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RESOLUTION
NUMBER 2020 - 089

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 380.06(7), FLORIDA STATUTES (F.S.) AND SECTION 3-9-10.1, DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (DO) AMENDMENT PROCESS AND PROCEDURE UNDER CHAPTER 3-9, ZONING, THE COUNTY'S LAND DEVELOPMENT REGULATION, AMENDING DEVELOPMENT ORDER, RESOLUTION NUMBER 2009-167, FOR INCREMENT IV OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) TO REVISE EXHIBIT C: MURDOCK CENTER INCREMENT IV LAND USES TABLE 10-1A-1 PROJECT DESCRIPTION BY ADDING A LAND USE EQUIVALENCY MATRIX; TO USE THE PROPOSED LAND USE EQUIVALENCY MATRIX: (1) TO EXCHANGE 9,581 SQUARE FEET OF APPROVED RETAIL USES FOR 50 HOTEL ROOMS; (2) TO EXCHANGE 10,237 SQUARE FEET OF APPROVED RETAIL USES FOR 150 DWELLING UNITS OF SENIOR ADULT HOUSING; AND (3) TO EXCHANGE 9,515 SQUARE FEET OF APPROVED RETAIL USES FOR 125 BEDS OF ASSISTED LIVING, ON PARCEL 2 WITHIN INCREMENT IV OF THE MURDOCK CENTER DRI; TO AMEND LAND USES TABLE 10-1A-1 PROJECT DESCRIPTION TO REFLECT CHANGES OF DEVELOPMENT RIGHTS; AND TO REFLECT THE EXTENSION OF THE BUILDOUT DATE AND EXPIRATION DATE OF THIS DEVELOPMENT ORDER PER GOVERNOR'S EXECUTIVE ORDERS; FOR PROPERTY GENERALLY NORTHEAST OF TAMiami TRAIL (U.S.41), SOUTHEAST OF VETERANS BOULEVARD, AND WEST OF COCHRAN BOULEVARD, CONTAINING 98.36± ACRES, IN THE PORT CHARLOTTE AREA; COMMISSION DISTRICT IV, PETITION NO. NOPC-20-49-18; APPLICANT: CENTENNIAL BANK; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Murdock Center Master Development Order (MDO) was originally approved March 3, 1987; and

WHEREAS, the MDO, the framework for the overall development, which is a mixture of retail, office, and residential development was sectioned out into four increments; and



WHEREAS, on May 4, 1995, Atlantic Gulf Communities Corporation (“AGC”), f/k/a General Development Corporation, submitted an Application for Incremental Development Approval (“AIDA”) for Increment IV of Murdock Center to the Board of County Commissioners of Charlotte County, Florida (“Board”), Southwest Florida Regional Planning Council (“SWFRPC”) and Florida Department of Community Affairs (“DCA”), as well as two supplemental sufficiency responses, dated August 22, 1995 and November 17, 1995, in accordance with Section 380.06(6) and (10) F.S.; and

WHEREAS, Increment IV is a mixed-use project consisting of two contiguous parcels containing approximately 98 acres more or less of property located northeast of Tamiami Trail (U.S. 41), southeast of Veterans Boulevard, and west of Cochran Boulevard, in the Port Charlotte area, Commission Districts IV and V, Charlotte County, Florida (“Property”), and more particularly described in Exhibit “A” attached hereto and by this reference provided herein; and

WHEREAS, on July 22, 1996, Increment IV Development Order (DO) for the Murdock Center DRI was originally approved by Resolution No. 96-1231A0; and

WHEREAS, on March 16, 1999, an application was approved by the Board via Resolution No. 961231AA to amend Resolution No. 96-1231A0; and

WHEREAS, on March 17, 2009, an application was approved by the Board via Resolution No. 2009-167 to adopt a DO for Increment IV of the Murdock Center DRI; and

WHEREAS, on April 24, 2012, the Board approved Resolution 2012-024 to extend the buildout date of the Murdock Center Increment IV DRI DO to March 1, 2019; and

WHEREAS, on March 22, 2016, the Board approved Resolution 2016-034 to extend the buildout date of the Murdock Center Increment IV DRI DO to October 30, 2019; and

WHEREAS, the applicant, Centennial Bank, is requesting an amendment to the DO, Resolution Number 2009-167, for Increment IV of the Murdock Center Development of Regional Impact (DRI) to add a Land Use Equivalency Matrix, to use the proposed Land Use Equivalency Matrix to exchange some approved retail uses for 50 hotel rooms, 150 residential dwelling units for senior adult housing and 125 beds of assisted living, and to reflect the new buildout date and expiration date of this DO; and

WHEREAS, the development rights within this increment are permitted under the approved MDO for Murdock Center; and

WHEREAS, Petition NOPC-20-49-18 has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, has been recommended for approval on May 11, 2020; and

WHEREAS, in a public hearing held on June 23, 2020, the Board reviewed Petition NOPC-20-49-18 and, based on the findings and analysis provided by County Staff and the evidence presented to the Board, the Board found that approval of Petition NOPC-20-49-18 is consistent with Section 380.06(7), Florida Statutes (F.S.) and Section

3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, of the Code of Laws and Ordinances of Charlotte County, Florida, and is in the best interests of the County and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida ("Board"):

1. "Exhibit C: Murdock Center Increment IV Land Uses Table 10-1A-1 Project Description" is hereby amended as shown in Exhibit "B" attached hereto and by this reference provided herein.

2. The Increment IV Development Order for the Murdock Center DRI is hereby amended to reflect the buildout date of March 15, 2025 and the expiration date of March 15, 2027.

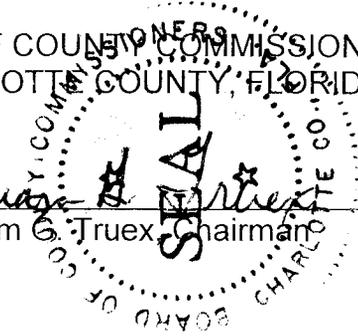
3. All other terms and conditions of the DO, Resolution Number 2009-167, not affected by this resolution shall remain unchanged and in full force and effect.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 23rd day of June, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:
Roger D. Eaton, Clerk of
Circuit Court and Ex-Officio Clerk
of the Board of County Commissioners

By: Michelle DiBeardis
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
SB LR2020-0248

Exhibit A

INCREMENT IV DRI

LEGAL DESCRIPTION

A portion of the Sections 7 and 8, Township 40 South, Range 22 East, Charlotte County, Florida and being described as follows:

BEGINNING at the intersection of the Easterly Right-of-Way of MURDOCK CIRCLE as described in Official Records Book 1028 at Page 968 of the Public Records of Charlotte County, Florida with the Southerly Right-of-Way line of EL JOBEAN ROAD as described in Official Records Book 995 at Page 644 of the of the Public Records of Charlotte County, Florida; thence N69°01'46"E, along the Southerly Right-of-Way line of said EL JOBEAN ROAD, for a distance of 693.23 feet to a point on the East line of said Section 7; thence continue N69°01'46"E, parallel with and 100.00 feet Southerly of, as measured at right angles to, the Southerly Right-of-Way line of the abandoned RAILROAD RIGHT-OF-WAY as described in Official Records Book 814 at Page 1983 of the Public Records of Charlotte County, Florida; thence for a distance of 371.43 feet; thence S20°58'14"E for a distance of 776.83 feet; thence S00°04'54"E for a distance of 965.78 feet to the South line of the Northwest 1/4 of said Section 8; thence N89°56'35"W, along the South line of the Northwest 1/4 of said Section 8, for a distance of 624.00 feet to Southwest corner of the Northwest 1/4 of said Section 8; thence continue N89°56'35"W for a distance of 50.00 to a point 50.00 feet West of, the East line of said Section 7; thence S00°04'54"E, parallel with and 50.00 feet West of, as measured at right angles to, the East line of said Section 7, for a distance of 186.47 feet; to a point on the Northerly Right-of-Way line of U.S. HIGHWAY No. 41 (TAMIAMI TRAIL); thence N62°52'14"W, along the Northerly Right-of-Way line of said U.S. HIGHWAY No. 41, for a distance of 420.55 feet to a point on the Easterly Right-of-Way line of said MURDOCK CIRCLE; thence N27°07'46"E for a distance of 106.36 feet to a point of curvature of a circular curve to the left having a radius 533.00 feet; thence Northeasterly, Northerly and Northwesterly along the arc of said curve having a central angle of 48°06'13", for a distance of 447.49 feet to a point of tangency; thence N20°58'27"W for a distance of 830.70 feet to the Point of Beginning (the last described three courses also being coincident with the Easterly Right-of-Way line of said MURDOCK CIRCLE).

TOGETHER WITH

A portion of the Sections 8, Township 40 South, Range 22 East, Charlotte County, Florida and being bounded as follows:

On the North by the Southerly Right-of-Way line of the abandoned RAILROAD RIGHT-OF-WAY as described in Official Records Book 814 at Page 1983 of the Public Records of Charlotte County, Florida;



On the East by the Westerly Right-of-Way line of TOLEDO BLADES BOULEVARD as described in Official Records Book 1028 at Pages 2031 through 2034 of the Public Records of Charlotte County, Florida;

On the West by the East line of the PROPOSED PELLAM WATERWAY as described in Official Records Book 1342 at Pages 2065 through 2085 of the of the Public Records of Charlotte County, Florida;

And on the South by the South line of the Northwest 1/4 of said Section 8.

SUBJECT to a Florida Power and Light Company EASEMENT, recorded in Official Records Book 1414, at Pages 1698 through 1704, of the Public Records of Charlotte County, Florida.

LESS AND EXCEPT

The lands described in Official Records Book 1189 at Page 2009 of the Public Records of Charlotte County, Florida, (QUESADA AVENUE).

Said lands situate, lying and being in Charlotte County, Florida.

All of the above subject to any easements and/or Rights-of-Way of record.

DRI Acreage = 98.36

EXHIBIT C
MURDOCK CENTER
INCREMENT IV
LAND USES
TABLE 10-1A-1
PROJECT DESCRIPTION

(Subject to change per use of Land Use Equivalency Matrix attached)

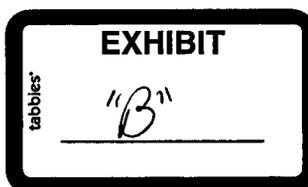
PARCEL	LAND USE	DENSITY	ACRES
PARCEL 1	CZ-3 RETAIL	219,026 S.F.	25.66*
	WATERWAYS/O PEN SPACE	N/A N/A	11.47**
SUB-TOTAL		219,026 S.F.	28.13
PARCEL 2	CZ-4 RETAIL OFFICE HOTEL	470,565 514,898 S.F. 44,076 S.F. 1500 ROOMS ****	61.23***
	<u>SENIOR ADULT HOUSING – ATTACHED (DU)</u>	<u>150</u>	
	<u>ASSISTED LIVING (OCCUPIED BEDS)</u>	<u>125</u>	
SUB-TOTAL		514,641 558,974 S.F.	61.23
TOTAL		733,667 778,000 S.F.	89.36

*WITH UP TO 1,500 PARKING SPACES

**1.85 OF TOTAL WATERWAY IS FOR STORMWATER MANAGEMENT
RELATED TO PARCEL 1 RETAIL USE

***WITH UP TO 4,000 PARKING SPACES

****IF 100 HOTEL ROOM UNITS ARE BUILT/RETAIL IS REDUCED TO 499,898 SQ.FT.



Land Use Equivalency Matrix

Increment IV

Land Use Trade-Offs

A. LAND USE TRADE-OFF RATES							
CHANGE FROM	CHANGE TO	Senior Adult Housing - Attached (DU)	Multi-Family (DU)	Office (1,000 SF)	Hotel (Room)	Retail (1,000 SF)	Assisted Living (beds)
Senior Adult Housing - Attached (ITE 252)		1.0000	0.4643	0.2261	0.3562	0.0682	-
Multi-Family (ITE 220)		2.1538	1.0000	0.4870	0.7671	0.1470	1.9310
Office (ITE 710)		4.4231	2.0536	1.0000	1.5753	0.3018	3.9655
Hotel (ITE 310)		2.8077	1.3036	0.6348	1.0000	0.1916	2.5172
Retail (ITE 820)		14.6538	6.8036	3.3130	5.2192	1.0000	13.1379
Assisted Living (ITE 254)		1.1154	0.5179	0.2522	0.3973	0.0761	1.0000
B. TRADE-OFF EXAMPLE							
EXAMPLE 1: TRADE FROM Y TO X							
Trade 50,000 SF of Retail for ? (X) DU of Multi-Family		FROM Y		TO X			
= (50,000 SF / 1,000) Retail x 6.8036		Retail		Hotel			
= 340.18 DU		9.58		50			
= 340 DU							
C. SOURCE INFORMATION AND DOCUMENTATION FOR TRADE-OFF RATES							
Land Use	DRI Total		Gross P.M. Peak Hour Trips	Gross P.M. Peak Hour Trips / Measure*			
	1,000 SF, DU, Rooms, Beds						
Senior Adult Housing - Attached (ITE 252)	150 (DU)		39	TRIPS	0.26	DU	
Multi-Family (ITE 220)	0 (DU)		0	TRIPS	0.56	DU	
Office (ITE 710)	29,451 (1,000 SF)		34	TRIPS	1.15	1,000 SF	
Hotel (ITE 310)	150,000 (Occupied Room)		110	TRIPS	0.73	Room	
Retail (ITE 820)	187,580 (1,000 SF)		715	TRIPS	3.81	1,000 SF	
Assisted Living (ITE 254)	125,000 (Occupied Beds)		36	TRIPS	0.29	1,000 SF	
			934				
D. NOTES							
A detailed trip generation calculation should be performed if a mix of land uses is proposed.							
*Trip Generation calculated using the P.M. peak hour of adjacent street traffic rate published in the Institute of Transportation Engineer's (ITE) <i>Trip Generation Manual</i> , 10th Edition							