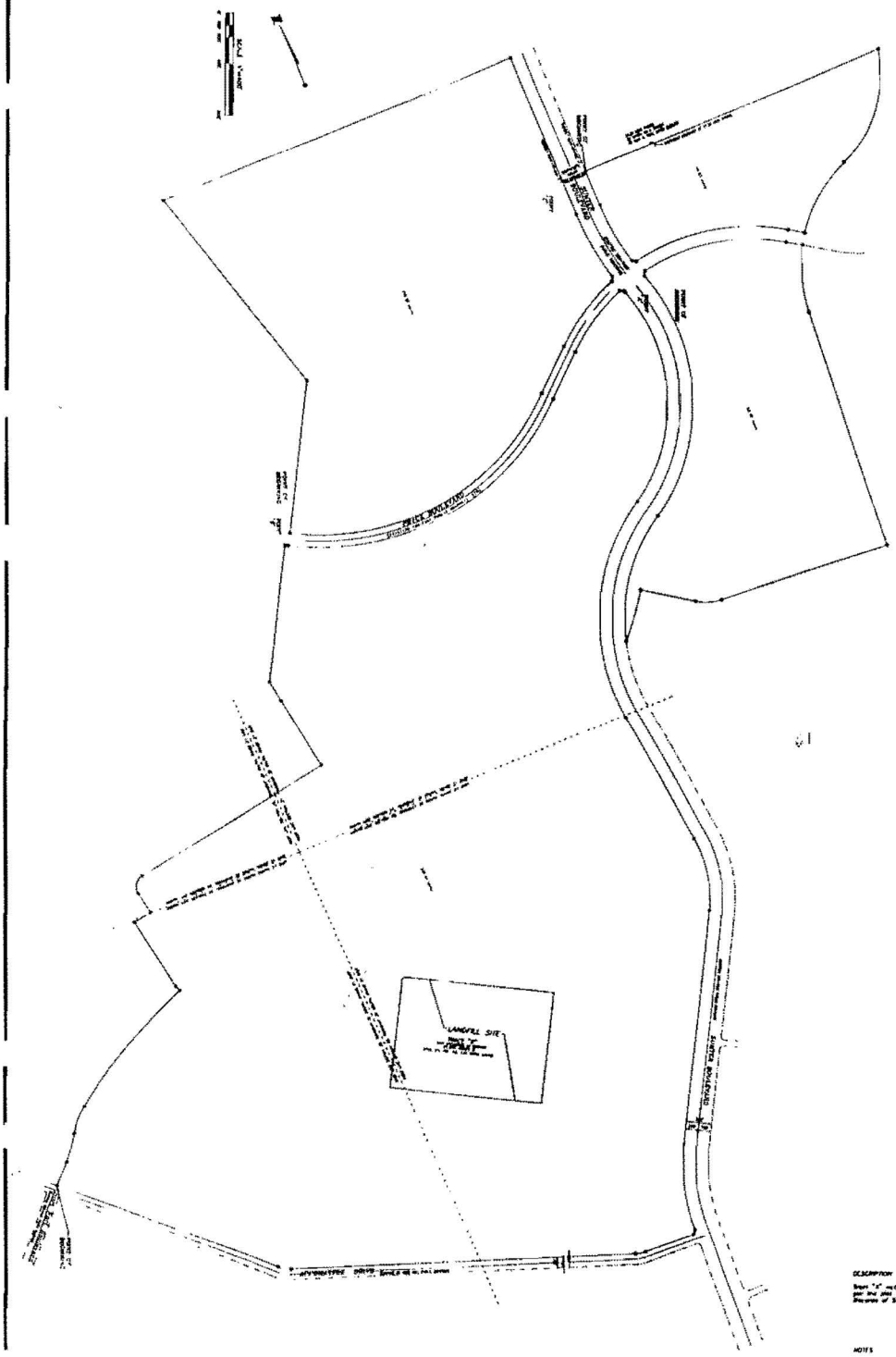

EXHIBIT 2

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK D.R.I. SKETCH AND DESCRIPTION

NORTH PORT, FLORIDA

WILSON MILLER BARTON & PEEK INC.

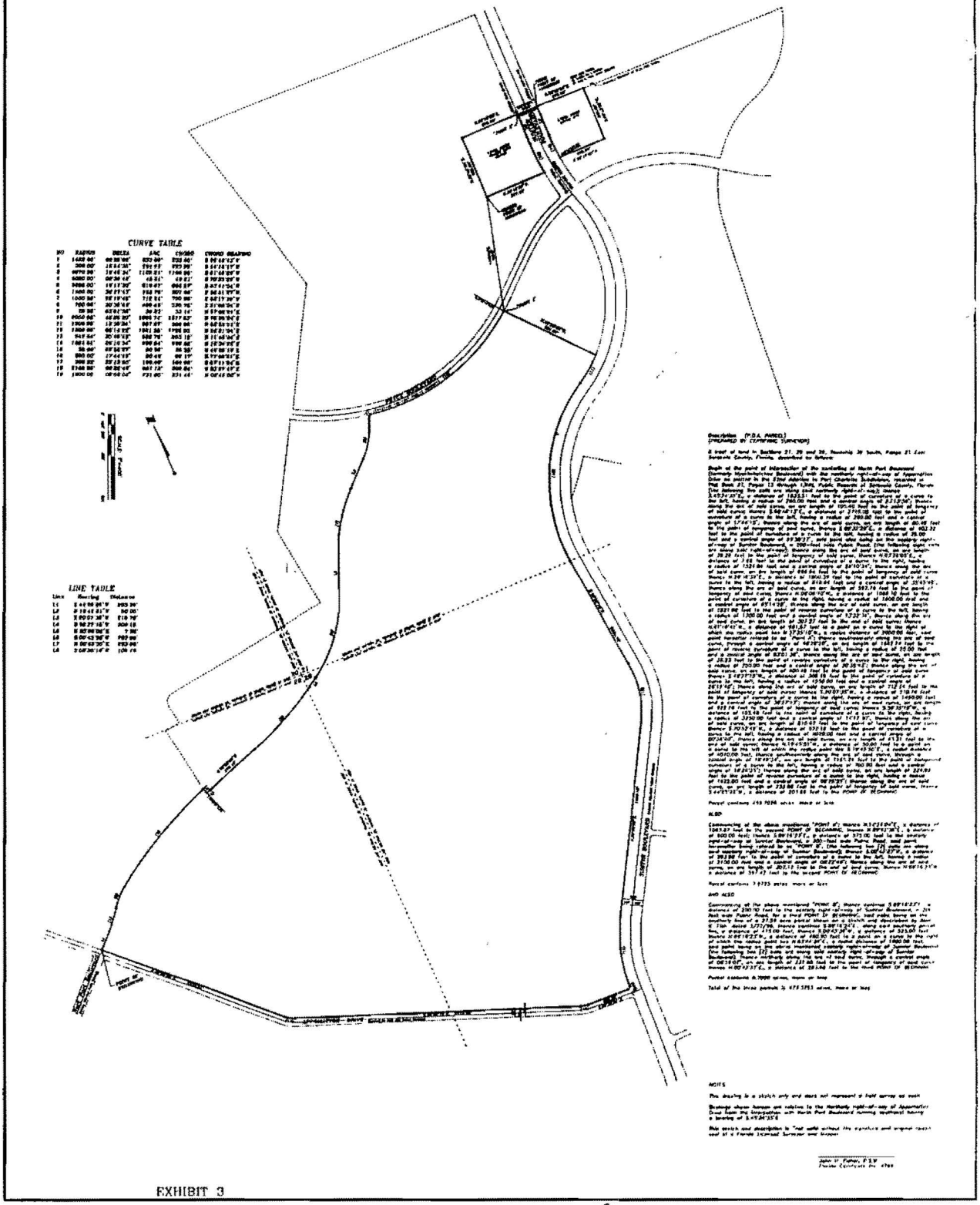

EXHIBIT 3

MARSH CREEK HOLDINGS, LTD

MARSH CREEK P.D.A. SKETCH AND DESCRIPTION

NORTH PORT, FLORIDA

WILSON MILLER BARTON & PEEK INC.

Planning & Landscape Architecture Division

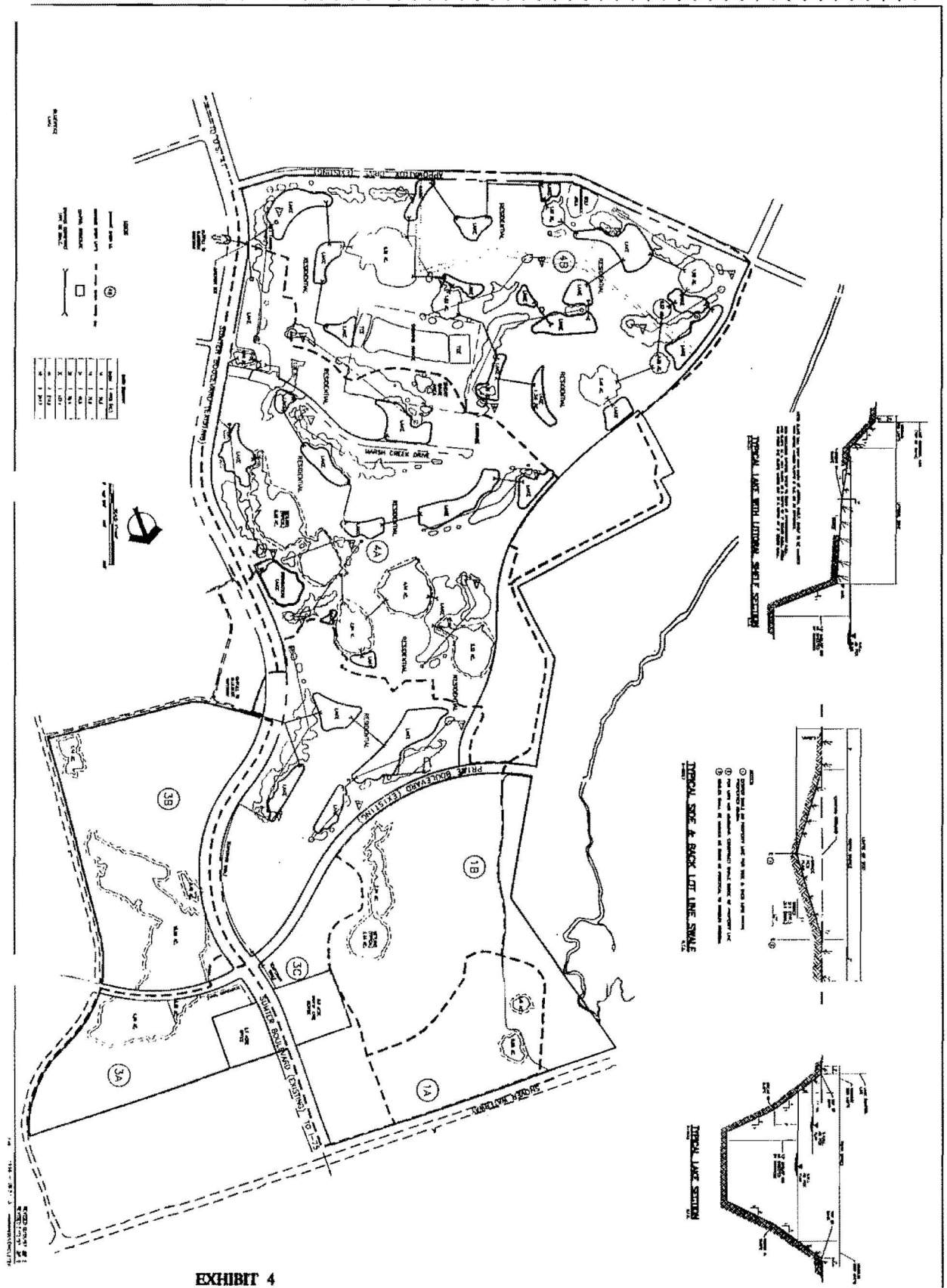

EXHIBIT 4

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK **P.D.A. MASTER DRAINAGE PLAN**

NORTH PORT, FLORIDA

WILSON MILLER

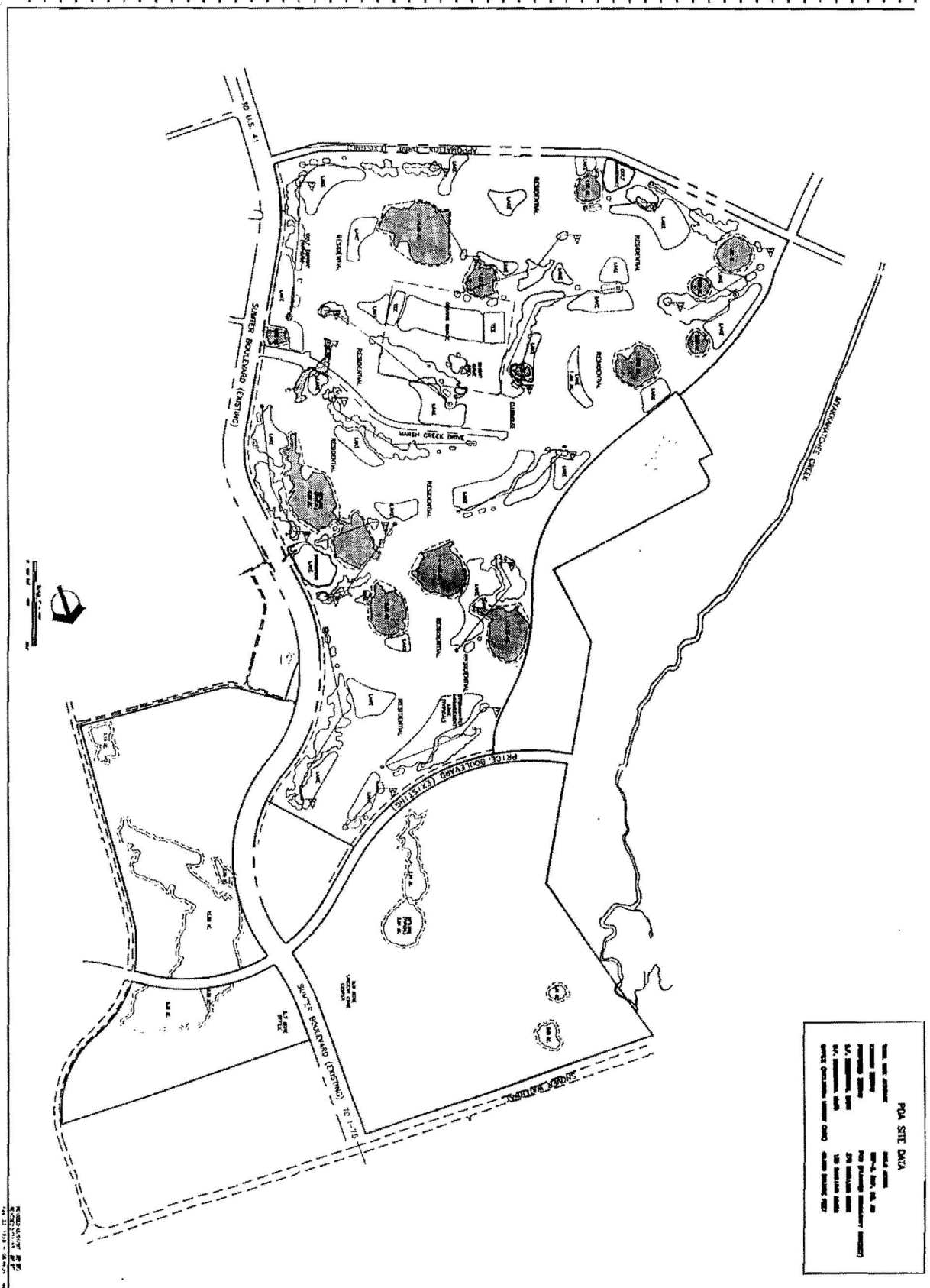

EXHIBIT 4

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK

NORTH PORT, FLORIDA

MAP H-1

P.D.A. MASTER PLAN

WILSON MILLER

RECEIVED
JAN 14 1999
RPM BSP
PLAN PROCESSING TEAM

Williams, Parker, Harrison, Dietz & Getzen
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
RINGLING AT ORANGE
200 SOUTH ORANGE AVENUE
MAILING ADDRESS: P.O. BOX 3258 (ZIP 34230-3258)
SARASOTA, FLORIDA 34236

WILLIAM T. HARRISON, JR.
GEORGE A. DIETZ
MONTE K. MARSHALL
JAMES L. RITCHEY
WILLIAM G. LAMBRECHT
JOHN T. BERTEAU
JOHN V. CANNON, III
CHARLES D. BAILEY, JR.
J. MICHAEL HARTENSTINE
MICHELE BOARDMAN GRIMES
JAMES L. TURNER
WILLIAM M. SEIDER
ELIZABETH C. MARSHALL
ROBERT W. BENJAMIN
FRANK STRELEC

TERRI SALT COSTA
DAVID A. WALLACE
MARK A. SCHWARTZ
RIC GREGORIA
M. LEWIS HALL, III
JEFFREY A. GREBE
JOHN L. MOORE
LINDA R. GETZEN
ELVIN W. PHILLIPS
MORGAN R. BENTLEY
SUSAN BARRETT HECKER
CAROL ANN KALISH
KIMBERLY P. WALKER
J. HUGH MIDDLEBROOKS
R. DAVID BUSTARD
R. SCOTT COLLINS

J.J. WILLIAMS, JR.(1886-1968)
W. DAVIS PARKER (1920-1982)

TELEPHONE (941) 366-4800
FACSIMILE (941) 366-5109

OF COUNSEL:
WILLIAM E. GETZEN
FRAZER F. HILDER
HUGH MCPHEETERS, JR.

WRITER'S DIRECT LINE
329-6609

January 12, 1999

D. Ray Eubanks, Planning Manager
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Marsh Creek; File Number AGM-997-010A

Dear Mr. Eubanks:

In accordance with your letter dated August 20, 1988 addressed to Ms. Betsy Benac, we enclose a copy of the recorded Notice of First Amended and Restated Preliminary Development Agreement for your records.

Very truly yours,

Dan Bailey

Charles D. Bailey, Jr.
For the Firm

CDBjr:pjs
Enclosure:
341707.1

Prepared By: Charles D. Bailey, Jr.
Williams, Parker, Harrison, Dietz & Getzen, P.A.
200 South Orange Avenue
Sarasota, Florida 34236

000780

Rec. $42.00

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1998173348 9 PGS
1998 DEC 29 05:42 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#063527

1998173348

NOTICE OF FIRST AMENDED AND RESTATED PRELIMINARY DEVELOPMENT AGREEMENT

NOTICE IS HEREBY GIVEN that, on August 19, 1998, Marsh Creek Holdings, Ltd., a Florida General Partnership and Renea M. Glendinning, as Trustee under Trust Agreement dated April 30, 1998, collectively referred to as "Developer", and the State of Florida, Department of Community Affairs ("DCA"), entered into a First Amended and Restated Preliminary Development Agreement ("FARPDA"), pursuant to Subsections 380.032(3) and 380.06(8), Florida Statutes, for development of the lands described in Exhibit "A" attached hereto, which comprise Marsh Creek. The date of adoption of the FARPDA is August 19, 1998. The FARPDA constitutes a land development regulation applicable to portions of the land covered by the FARPDA. The FARPDA may be examined at the offices of Marsh Creek Holdings, Ltd., 635 South Orange Avenue, Suite 10, Sarasota, Florida 34236. The provisions of the FARPDA shall inure to the benefit of and be binding upon successors and assigns of the parties in the agreement.

This instrument is being recorded pursuant to Subsections 28.222 and 380.06(8)(a)10., Florida Statutes.

(x) _____
Name: KELLY HANSEN

(x) Penelope J. Sindall
Name: PENELOPE J. SINDALL

MARSH CREEK HOLDINGS, LTD.,
a Florida limited partnership
By: Marsh Creek Properties, Inc.,
a Florida corporation,
As General Partner

By: _____
H. Dieter Gebhard
As its Vice President

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 24th day of December, 1998 by H. Dieter Gebhard, as Vice President of Marsh Creek Properties, Inc., a Florida corporation and general partner of Marsh Creek Holdings, Ltd., a Florida limited partnership, on behalf of the corporation and the partnership. The above-named person is personally known to me or has produced KNOWN as identification. If no type of identification is indicated, the above-named person is personally known to me.

Penelope J. Sindall
Signature of Notary Public

PENELOPE J. SINDALL
Print Name of Notary Public

"OFFICIAL NOTARY SEAL"
PENELOPE J. SINDALL
COMM. EXP. 6-26-99
471702

I am a Notary Public of the State of Florida, and my commission expires on _____

OFFICIAL RECORDS INSTRUMENT # 1998173348 9 PGS

(x) Teri Archibald
By: Teri Archibald

(x) Penelope J. Sindall
By: PENELOPE J. SINDALL

Renea M. Glendinning
Renea M. Glendinning, as Trustee
Under Trust Agreement dated April 30, 1998

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 28th day of December, 1998 by Renea M. Glendinning, as Trustee under Trust Agreement dated April 30, 1998. The above-named person is personally known to me or has produced KNOWN as identification. If no type of identification is indicated, the above-named person is personally known to me.

Penelope J. Sindall
Signature of Notary Public

(Notary Seal)

"OFFICIAL NOTARY SEAL"
PENELOPE J. SINDALL
MY COMM. EXP. 6-26-99
No. CC 471702

PENELOPE J. SINDALL
Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on

_____.

CDB-328855.1

OFFICIAL RECORDS INSTRUMENT # 1998173348 9 PGS

EXHIBIT "A"

DESCRIPTION OF THE PROPOSED REVERSIONARY BOUNDARY FOR A PORTION OF THE 52ND. ADDITION TO PORT CHARLOTTE SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 13 THROUGH 13NN AND A PORTION OF THE 56TH ADDITION PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGES 50 AND 50A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA WITH SAID BOUNDARY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF NORTH PORT BLVD. (FORMERLY MYAKKAHATCHEE BLVD) WITH THE NORTHERLY LINE OF APPOMATTOX DRIVE AS PLATTED IN SAID 52ND. ADDITION; THENCE S.45°34'35"E., ALONG SAID NORTHERLY LINE OF APPOMATTOX DRIVE A DISTANCE OF 1833.51 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 23°13'38", A CHORD BEARING OF S.57°11'24"E. AND A CHORD LENGTH OF 104.68 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 105.40 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.68°48'13"E., ALONG SAID NORTHERLY LINE A DISTANCE OF 2715.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 17°44'15", A CHORD BEARING OF S.77°40'20"E. AND A CHORD LENGTH OF 80.17 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 80.49 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.86°32'28"E., ALONG SAID NORTHERLY LINE A DISTANCE OF 403.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°58'27", A CHORD BEARING OF N.48°28'18"E. AND A CHORD LENGTH OF 35.35 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 39.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.03°29'05"E., ALONG THE WESTERLY LINE OF SUMTER BLVD. (200 FEET WIDE) A DISTANCE OF 7.66 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1524.84 FEET, A CENTRAL ANGLE OF 26°10'34", A CHORD BEARING OF N.16°34'22"E. AND A CHORD LENGTH OF 690.60 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 696.64 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.29°39'39"E., ALONG SAID WESTERLY LINE OF SUMTER BLVD. A DISTANCE OF 1900.39 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 949.64 FEET, A CENTRAL ANGLE OF 35°45'49", A CHORD BEARING OF N.11°46'44"E. AND A CHORD LENGTH OF 583.18 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 592.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.06°06'10"W., ALONG SAID WESTERLY LINE A DISTANCE OF 682.16 FEET TO THE SOUTHEAST CORNER OF TRACT "A" AS PLATTED IN SAID 56TH ADDITION; THENCE N.06°06'10"W., ALONG SAID WESTERLY LINE OF SUMTER BLVD. A DISTANCE OF 405.72 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1600.00 FEET, A CENTRAL ANGLE OF 05°18'00", A CHORD BEARING OF N.03°27'41"W. AND A CHORD LENGTH OF 147.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 148.01 FEET TO A POINT OF CUSP WITH A CURVE TO THE RIGHT, HAVING: A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 86°32'01", A CHORD BEARING OF S.42°27'20"W. AND A CHORD LENGTH OF 68.54 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 75.51 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.85°43'21"W., ALONG THE NORTH LINE OF AFORESAID NORTH PORT BLVD. (100 FEET WIDE) A DISTANCE OF 208.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF

METES AND BOUNDS DESCRIPTION OF PROPOSED REVERSIONARY BOUNDARY FOR A PORTION OF THE 52ND. ADDITION TO PORT CHARLOTTE SUBDIVISION

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DWN.: H.M.	DATE: 12/11/95
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2750.00 FEET, A CENTRAL ANGLE OF 03°42'18", A CHORD BEARING OF S.83°52'12"W. AND A CHORD LENGTH OF 177.80 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 177.83 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.82°01'03"W., ALONG SAID NORTH LINE A DISTANCE OF 355.74 FEET TO THE NORTHWEST CORNER OF SAID 56TH ADDITION; THENCE S.82°01'01"W., ALONG THE NORTH LINE OF SAID NORTH PORT BLVD. AS PLATTED IN SAID 52ND ADDITION A DISTANCE OF 947.20 FEET; THENCE N.08°00'00"W., ALONG THE EAST LINE OF BLOCK 2653 A DISTANCE OF 955.00 FEET; THENCE S.82°00'00"W., ALONG THE NORTH LINE OF BLOCK 2653 A DISTANCE OF 365.00 FEET; THENCE N.08°00'00"W., ALONG THE EAST LINE OF BLOCK 2653 A DISTANCE OF 630.90 FEET; THENCE S.82°00'00"W., A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF LOT 39 IN SAID BLOCK 2653; THENCE S.08°00'00"E., ALONG AND EXTENDING THE WEST LINE OF SAID LOT 39 A DISTANCE OF 175.00 FEET TO THE CUL-DE-SAC CENTER AT THE NORTH END OF FLEETWAY ROAD (50 FEET WIDE); THENCE S.07°57'17"E., ALONG THE CENTERLINE OF SAID FLEETWAY ROAD A DISTANCE OF 605.90 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF CAMERO STREET (50 FEET WIDE); THENCE S.82°00'00"W., ALONG SAID CENTERLINE OF CAMERO STREET A DISTANCE OF 1636.11 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF S.37°00'00"W. AND A CHORD LENGTH OF 141.42 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 157.08 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.08°00'00"E., ALONG THE CENTERLINE OF DAMON AVE. (50 FEET WIDE) A DISTANCE OF 185.03 FEET; THENCE S.82°00'00"W., ALONG THE LINE DIVIDING LOTS 7 AND 8 IN AFORESAID BLOCK 2653 A DISTANCE OF 150.11 FEET TO THE WEST LINE OF SAID BLOCK 2653; THENCE S.08°00'00"E., ALONG SAID WEST LINE OF SAID BLOCK 2653 A DISTANCE OF 606.62 FEET TO A POINT ON THE NORTHWESTERLY LINE OF AFORESAID NORTH PORT BLVD.; THENCE S.19°45'51"E., A DISTANCE OF 50.00 FEET TO THE CENTERLINE OF SAID NORTH PORT BLVD. AND A POINT ON A CURVE TO THE LEFT, HAVING: A RADIUS OF 4070.00 FEET, A CENTRAL ANGLE OF 16°49'34", A CHORD BEARING OF S.61°49'22"W. AND A CHORD LENGTH OF 1190.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 1195.24 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 18°24'35", A CHORD BEARING OF S.44°12'17"W. AND A CHORD LENGTH OF 223.95 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 224.92 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 1422.00 FEET, A CENTRAL ANGLE OF 09°25'25", A CHORD BEARING OF S.39°42'43"W. AND A CHORD LENGTH OF 233.62 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 233.88 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.44°25'25"W., ALONG SAID CENTERLINE A DISTANCE OF 203.96 FEET TO THE POINT OF BEGINNING.

METES AND BOUNDS DESCRIPTION OF PROPOSED REVERSIONARY BOUNDARY FOR A PORTION OF THE 52ND. ADDITION TO PORT CHARLOTTE SUBDIVISION

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OFFICIAL RECORDS INSTRUMENT # 1998173348 9 pgs

DESCRIPTION OF REAL ESTATE:

TRACT "A": A portion of Section 21, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northwest corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway (200' wide), as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00°43'08"W. along the Westerly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision also being the Westerly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 100.00 feet to the POINT OF BEGINNING; at the intersection of said Right-of-Way Line with the South Line of said Snover Waterway; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following two courses; S.00°43'08"W., a distance of 1346.71 feet to the point of curvature of a 2100.00 foot radius curve to the left, with the center point bearing S.89°16'52"E.; thence Southerly along the arc of said curve, through a central angle of 15°16'04", a distance of 559.59 feet to an intersection with the Northerly Right-of-Way Line of Price Boulevard, with said point also being a point of reverse curvature of a 25.00 radius curve to the right, with the center point bearing S.75°27'04"W.; thence along the said Northerly Right-of-Way Line of Price Boulevard (100' wide) the following four courses; Southwesterly along the arc of said curve, through a central angle of 85°42'32", a distance of 37.40 feet to a point of reverse curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.18°50'24"E.; thence Southwesterly along the arc of said curve, through a central angle of 22°20'06", a distance of 643.20 feet to a point of tangency; thence S.48°49'30"W., a distance of 408.66 feet to the point of curvature of a 1950.00 foot radius curve to the right, with the center point bearing N.41°10'30"W.; thence Westerly along the arc of said curve, through a central angle of 71°11'22", a distance of 2422.85 feet; thence leaving said Northerly Right-of-Way Line of Price Boulevard N.29°59'32"E., a distance of 1198.77 feet; thence N.15°00'00"W., a distance of 1800.00 feet to the South Line of the aforesaid Snover Waterway (O.R. Book 1941, Page 6); thence along said South Line, S.89°16'51"E., a distance of 2953.00 feet to the Point of Beginning.

Containing 170.30 Acres, more or less.

REVISIONS:	FOR:

LEGAL DESCRIPTION
TRACT "A"

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PROJECT NO.:	95-797-B

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DESCRIPTION OF REAL ESTATE:

TRACT "B": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeast corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00°43'08"W., along the Easterly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision, also being the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 700.00 feet to the POINT OF BEGINNING; thence leaving the said Westerly Right-of-Way Line, S.89° 16'51"E., a distance of 606.00 feet, thence N.00°43'09"E., a distance of 600.00 feet to the Southerly Right-of-Way Line of the Snover Waterway (O.R. Book 1941, Page 6); thence S.89°16'51"E. along said Southerly Right-of-Way Line, a distance of 880.95 feet to the Northwesterly corner of North Port Water Control District property (O.R. Book 2357, Page 382); thence leaving said Southerly Right-of-Way Line, and along the Westerly Boundary Line of the said North Port Water Control District Property, S.00°43'09"W., a measured distance of 1052.76 feet (Deed 1050.00') to the Southwest corner of said North Port Water Control District property; thence along the Southerly Boundary of said North Port Water Control District property S.89°16'51"E., a distance of 1028.67 feet to the Westerly Boundary Line of the Blueridge Waterway (100 feet wide) (O.R. Book 1941, Page 6), said point also being a point on the arc of a 1000.00 foot radius curve with the center point of said curve bearing N.77° 26'14"W.; thence along the Westerly Right-of-Way Line of said Blueridge Waterway the following two courses; Southwesterly along the arc of said curve, through a central angle of 55°49'01", a distance of 974.19 feet to a point of reverse curvature of a 1150.00 foot radius curve to the left, with the center point bearing S.21°37'14"E.; thence Southwesterly along the arc of said curve, through a central angle of 32°16'11", a distance of 647.69 feet to the intersection of said Westerly Right-of-Way Line with the Northerly Right-of-Way Line of Price Boulevard (100' wide); thence along the Northerly Right-of-Way Line of said Price Boulevard the following three courses; N.56°24'18"W., a distance of 131.21 feet to the point of curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.33°35'42"W.,thence along the arc of said curve, through a central angle of 43°52'31", a distance of 1263.51 feet to a point of reverse curvature of a 25.00 foot radius curve to the right with the center point bearing N.10°16'49"W.; thence along the arc of said curve through a central angle of 85°43'55", a distance of 37.41 feet to a point in the aforesaid Easterly Right-of-Way Line of Sumter Boulevard and the Easterly Boundary Line of the aforesaid Fifty-Sixth Addition to Port Charlotte Subdivision, said point is also the point of compound curvature of a 1900.00 foot radius curve to the right, with the center point bearing N.75°27'06"E.; thence along the said Easterly Right-of-Way Line for the following two courses; Northerly along the arc of said curve through a central angle of 15°16'02", a distance of 506.28 feet to the point of tangency; thence N.00°43'08"E. a distance of 746.71 feet to the Point of Beginning.

Containing 72.12 Acres, more or less.

REVISIONS:	FOR:

LEGAL DESCRIPTION
TRACT "B"

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OFFICIAL RECORDS INSTRUMENT # 1998173348 9 pgs

DESCRIPTION OF REAL ESTATE:

TRACT "C": A portion of Sections 21 and 28, Township 39 South, Range 21 East, Sarasota County, Florida, more particulary described as follows:

Beginning at a concrete monument at the Northwest corner of the Right-of-Way of North Port Boulevard as shown on the Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof Recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida. thence S.82°01'05"W. (S.82°00'00"W. Plat bearing) along the Northerly Right-of Way of said North Port Boulevard (Myakkahatchee Boulevard) as shown on the Plat of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21 Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, a distance of 947.20 feet (946.95 feet plat distance) to a concrete monument at the Southeast corner of Block 2653 in said Fifty-Second Addition to Port Charlotte Subdivision; thence leaving said Northerly Right-of-Way Line and along the Northeasterly Boundary Line of said Block 2653 the following four courses; N.08°00'00"W., a distance of 955.00 feet; thence S.82°00'00"W., a distance of 365.00 feet; thence N.08°00'00"W., a distance of 630.90 feet; thence S.82°00'00"W., a distance of 150.00 feet; thence leaving said Boundary Line, N.29°59'32"E., a distance of 1080.80 feet to the Southerly Right-of-Way Line of Price Boulevard (100' Wide); thence along said Southerly Right-of-Way Line the following five courses; S.59°55'11"E., a distance of 23.99 feet to the point of curvature of a 2050.00 foot radius curve to the left with the center point bearing N.30°04'49"E.; thence Easterly along the arc of said curve, through a central angle of 71°15'19", a distance of 2549.46 feet to a point of tangency; thence N.48°49'30"E., a distance of 408.68 feet to the point of curvature of a 1550 foot radius curve to the right, with the center point bearing S.41°10'30"E.; thence Northeasterly along the arc of said curve, through a central angle of 22°06'43", a distance of 598.19 feet to a point of compound curvature of a 25 foot radius curve to the right with the center point bearing S.19°03'47"E., thence Easterly and Southerly along the arc of said curve through a central angle of 90° 27'50", a distance of 39.47 feet to a point on the Westerly Right-of-Way Line of Sumter Boulevard as shown on the aforesaid Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, said point also being a point of reverse curvature of a 2100.00 foot radius curve to the left, with the center point bearing N.71°24'03"E.; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following four courses; Southerly, along the arc of said curve through a central angle of 00°13'14", a distance of 8.09 feet to a point of reverse curvature of a 1300.00 foot radius curve to the right, with the center point bearing S.71°10'49"W.; thence Southerly along the arc of said curve, through a central angle of 77°57'00", a distance of 1768.63 feet to a point of reverse curvature of a 1600.00 foot radius curve to the left, with the center point bearing S.30°52'11"E.; thence Southwesterly along the arc of said curve through a central angle of 59°57'23", a distance of 1674.30 feet to a point of reverse curvature of a 50.11 foot radius curve to the right, with the center point bearing S.89°10'26"W.; thence Southwesterly along the arc of said curve through a central angle of 86°32'36", a distance of 75.69 feet to the aforesaid Northerly Right-of-Way Line of North Port Boulevard; thence along the said Northerly Right-of Way Line the following three courses; S.85°43'11"W., a distance of 208.42 feet to the point of curvature of a 2750.00 foot radius curve to the left, with the center point bearing S.04°16'49"E.; thence Southwesterly along the arc of said curve, through a central angle of 03°42'20", a distance of 177.85 feet to a point of tangency; thence S.82°00'51"W., a distance of 355.73 feet to the Point of Beginning.

Containing 140.58 Acres, more or less.

REVISIONS:	FOR:

LEGAL DESCRIPTION
TRACT "C"

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DESCRIPTION OF REAL ESTATE:

TRACT "D": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeasterly corner of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21, Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Blueridge Waterway (100' wide)(O.R. Book 1941, Page 6); thence leaving the said centerline and along the Northerly Boundary Line of the said Fifty-Second Addition to Port Charlotte Subdivision, N.84°56'11"W., a distance of 50.00 feet to the POINT OF BEGINNING, said point also being on the Westerly Right-of-Way Line of the said Blueridge Waterway; thence leaving said Westerly Right-of-Way Line and along the Northerly Boundary Line of said Fifty-Second Addition the following three courses; N.84°56'11"W., a distance of 1375.64 feet to the point of curvature of 400 foot radius curve to the right, with the center point bearing N.05°03'49"E., thence along the arc of said curve, through a central angle of 29°49'49", a distance of 208.26 feet to a point of tangency; thence N.55°06'22"W., a distance of 442.85 feet to a corner on the Boundary Line of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said point is also on the arc of a 2350.00 foot radius nontangent curve with the center point bearing N.55°05'20"W.; thence Southwesterly along the Westerly Boundary Line of Tract "D" as platted in said Fifty-Sixth Addition and the arc of said curve, through a central angle of 10°06'22", a distance of 414.51 feet to a point on the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) as platted in said Fifty-Sixth Addition with said point also being on the arc of a 1400.00 foot radius nontangent curve with the center point bearing S.73°36'02"E.; thence Northeasterly along said Easterly Right-of-Way Line, the following three courses; along the arc of said curve, through a central angle of 42°43'51" a distance of 1044.11 feet to a point of reverse curvature of a 1500.00 foot radius curve to the left, with the center point bearing N.30°52'11"W.; thence along the arc of said curve through a central angle of 77°31'15", a distance of 2029.49 feet to a point of reverse curvature of a 25.00 foot radius curve to the right, with the center point bearing N.71°36'34"E., thence along the arc of said curve through a central angle of 98°45'30", a distance of 43.09 feet along the Southerly Right-of-Way Line of Price Boulevard (100' wide), to a point of compound curvature of a 1550.00 foot radius curve to the right with the center point bearing S.09°37'56"E., thence along the said Southerly Right-of-Way Line for the following two courses; along the arc of said curve through a central angle of 43°13'39", a distance of 1169.42 feet to a point of tangency; thence S.56°24'18"E., a distance of 131.17 feet to a point on the aforesaid Westerly Right-of-Way Line of the Blueridge Waterway, said point also being on the arc of a 1150.00 foot radius curve, with the center point bearing S.58°52'26"E.; thence along said Westerly Right-of-Way Line the following two courses; Southwesterly along the arc of said curve through a central angle of 26°04'14", a distance of 523.27 feet to a point of tangency; thence S.05°03'20"W. a distance of 1932.28 feet to the Point of Beginning.

Containing 83.90 Acres, more or less.

REVISIONS:	FOR:

LEGAL DESCRIPTION
TRACT "D"

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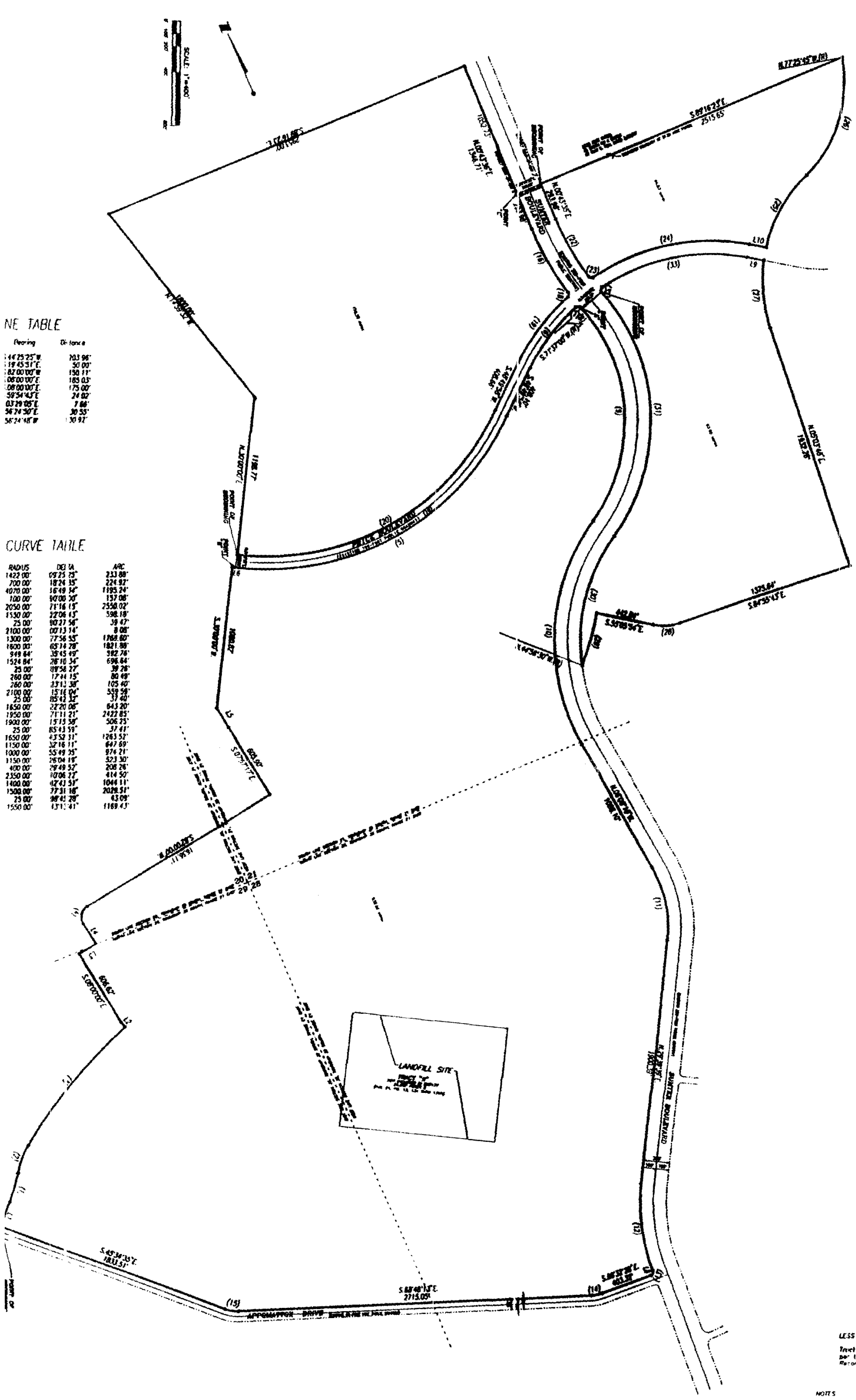
LESS AND EXCEPT THOSE LANDS DESCRIBED IN EXHIBIT "A" TO DEED RECORDED IN OFFICIAL RECORDS BOOK 2890, PAGE 1965, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.



NE TABLE

Bearing	Distance
44°25'25"W.	203.96'
19°45'51"E.	50.00'
82°00'00"W	150.11'
08°00'00"E.	185.03'
08°00'00"E.	175.00'
59°54'43"E	24.02'
03°29'05"E.	7.66'
56°24'50"E.	30.55'
56°24'46"W	130.97'

CURVE TABLE

RADIUS	DELTA	ARC
1422.00'	09°25'25"	233.88'
700.00'	18°24'35"	224.92'
4070.00'	16°49'34"	1195.24'
100.00'	90°00'00"	157.08'
2050.00'	71°16'15"	2550.02'
1550.00'	22°06'43"	598.18'
25.00'	90°27'58"	39.47'
2100.00'	00°13'14"	8.08'
1300.00'	77°56'55"	1768.60'
1600.00'	65°14'28"	1821.88'
949.64'	35°45'49"	592.76'
1524.84'	26°10'34"	696.64'
25.00'	89°58'27"	39.26'
260.00'	17°44'15"	80.49'
260.00'	23°13'38"	105.40'
2100.00'	15°16'04"	559.58'
25.00'	85°42'32"	37.40'
1650.00'	22°20'06"	643.20'
1950.00'	71°11'21"	2422.85'
1900.00'	15°15'58"	506.25'
25.00'	85°43'59"	37.41'
1650.00'	43°52'31"	1263.52'
1150.00'	32°16'11"	647.69'
1000.00'	55°49'05"	974.21'
1150.00'	26°04'19"	523.30'
400.00'	29°49'52"	208.26'
2350.00'	10°06'22"	414.50'
1400.00'	42°43'51"	1044.11'
1500.00'	77°31'18"	2029.51'
25.00'	98°45'28"	43.09'
1550.00'	43°13'41"	1169.43'

D.R.I. DESCRIPTION

A tract of land in Sections 20, 21, 28 and 29, Township 39 South, Range 21 East, Sarasota County, Florida, described as follows:

Begin at the point of intersection of the centerline of North Port Boulevard (formerly Myakkahatchee Boulevard) with the northerly right-of-way of Appomattox Drive as platted in the 52nd Addition to Port Charlotte Subdivision, recorded in Plat Book 21, Pages 13 through 13NN, Public Records of Sarasota County, Florida; (the following five calls are along said northerly right-of-way); thence S.45°34'35"E., a distance of 1833.51 feet to the point of curvature of a curve to the left, having a radius of 260.00 feet and a central angle of 23°13'38"; thence along the arc of said curve, an arc length of 105.40 feet to the point tangency of said curve; thence S.68°48'13"E., a distance of 2715.05 feet to the point of curvature of a curve to the left, having a radius of 260.00 feet and a central angle of 17°44'15"; thence along the arc of said curve, an arc length of 80.49 feet to the point of tangency of said curve; thence S.86°32'28"E., a distance of 403.32 feet to the point of curvature of a curve to the left, having a radius of 25.00 feet and a central angle of 89°58'27"; thence along the arc of said curve, an arc length of 39.26 feet to the point of tangency of said curve and the westerly right-of-way of Sumter Boulevard (200 feet wide); (the following eight calls are along said right-of-way) thence N.03°29'05"E., a distance of 7.66 feet to the point of curvature of a curve to the right, having a radius of 1524.84 feet and a central angle of 26°10'34"; thence along the arc of said curve, an arc length of 696.64 feet to the point of tangency of said curve; thence N.29°39'39"E., a distance of 1900.39 feet to the point of curvature of a curve to the left, having a radius of 949.64 feet and a central angle of 35°45'49"; thence along the arc of said curve, an arc length of 592.76 feet to the point of tangency of said curve; thence N.06°06'10"W., a distance of 1088.10 feet to the point of curvature of a curve to the right, having a radius of 1600.00 feet and a central angle of 65°14'28"; thence along the arc of said curve, an arc length of 1821.88 feet to the point of reverse curvature of a curve to the left, having a radius of 1300.00 feet and a central angle of 77°56'55"; thence along the arc of said curve, an arc length of 1768.60 feet to the point of reverse curvature of a curve to the right, having a radius of 2100.00 feet and a central angle of 00°13'14"; thence along the arc of said curve, an arc length of 8.08 feet to the southerly right-of-way of Price Boulevard and the point of reverse curvature of a curve to the left, having a radius of 25.00 feet and a central angle of 90°27'58"; (the following five calls are along said southerly right-of-way) thence along the arc of said curve, an arc length of 39.47 feet to the point of compound curvature of a curve to the left, having a radius of 1550.00 feet and a central angle of 22°06'43"; thence along the arc of said curve, an arc length of 598.18 feet to the point of tangency of said curve; thence S.48°49'58"W., a distance of 408.10 feet to a point on a curve to the right, having a radius of 2050.00 feet and a central angle of 71°16'15"; thence along the arc of said curve, an arc length of 2550.02 feet to the end of said curve; thence N.59°54'43"W., a distance of 24.02 feet; thence S.30°00'00"W., a distance of 1080.82 feet; thence S.08°00'00"E., a distance of 175.00 feet; thence S.07°57'17"E., a distance of 605.90 feet; thence S.82°00'01"W., a distance of 1636.11 feet to the point of curvature of a curve to the left, having a radius of 100.00 feet and a central angle of 90°00'00"; thence along the arc of said curve, an arc length of 157.08 feet to the point of tangency of said curve; thence S.08°00'00"E., a distance of 185.03 feet; thence S.82°00'00"W., a distance of 150.11 feet; thence S.08°00'00"E., a distance of 606.67 feet; thence S.19°45'51"E., a distance of 50.00 feet to a point on a curve to the left, the radius point of which lies S.19°45'51"E., a radial distance of 4070.00 feet"; thence along the arc of said curve, passing through a central angle of 16°49'34, an arc length of 1195.24 feet to the point of compound curvature of a curve to the left, having a radius of 700.00 feet and a central angle of 18°24'35"; thence along the arc of said curve, an arc length of 224.92 feet to the point of reverse curvature of a curve to the right, having a radius of 1422.00 feet and a central angle of 09°25'25"; thence along the arc of said curve, an arc length of 233.88 feet to the point of tangency of said curve; thence S.44°25'25"W., a distance of 203.96 feet to the POINT OF BEGINNING. Parcel contains 532.66 acres, more or less.

ALSO:

Commence at aforementioned POINT A; thence N.74°23'20"E., across Sumter Boulevard a distance of 200.27 feet to the POINT OF BEGINNING, being a point on a curve to the right, having a radius of 1500.00 feet and a central angle of 77°31'18", the radius point of which lies S.71°37'00"W.; (the following two calls are along the easterly right-of-way of Sumter Boulevard) thence along the arc of said curve, an arc length of 2029.51 feet to the point of reverse curvature of a curve to the left, having a radius of 1400.00 feet and a central angle of 42°43'51"; thence along the arc of said curve, an arc length of 1044.11 feet to a point on a curve to the left, the radius point of which lies N.44°58'30"W., a radial distance of 2350.00 feet; thence along the arc of said curve, passing through a central angle of 10°06'22", an arc length of 414.50 feet to the end of said curve; thence S.55°05'54"E., a distance of 442.84 feet to the point of curvature of a curve to the left, having a radius of 400.00 feet and a central angle of 29°49'52"; thence along the arc of said curve, an arc length of 208.26 feet to the point of tangency of said curve; thence S.84°55'43"E., a distance of 1375.84 feet; thence N.05°03'48"E., a distance of 1932.28 feet to the point of curvature of a curve to the right, having a radius of 1150.00 feet and a central angle of 26°04'19"; thence along the arc of said curve, an arc length of 523.33 feet to the end of said curve and the southerly right-of-way of Price Boulevard; (the following three calls are along said right-of-way) thence N.56°24'46"W., a distance of 131.16 feet to a point on a curve to the left, having a radius of 1550.00 feet and a central angle of 43°13'41"; thence along the arc of said curve, an arc length of 1169.43 feet to the point of compound curvature of a curve to the left, having a radius of 25.00 feet and a central angle of 98°45'28"; thence along the arc of said curve, an arc length of 43.09 feet to the POINT OF BEGINNING. Parcel contains 83.90 acres, more or less.

ALSO:

Commence at aforementioned POINT B; thence N.31°22'32"E., across Price Boulevard a distance of 100.03 feet to the POINT OF BEGINNING; thence N.30°00'00"E., a distance of 1199.77 feet; thence N.14°59'32"W., a distance of 1800.00 feet to the southerly right-of-way of Snover Waterway (200 feet wide); thence S.89°16'23"E., along said right-of-way a distance of 2953.00 feet to the westerly right-of-way of Sumter Boulevard (200 feet wide); (the following four calls are along said right-of-way) thence S.00°43'38"W., a distance of 1052.73 feet to POINT C; thence S.00°43'37"W., a distance of 293.98 feet to the point of curvature of a curve to the left, having a radius of 2100.00 feet and a central angle of 15°16'04"; thence along the arc of said curve, an arc length of 559.58 feet to the northerly right-of-way of Price Boulevard and the point of reverse curvature of a curve to the right, having a radius of 25.00 feet and a central angle of 85°42'32"; (the following four calls are along said right-of-way) thence along the arc of said curve, an arc length of 37.40 feet to the point of reverse curvature of a curve to the left, having a radius of 1650.00 feet and a central angle of 22°20'06"; thence along the arc of said curve, an arc length of 643.20 feet to the point of tangency of said curve; thence S.48°49'58"W., a distance of 408.66 feet c to the point of curvature of a curve to the right, having a radius of 1950.00 feet and a central angle of 71°11'21"; thence along the arc of said curve, an arc length of 2422.85 feet to the POINT OF BEGINNING. Parcel contains 170.30 acres, more or less.

ALSO

Commence at aforementioned POINT C; thence S.89°18'24"E., across Sumter Boulevard a distance of 200.00 feet to the POINT OF BEGINNING; thence S.89°16'23"E., a distance of 2515.65 feet to the westerly right-of-way of Blueridge Waterway (100 feet wide) to a point on a curve to the right, the radius point of which lies N.77°25'45"W., a radial distance of 1000.00 feet, thence along the arc of said curve, passing through a central angle of 55°49'05", an arc length of 974.21 feet to the point of reverse curvature of a curve to the left, having a radius of 1150.00 feet and a central angle of 32°18'11"; thence along the arc of said curve, an arc length of 647.69 feet to the end of said curve and the northerly right-of-way of Price Boulevard; (the following three calls are along said right-of-way) thence N.56°23'50"W., a distance of 131.23 feet to the point of curvature of a curve to the left, having a radius of 1650.00 feet and a central angle of 43°52'31"; thence along the arc of said curve, an arc length of 1263.52 feet to the point of reverse curvature of a curve to the right, having a radius of 25.00 feet and a central angle of 85°43'59"; thence along the arc of said curve, an arc length of 37.41 feet to the easterly right-of-way of Sumter Boulevard and the point of compound curvature of a curve to the right, having a radius of 1900.00 feet and a central angle of 15°15'58"; (the following two calls are along said right-of-way) thence along the arc of said curve, an arc length of 506.25 feet to the point of tangency of said curve; thence N.00°43'35"E., a distance of 293.98 feet to the POINT OF BEGINNING. Parcel contains 44.53 acres, more or less.

Total DRI contains 831.39 acres, more or less.

LESS AND EXCEPT:

Tract "X" according to the plat of The 52nd. Addition to Port Charlotte Subdivision per the plat thereof recorded in Plat Book 21, pages 13 through 13NN of the Public Records of Sarasota County, Florida, containing 24.807 acres.

NOTES

This drawing is a sketch only and does not represent a field survey as such.

Bearings shown hereon are relative to the Northerly right-of-way of Appomattox Drive from the intersection with North Port Boulevard running southeast having a bearing of S.45°34'35"E.

This sketch and description is "not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.

John H. Fisher, P.S.M.
Florida Certificate No. 4769

EXHIBIT 1

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK D.R.I. SKETCH AND DESCRIPTION

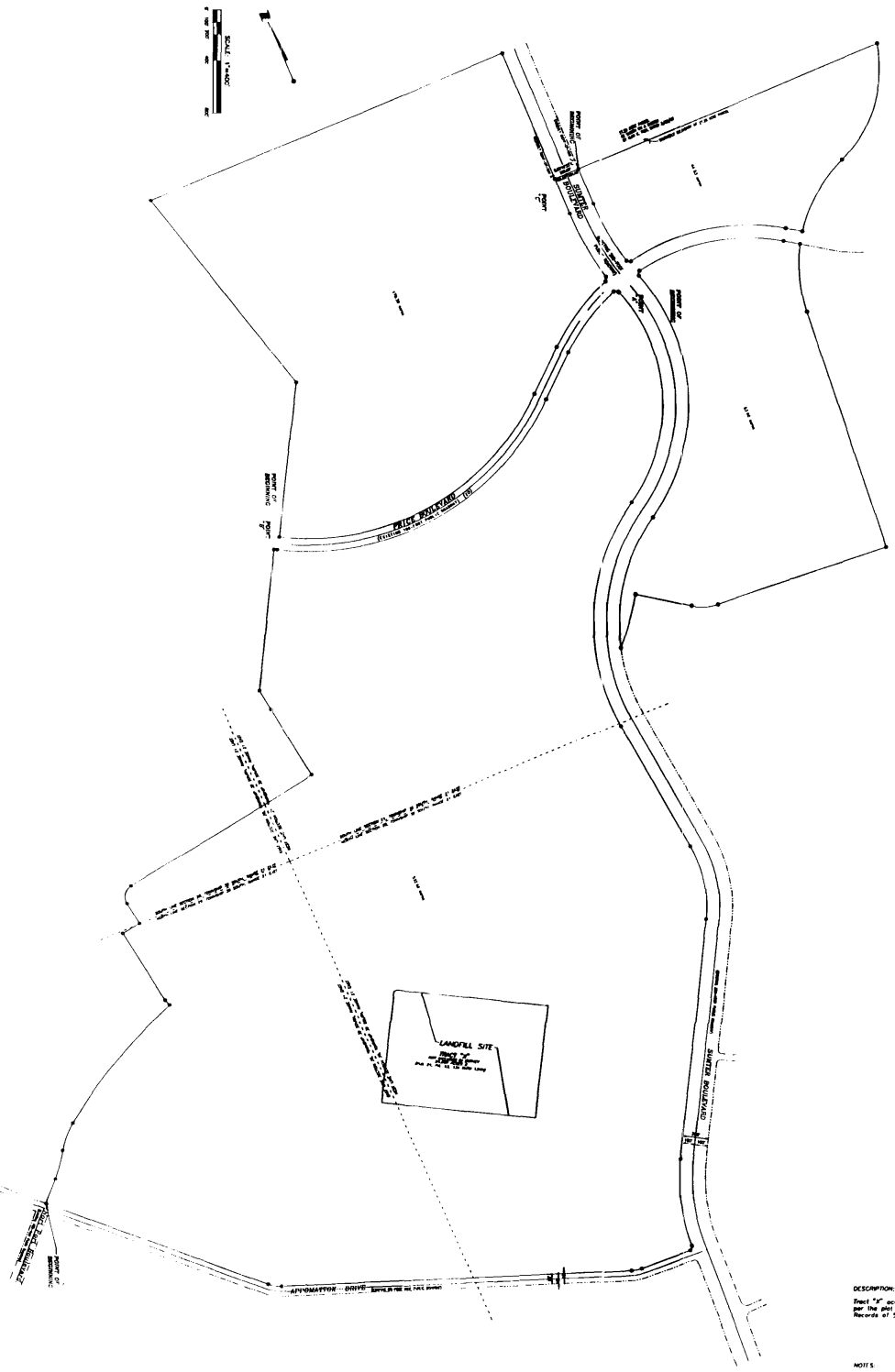
NORTH PORT, FLORIDA

WILSON MILLER BARTON & PEEK INC.

Planning & Landscape Architecture Division

Engineers • Surveyors
Environmental Consultants
Planners
Landscape Architects
Construction Managers

Sarasota Office
6900 Professional Parkway East
Sarasota, Florida 34240-8414
(941)907-6900 Fax (941)907-6910



DESCRIPTION:

Tract "K" according to the plat of The 52nd. Addition to Fort Charlotte Subdivision per the plat thereof recorded in Plat Book 21, pages 13 through 13NN of the Public Records of Sarasota County, Florida, containing 24.807 acres

NOTES:

This drawing is a sketch only and does not represent a field survey as such

Bearings shown hereon are relative to the Northerly right-of-way of Appomattox Drive from the intersection with North Port Boulevard running southeast having a bearing of S.45°34'35"E.

This sketch and description is "not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper

John H. Fisher, P.E.M.
Florida Certificate No. 4769

EXHIBIT 2

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK D.R.I. SKETCH AND DESCRIPTION

NORTH PORT, FLORIDA

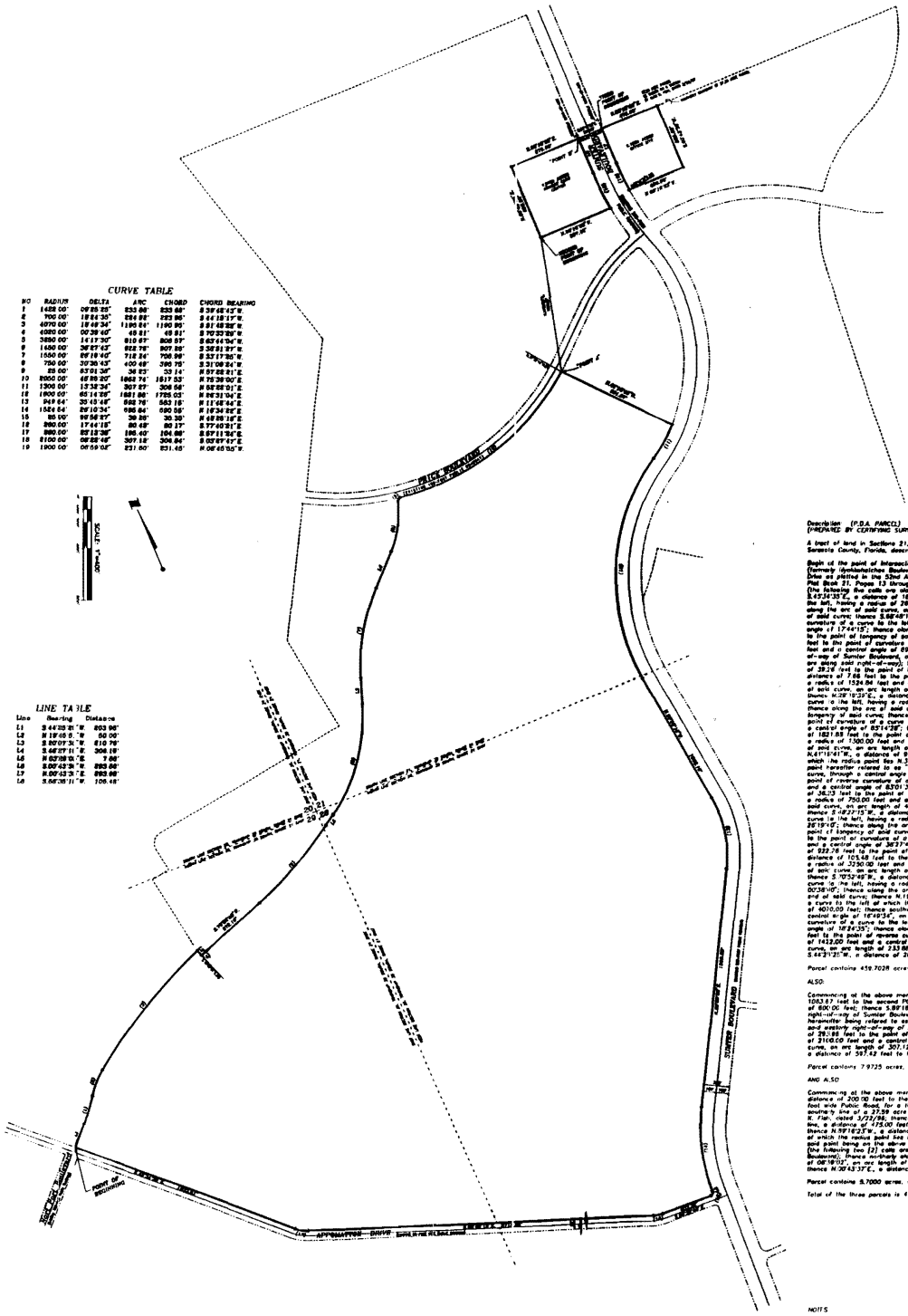
Planning & Landscape Architecture Division

Engineers - Surveyors
Environmental Consultants
Planners
Landscape Architects
Construction Managers

Sarasota Office

6900 Professional Parkway East
Sarasota, Florida 34240-8414
(941)907-6800 Fax (941)907-6810

WILSON MILLER BARTON & PEEK INC.



Description (P.D.A. PARCEL)
(PREPARED BY CERTIFYING Surveyor)

A tract of land in Sections 21, 28 and 29, Township 39 South, Range 21 East, Sarasota County, Florida, described as follows:

Begin at the point of intersection of the centerline of North Port Boulevard (formerly Myakkahatchee Boulevard) with the northerly right-of-way of Appomattox Drive as platted in the 52nd Addition to Port Charlotte Subdivision, recorded in Plat Book 21, Pages 13 through 13BB, Public Records of Sarasota County, Florida (the following five calls are along said northerly right-of-way); thence S.45°34'35"E., a distance of 1803.51 feet to the point of curvature of a curve to the left, having a radius of 2850.00 feet and a central angle of 13°13'30"; thence along the arc of said curve, an arc length of 705.40 feet to the point of tangency of said curve; thence S.58°48'12"E., a distance of 3115.05 feet to the point of curvature of a curve to the left, having a radius of 260.00 feet and a central angle of 17°44'15"; thence along the arc of said curve, an arc length of 80.48 feet to the point of tangency of said curve; thence S.68°32'28"E., a distance of 403.32 feet to the point of curvature of a curve to the left, having a radius of 75.00 feet and a central angle of 97°58'27", said point also being on the westerly right-of-way of Sumter Boulevard, a 200-foot wide Public Road; (the following eight calls are along said right-of-way); thence along the arc of said curve, an arc length of 39.24 feet to the point of tangency of said curve; thence N.03°28'05"E., a distance of 7.66 feet to the point of curvature of a curve to the right, having a radius of 1524.64 feet and a central angle of 89°10'34"; thence along the arc of said curve, an arc length of 696.64 feet to the point of tangency of said curve; thence N.08°16'29"E., a distance of 1800.38 feet to the point of curvature of a curve to the left, having a radius of 949.64 feet and a central angle of 35°45'49"; thence along the arc of said curve, an arc length of 592.78 feet to the point of tangency of said curve; thence N.06°06'10"W., a distance of 1088.10 feet to the point of curvature of a curve to the right, having a radius of 1600.00 feet and a central angle of 85°14'28"; thence along the arc of said curve, an arc length of 1821.85 feet to the point of reverse curvature of a curve to the left, having a radius of 1300.00 feet and a central angle of 13°32'34"; thence along the arc of said curve, an arc length of 307.37 feet to the end of said curve; thence N.45°11'41"W., a distance of 861.87 feet to a point on a curve to the right of which the radius point lies N.37°35'10"E., a radius distance of 2000.00 feet, said point hereinafter referred to as "point A"; (the following two [2] calls are along said curve); through a central angle of 48°20'20", an arc length of 1687.71 feet to the point of reverse curvature of a curve to the left, having a radius of 75.00 feet and a central angle of 83°01'30"; thence along the arc of said curve, an arc length of 36.13 feet to the point of reverse curvature of a curve to the right, having a radius of 700.00 feet and a central angle of 30°35'43"; thence along the arc of said curve, an arc length of 400.18 feet to the point of tangency of said curve; thence S.40°27'15"W., a distance of 306.18 feet to the point of curvature of a curve to the left, having a radius of 1250.00 feet and a central angle of 28°19'10"; thence along the arc of said curve, an arc length of 712.24 feet to the point of tangency of said curve; thence S.20°07'55"W., a distance of 215.76 feet to the point of curvature of a curve to the right, having a radius of 1450.00 feet and a central angle of 36°27'12", thence along the arc of said curve, an arc length of 922.78 feet to the point of tangency of said curve; thence S.56°35'08"W., a distance of 105.68 feet to the point of curvature of a curve to the right, having a radius of 3250.00 feet and a central angle of 14°17'30"; thence along the arc of said curve, an arc length of 810.87 feet to the point of tangency of said curve; thence S.70°52'49"W., a distance of 372.18 feet to the point of curvature of a curve to the left, having a radius of 4070.00 feet and a central angle of 00°38'10"; thence along the arc of said curve, an arc length of 45.21 feet to the end of said curve; thence N.19°49'51"W., a distance of 50.00 feet to a point on a curve to the left of which the radius point lies S.19°49'50"E., a radial distance of 4070.00 feet; thence southwesterly along the arc of said curve, through a central angle of 16°49'34", an arc length of 1195.24 feet to the point of compound curvature of a curve to the left, having a radius of 700.00 feet and a central angle of 18°24'35"; thence along the arc of said curve, an arc length of 224.92 feet to the point of reverse curvature of a curve to the right, having a radius of 1412.00 feet and a central angle of 08°35'25"; thence along the arc of said curve, an arc length of 212.66 feet to the point of tangency of said curve; thence S.44°21'21"W., a distance of 201.98 feet to the POINT OF BEGINNING.

Parcel contains 459.7028 acres, more or less

ALSO:

Commencing at the above mentioned "POINT A"; thence N.16°24'06"E., a distance of 1043.87 feet to the second POINT OF BEGINNING; thence N.80°41'34"E., a distance of 800.00 feet; thence S.89°18'27"E., a distance of 575.00 feet to the westerly right-of-way of Sumter Boulevard, a 200-foot wide Public Road, said point being on a non-tangent curve, hereinafter referred to as "POINT B"; (the following two [2] calls are along said westerly right-of-way of Sumter Boulevard); thence S.04°43'38"W., a distance of 283.68 feet to the point of curvature of a curve to the left, having a radius of 2160.00 feet and a central angle of 08°22'49", thence along the arc of said curve, an arc length of 307.12 feet to the end of said curve; thence N.85°16'21"W., a distance of 587.42 feet to the second POINT OF BEGINNING.

Parcel contains 7.9725 acres, more or less

AND ALSO

Commencing at the above mentioned "POINT B"; thence continue S.89°18'27"E., a distance of 200.00 feet to the westerly right-of-way of Sumter Boulevard, a 200 foot wide Public Road, for a third POINT OF BEGINNING, said point being on the southerly line of a 27.59 acre parcel shown on a sketch and description by Alan K. Fisher, dated 3/22/88; thence continue S.89°18'27"E., along said southerly parcel line, a distance of 475.00 feet; thence S.07°43'38"W., a distance of 523.00 feet; thence N.59°16'27"W., a distance of 460.90 feet to a point on a curve to the right of which the radius point lies N.83°44'34"E., a radial distance of 1900.00 feet, said point being on the above mentioned westerly right-of-way of Sumter Boulevard; (the following two [2] calls are along said westerly right-of-way of Sumter Boulevard); thence northerly along the arc of said curve, through a central angle of 08°18'03", an arc length of 231.60 feet to the point of tangency of said curve; thence N.39°43'37"E., a distance of 293.98 feet to the third POINT OF BEGINNING.

Parcel contains 5.7000 acres, more or less.

Total of the three parcels is 473.3753 acres, more or less

NOTES

This drawing is a sketch only and does not represent a field survey as such.

Bearings shown hereon are relative to the Northerly right-of-way of Appomattox Drive for the intersection with North Port Boulevard running southeast having a bearing of S.45°34'35"E.

This sketch and description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper

John H. Fisher, P.S.M.
Florida Certificate No. 4789

EXHIBIT 3

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK P.D.A. SKETCH AND DESCRIPTION

NORTH PORT, FLORIDA

SEC. Twp. Rge.

Designed by

Drawn by

Checked by

Date 3/17/94

Scale 1"= 400'

Project No. 3709-1

W.O. No. 5552

Sheet 1 of 1

File No. 3709SD2D

WILSON MILLER BARTON & PEEK INC.

Planning & Landscape Architecture Division

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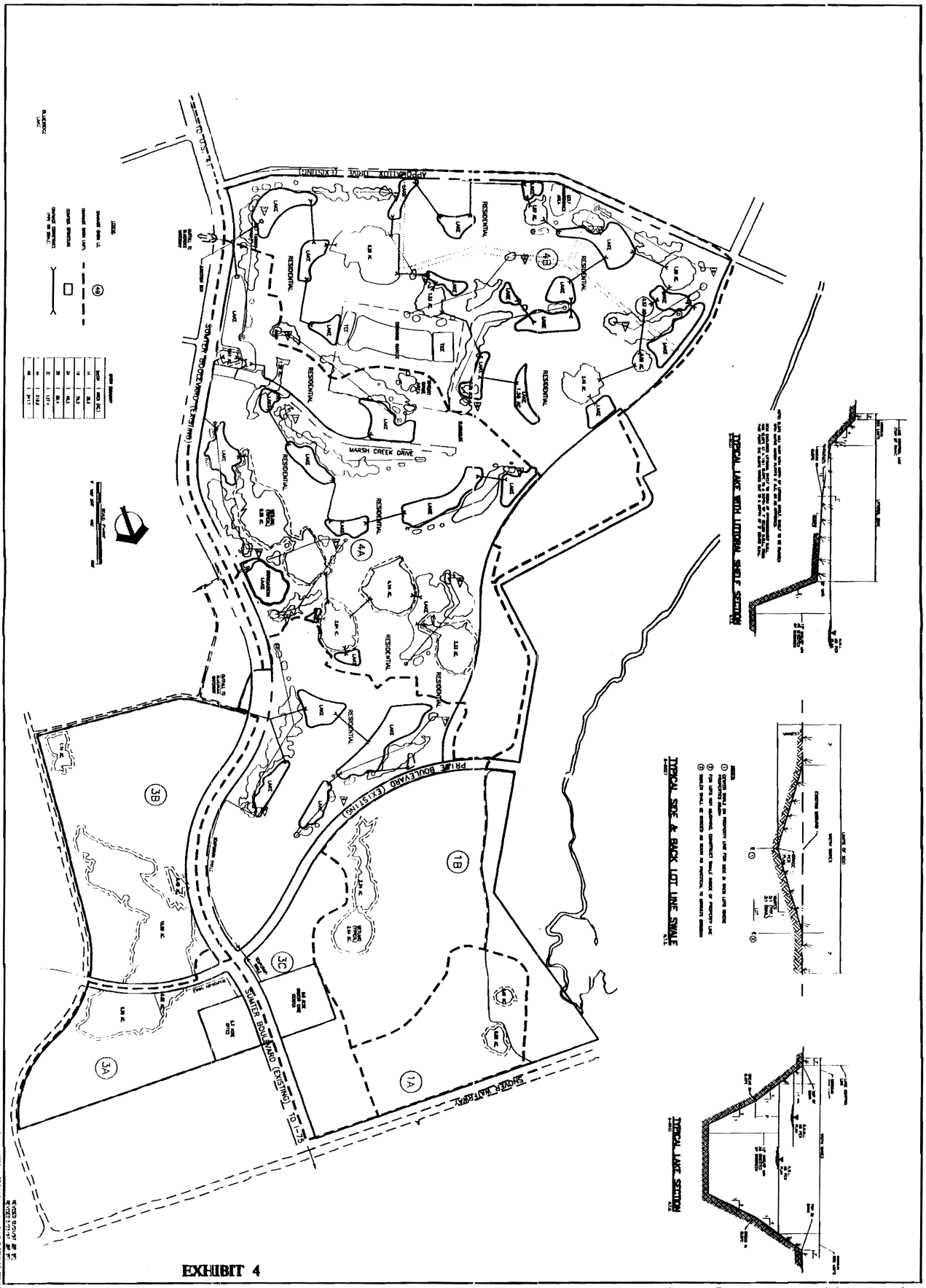

EXHIBIT 4

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK **P.D.A. MASTER DRAINAGE PLAN**

NORTH PORT, FLORIDA

WILSON MILLER

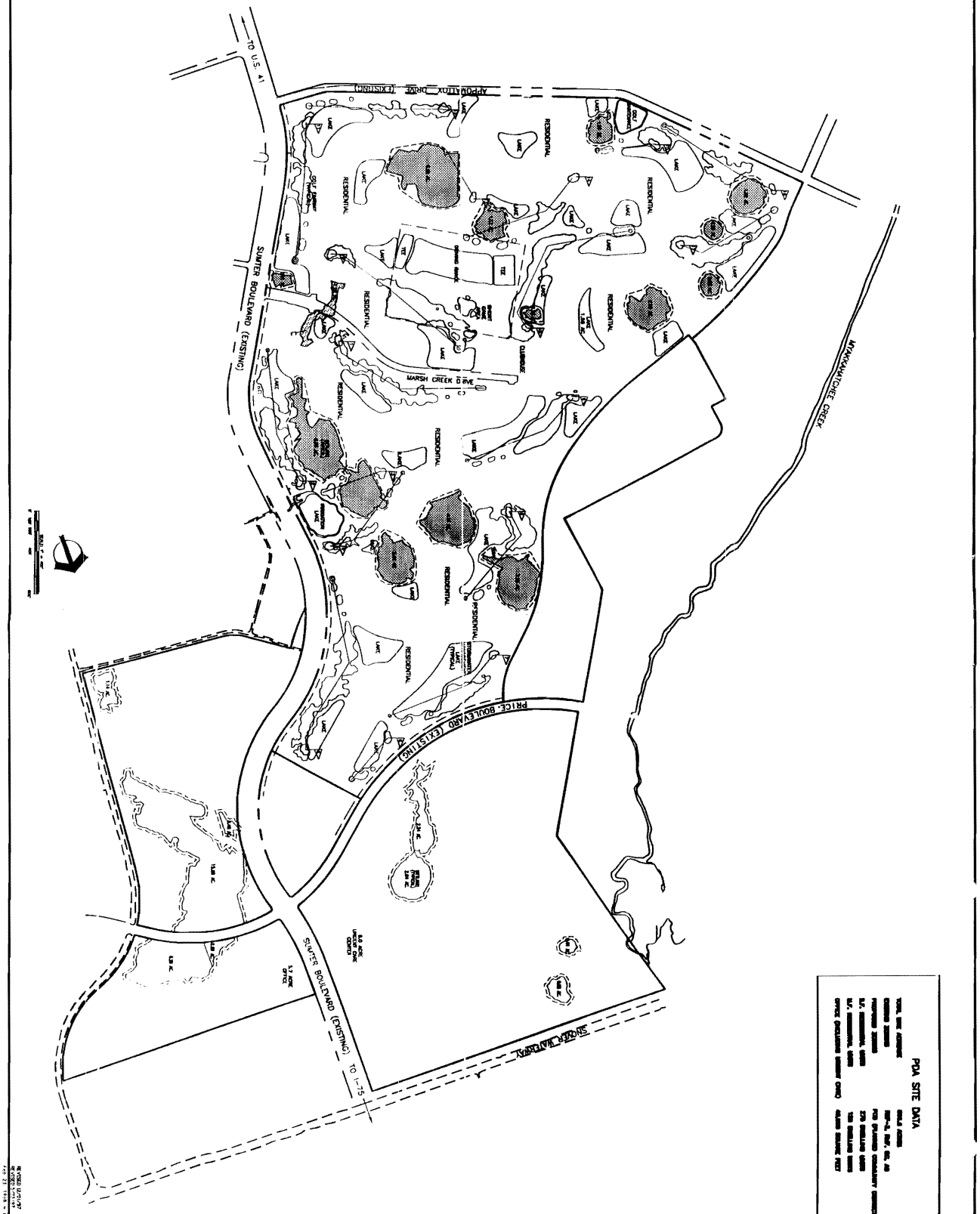

EXHIBIT 4

MARSH CREEK HOLDINGS, LTD.

MARSH CREEK

NORTH PORT, FLORIDA

MAP H-1

P.D.A. MASTER PLAN

WILSON MILLER