

**CHARLOTTE COUNTY PLANNING AND ZONING BOARD
REGULAR MEETING**

Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida

Board Members

Michael Gravesen, Chair
Doug Izzo
Stephen Vieira, Secretary
Phillip Smallwood
Clint Baker, Vice-Chair



District

District V
District III
District I
District II
District IV

**MINUTES
REGULAR MEETING**

October 13, 2025, at 1:30 p.m.

Call to Order

Chair Gravesen called the meeting to order at 1:30 pm

Roll Call

Upon roll call it was determined a quorum was present, Doug Izzo was absent.

Approval of Minutes – September 8, 2025, Regular Meeting, minutes were approved as circulated.

Announcements

Mr. Cullinan stated he had no announcements.

The oath was provided by **Recording Secretary Sargent** for those wishing to provide testimony.

PETITIONS

1.) SV-25-04

Legislative

Commission District II

David Binder is requesting to vacate a portion of the undeveloped Venice Canal adjacent to Lot 11, Block D, 1st addition to Rio Villa subdivision, according to the Plat thereof as recorded in Plat Book 4, Page 10B of the Public Records of Charlotte County, Florida and abutting the property located at 535 Boardman Drive, in the Punta Gorda area. The site contains 1,940± square feet and is in Commission District II.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **SV-25-04** with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

None.

Applicant's Presentation

David Binder, not present.

Public Input

None.

- **Mr. Vieira** moved to close the public comment, seconded by **Mr. Smallwood**, with a unanimous vote.

Discussion

Mr. Baker spoke on if the applicant is not present, then we would table this, and a discussion took place with Chair Gravesen and Mr. Cullinan, this shall move forward.

Recommendation

Mr. Smallwood moved that **SV-25-04**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **October 13, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Baker**; and carried by a unanimous vote.

2.) PD-24-13

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of the existing PD, Ordinance Number 2023-009, by 1) amending PD condition b.iv and General PD Concept Plan in order to revise layout of some commercial buildings, add specific commercial uses and development standards for Lots 2-A, 2-B, 2-C, 2-D, & 3; 2) adopting the revised General PD Concept Plan, Detail PD Concept Plan for Lot 3: "Chick-fil-A", and Detail PD Concept Plan for Lot 2-A: "Texas Roadhouse"; and 3) deleting PD conditions o, q & r and revising PD condition p; for the subject property, containing 29.76± acres, which is part of the 77± acres of the original PD, generally located northeast of Tamiami Trail (US 41), south of Hillsborough Boulevard, southeast of Cranberry Boulevard, and west of Huge Boulevard, in the Port Charlotte area, containing 29.76± acres; Commission District IV; Petition No. PD-24-13; Applicant: JBCC Development, LLC; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition **PD-24-13** with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

None.

Applicant's Presentation

Rob Berntsson, representing the applicant, has been sworn in and stated Ms. Shao has done a thorough job, requests approval for this PD and reserves time for rebuttal.

Public Input

None.

- **Mr. Baker** moved to close the public comment, seconded by **Mr. Smallwood**, with a unanimous vote.

Discussion

Chair Gravesen asked where the access is to get into Texas Roadhouse, is it off 41 or internal circulation. A discussion takes place with Ms. Shao, Mr. Berntsson and Mr. Cullinan.

Recommendation

Mr. Baker moved that **PD-24-13**, be sent to the Board of County Commissioners with a recommendation of Approval with revised conditions, based on the findings and analysis in the staff memo dated **October 4, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

3.) LAD-25-01

Quasi-Judicial

Commission District I

A Resolution 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 Regulations, amending and recodifying the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI), Resolution Number 2023-078, to: 1) revise "Whereas Clauses" to reflect the current status; 2) amend "Findings of Fact and Conclusions of Law" to revise 1,400,000 square feet of retail and 3,500,000 square feet of office (general office, medical office, and civic) to 4,900,000 square feet of commercial/retail/office (including medical) uses and 150,000 square feet of

government/civic uses to be consistent with development rights as established in the County's Comprehensive Plan; 3) revise the Transportation section and Exhibits "F", "G", "J" and "K", and add new Exhibit G-1: 73C-40.045 Transportation Uniform Standard Rule, to reflect the updated traffic study; 4) update "Fixed Development Criteria" as established in Exhibit B: Master Concept Plan (Map H); 5) update Exhibit D: Updated Summary of Land Dedications and Facilities Construction, to reflect the current status; and 6) update Exhibit H: MDO Land Use Equivalency Matrix (LUEM); for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 13,630± acres, in the East County area; Commission District 1, Petition No. LAD-25-01; Applicant: Babcock Property Holdings, L.L.C.; providing an effective date.

4.) LAD-25-04

Quasi-Judicial

Commission District I

A Resolution 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 Regulations, amending and recodifying the Increment 1 Development Order (IDO), Resolution Number 2023-079, for the Babcock Ranch Community Development of Regional Impact (DRI) to: 1) revise "Whereas Clauses" to reflect the current status; 2) revise development rights by decreasing residential dwelling units from 5,056 to 4,793 units (single-family units from 3,056 to 3,225 units and multi-family units from 2,000 to 1,568 units); decreasing retail from 470,000 to 350,229 square feet and increasing office from 370,000 to 916,500 square feet, which is a total of 1,266,729 square feet of commercial/retail/office (including medical) uses; adding 27,660 square feet of government/civic uses; increasing industrial from 200,000 to 450,000 square feet; adding 177 hospital beds; decreasing units of assisted living facility (ALF) beds from 218 to 140 units; 3) amend the Vegetation, Wildlife, and Wetlands section by updating Conditions 5.A.(1) A & B; 4) revise the Wastewater Management and Water Supply section by updating Condition 6.A.(6) regarding potential new potable well; 5) update the Police and Fire section Condition 8.A.(2) to reflect completed task; 6) update the Energy section Condition 11.A.(2) that one zero energy home has been constructed; 7) reflect the extension of the expiration date and buildout date of this IDO; 8) update Exhibit B-2 to reflect updated entitlements, and update "Fixed Development Criteria" as established in Exhibit B-5; 9) update Exhibit D: Summary of Land Dedications and Facilities Construction to reflect current status; 10) amend Exhibit E: Babcock Ranch Community Increment 1 Parameters to be consistent with the revised development parameters; and 11) update this IDO for other changes for internal and statutory consistency; for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 5,095± acres, in the East County area; Commission District 1; Petition No. LAD-25-04; Applicant: Babcock Property Holdings, L.L.C.; providing an effective date.

5.) LAD-25-05

Quasi-Judicial

Commission District I

A Resolution 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 Regulations, amending and recodifying the Increment 2 Development Order (IDO), Resolution Number 2023-080, for the Babcock Ranch Community Development of Regional Impact (DRI) to: 1) remove two Whereas clauses and add two new Whereas clauses; 2) revise development rights by decreasing residential dwelling units from 9,252 to 8,907 units (single-family from 5,817 to 6,042 units and multi-family from 3,435 to 2,865 units); increasing commercial/retail from 730,000 to 1,336,771 square feet and office from 650,000 to 698,500 square feet, which is a total of 2,035,271 square feet of commercial/retail/office (including medical) uses; adding 48,500 square feet of government/civic uses; adding 100,000 square feet of industrial; decreasing assisted living facility (ALF) beds from 200 to 139; 3) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO); 4) update Exhibit "B" to reflect updated entitlements and update "Fixed Development Criteria"; 5) amend Exhibit "E": Babcock Ranch Community Increment 2 Parameters to be consistent with revised development parameters; and 6) update this IDO for other changes for internal and statutory consistency; for property generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 4,021± acres, in the East County

area; Commission District I, Petition No. LAD-25-05 Applicant: Babcock Property Holdings, L.L.C.; providing an effective date.

6.) LAD-25-06

Quasi-Judicial

Commission District I

A Resolution 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 Regulations, amending and recodifying the Increment 3 Development Order (IDO), Resolution Number 2023-081, for the Babcock Ranch Community Development of Regional Impact (DRI) to: 1) remove two Whereas clauses and add two new Whereas clauses; 2) revise development rights by increasing residential dwelling units from 3,562 to 4,170 units (single-family from 3,562 to 3,168 units and multi-family from 0 to 1,002 units); increasing commercial/retail from 200,000 to 643,000 square feet and office from 80,000 to 90,000 square feet, which is a total of 733,000 square feet of commercial/retail /office (including medical) uses; 3) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO); 4) update Exhibit "B" to reflect updated entitlements and update "Fixed Development Criteria", 5) amend Exhibit "E": Babcock Ranch Community Increment 3 Parameters to be consistent with revised development parameters; and 6) update this IDO for other changes for internal and statutory consistency; for property generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 4,535± acres, in the East County area; Commission District I, Petition No. LAD-25-06; Applicant: Babcock Property Holdings, L.L.C., providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for all four items Petition **LAD-25-01, LAD-25-04, LAD-25-05, and LAD-25-06**, with a recommendation of approval based on the reasons stated in the staff report.

Chair Gravesen spoke on how these petitions will be heard, and voting will be separately.

Questions for Staff

None.

Applicant's Presentation

Rob Berntsson, representing the applicant, has been sworn in and commends Ms. Shao and staff. Mr. Berntsson spoke about the DRI, initial approval in 2008 for the master DRI. Nothing happened for the first ten years, since 2018 spoke on the history of the area with all that has evolved. This is not a whole new DRI, just realigning the development to reflect what is occurring onsite. The development team is here today to answer any questions and to reserve time for rebuttal.

Public Input

Mark Siler, has a question about provision three, spoke about industrial being moved and where is it relative to the Tuckers Cove neighborhood.

Mr. Cullinan spoke to Mr. Siler if he was sworn.

Mr. Siler said he was sworn in the beginning.

Ms. Shao stated the applicant would be the person that can answer this and has a discussion with Mr. Siler.

Chair Gravesen spoke about this being a comment time, not a question-and-answer time and explains this process and what is involved, how to get their answers.

Asst. Co. Atty. Moscoso stated that you can ask the questions but may not receive the answers needed and explains the process of comment time and what is involved.

Amy Siler, stated that my comment is, that my understanding is this is leaning more industrial than it was initially and also leaning more towards multi-family as a whole in all three increments. I do not like that direction. A discussion takes place with **Ms. Shao**. **Mrs. Siler** stated she doesn't like the switches.

- **Mr. Baker** moved to close the public comment, seconded by **Mr. Smallwood**, with a unanimous vote.

Chair Gravesen spoke on the uses with the DRI and already approved. Now we can exchange and move them around within. A discussion ensued with **Ms. Shao**.

Mr. Berntsson stated he wants to add, there is a separate comprehensive plan for Babcock Ranch, and it listed out everything that is approved. We are now matching that; we had it a little off from that and the categories were broken out differently. Now we are putting the exact language that we had from the comp plan and explains.

Discussion

Mr. Vieira spoke on this that it seems to be it is more housekeeping over the last several years with Babcock. We are just aligning what is occurring in the development now, makes sense to move things around and get everything aligned.

Recommendation

Mr. Vieira moved that **LAD-25-01**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **October 7, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Vieira moved that **LAD-25-04**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **October 7, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Vieira moved that **LAD-25-05**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **October 7, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Vieira moved that **LAD-25-06**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **October 7, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

7.) TLDR-25-04 Revisions to Sections 3-9-2: Rules of Construction; Definitions & Creation of New

Section 3-9-62.1: Certified Recovery Residences

Legislative

Countywide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, by revising Article I: In General, Section 3-9-2: Rules of Construction; Definitions to change the name of "Adult Congregate Living Facility" to "Assisted Living Facility" and to revise the definition of "Assisted Living Facility", and by amending Article III: Special Regulations to create new Section 3-9-62.1: Certified Recovery Residences; Application number: TLDR-25-04; Applicant: Charlotte County Board of County

Commissioners; providing for inclusion in the Charlotte County Code; providing for conflict with other ordinances; providing for severability; and providing for an effective date.

Mr. Cullinan announced the newest member of planning Jaden Keech.

Jaden Keech, Planner, provided the findings and analysis for Petition **TLDR-25-04** with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

None.

Public Input

None.

- **Mr. Baker** moved to close the public comment, seconded by **Mr. Vieira**, with a unanimous vote.

Discussion

None.

Recommendation

Mr. Baker moved that **TLDR-25-01**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **September 24, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Vieira**; and carried by a unanimous vote.

Chair Gravesen informed all on his retirement from this committee and no time frame has been given. Stated the elections of officers will be in January, I am looking that would be my last meeting. I represent the P&Z board on the affordable housing advisory committee and my appointment with that is soon. So, is there anyone who would be interested in that, and a discussion ensues with **Mr. Cullinan**. **Mr. Baker** asked how many years it has been, and **Chair Gravesen** stated he was appointed in November of 1990 which has been 35 years.

ADJOURNMENT

The meeting was adjourned at 2:36 p.m.

Submitted by Kim Sargent, recording secretary
Community Development

 11-10-2025

Michael Gravesen, Chair

Date