CW BCC #14 FILED WITH THE DEPARTMENT OF STATE October 29, 2010

ORDINANCE
NUMBER 2010 - 064

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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Rec. Fee: $477.50
Cashiered By: CAROLINEH Doc. #1

AN ORDINANCE PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO THE 1997-2010 FUTURE LAND USE MAP AND PROVIDING FOR THE READOPTION INTO THE 2030 FUTURE LAND USE MAP FROM AGRICULTURE TO RURAL COMMUNITY MIXED USE INCLUDING ADOPTION OF A MASTER DEVELOPMENT PLAN INTO APPENDIX IV, HARPER/MCNEW MASTER DEVELOPMENT PLAN, OF THE FUTURE LAND USE ELEMENT OF THE 1997-2010 COMPREHENSIVE PLAN AND READOPTION INTO THE FUTUE LAND USE ELEMENT APPENDIX VIII, RURAL COMMUNITY MIXED USE MASTER PLANS, OF THE SMART CHARLOTTE 2050 COMPREHENSIVE PLAN, FOR PROPERTY LOCATED NORTH OF THE LEE COUNTY LINE, SOUTH OF ZEMEL ROAD, EAST OF TAMIAMI TRAIL (US 41), AND WEST OF I-75, IN THE SOUTH COUNTY AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 1,554 ACRES MORE OR LESS; PETITION PA-10-01-09-LS, APPLICANTS, HARPER PROPERTY HOLDINGS, LLC AND MCNEW PROPERTY HOLDINGS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Monday, October 18, 2010, the Board of County Commissioners of Charlotte County ("Board") reviewed land use amendment Petition PA-10-01-09-LS, for adoption of a large scale plan amendment to the 1997-2010 Future Land Use Map and readoption into the 2030 Future Land Use Map; including adoption of a Master Development Plan into Appendix IV, Harper/McNew Master Development Plan, of the Future Land Use Element of the 1997-2010 Comprehensive Plan and readoption into the Future Land Use Element Appendix VIII, Rural Community Mixed Use Master Plans, of the Smart Charlotte 2050 Comprehensive Plan ("Master Development Plan"); attached as Exhibit "A" and by this reference incorporated herein; and

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WHEREAS, Harper Property Holdings, LLC and McNew Property Holdings, LLC ("Applicants") have filed Petition PA-10-01-09-LS seeking a large scale plan amendment to the 1997-2010 Future Land Use Map and the 2030 Future Land Use Map from Agriculture to Rural Community Mixed Use including adoption of a Master Development Plan into the 1997-2010 Comprehensive Plan and the Smart Charlotte 2050 Comprehensive Plan for property containing 1,554 acres more or less, which is owned by Applicants, and described as property located North of the Lee County line, South of Zemel Road, East of Tamiami Trail (US 41), and West of I-75 in the South County area, Charlotte County, Florida, and more particularly described in Exhibit "B" attached hereto and by this reference incorporated herein; and

WHEREAS, on June 14, 2010, Petition PA-10-01-09-LS was heard before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis presented in the Planning and Zoning Division Staff Report regarding the proposed Petition PA-10-01-09-LS and the evidence presented to the P&Z Board, the P&Z Board recommended approval of transmittal of Petition PA-10-01-09-LS to the Department of Community Affairs ("DCA") for an Objections, Recommendations, and Comments report; and

WHEREAS, on July 6, 2010, Petition PA-10-01-09-LS was heard by the Board of County Commissioners of Charlotte County, Florida, and was approved for transmittal to DCA for an Objections, Recommendations, and Comments report; and

WHEREAS, on July 20, 2010, the Board of County Commissioners of Charlotte County, Florida adopted Ordinance Numbers 2010-039 through 2010-048 which together comprised the Smart Charlotte 2050 Comprehensive Plan; and

WHEREAS, when effective, the Smart Charlotte 2050 Comprehensive Plan repeals the 1997-2010 Future Land Use Map and Future Element of the 1997-2010 Comprehensive Plan; and

WHEREAS, on September 8, 2010, DCA published its Notice of Intent to Find Charlotte County Comprehensive Plan Amendment adopted by, among others, Ordinance Numbers 2010-039 through 2010-048 in compliance, pursuant to Sections 163.3184, 163.3187 and 163.3189, Florida Statutes; and

WHEREAS, on September 14, 2010, DCA issued an Objections, Recommendations, and Comments report for Petition PA-10-01-09-LS which is provided in the Planning Division Staff Report dated October 1, 2010 ("Staff Report"); and

WHEREAS, on September 23, 2010, the Friends of Cape Haze filed a petition for an administrative evidentiary hearing to determine that the Smart Charlotte 2050 Comprehensive Plan is not in compliance with Section 1163, Florida Statutes; and

WHEREAS, it is the intent of the Board to include the large scale plan amendment in the 2030 Future Land Use Map and Future Land Use Element Appendix VIII, Rural Community Mixed Use Master Plans, of the Smart Charlotte 2050 Comprehensive Plan when such Plan is effective; and

WHEREAS, after due consideration, and based on the findings and analysis presented in the Staff Report regarding Petition PA-10-01-09-LS and the evidence presented to the Board, the Board has found that the requirements and conditions of Chapter 163, Florida Statutes, as they relate to this Petition, have been met, and that it is in the best interests of the County to approve Petition PA-10-01-09-LS.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Approval. The following petition for a large scale plan amendment to the 1997-2010 Future Land Use Map and the 2030 Future Land Use Map including adoption of a Master Development Plan into the 1997-2010 Comprehensive Plan and the Smart Charlotte 2050 Comprehensive Plan is hereby approved as follows:

> Petition PA-10-01-09-LS requesting adoption of a large scale plan amendment to the 1997-2010 Future Land Use Map and readoption into the 2030 Future Land Use Map from Agriculture to Rural Community Mixed Use including adoption of a Master Development Plan into Appendix IV, Harper/McNew Master Development Plan, of the Future Land Use Element of the 1997-2010 Comprehensive Plan and readoption into the Future Land Use Element Appendix VIII, Rural Community Mixed Use Master Plans, of the Smart Charlotte 2050 Plan ("Master Development Plan") attached hereto as Exhibit "A" and by this reference incorporated herein, for property containing 1,554 acres more or less, described as property located North of the Lee County line, South of Zemel Road, East of Tamiami Trail (US 41), and West of I-75 in the South County area, Commission District II, Charlotte County, Florida, and more particularly described in Exhibit "B" attached hereto and by this reference incorporated herein.

Section 2. Effective date. The effective date of this plan amendment as to the1997-2010 Comprehensive Plan shall be the date a final order is issued by the Department of Community Affairs or the Administration Commission finding the adopted amendment to be in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier; provided this ordinance has been filed in the Office of the Secretary of State, State of Florida. The effective date of this plan amendment as to its readoption into the Smart Charlotte 2050 Plan shall be the later date of both of the following events occurring: the final order issued by the Department of Community Affairs or the Administration

Commission finding the adopted FLUM amendment to be in compliance with Section 163.3184, Florida Statutes, and the date a final order is issued by the Administration Commission finding in compliance the amendments adopted by Charlotte County Ordinance Numbers 2010-039 through 2010-048. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

Section 3. Transmittal. County staff is hereby directed to forward a copy of this ordinance and its attachments to the Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and to the Executive Director, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33918-3909.

PASSED AND DULY ADOPTED this 18 day of October, 2010.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Robert J. Starr, Chairman

ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR2010-879

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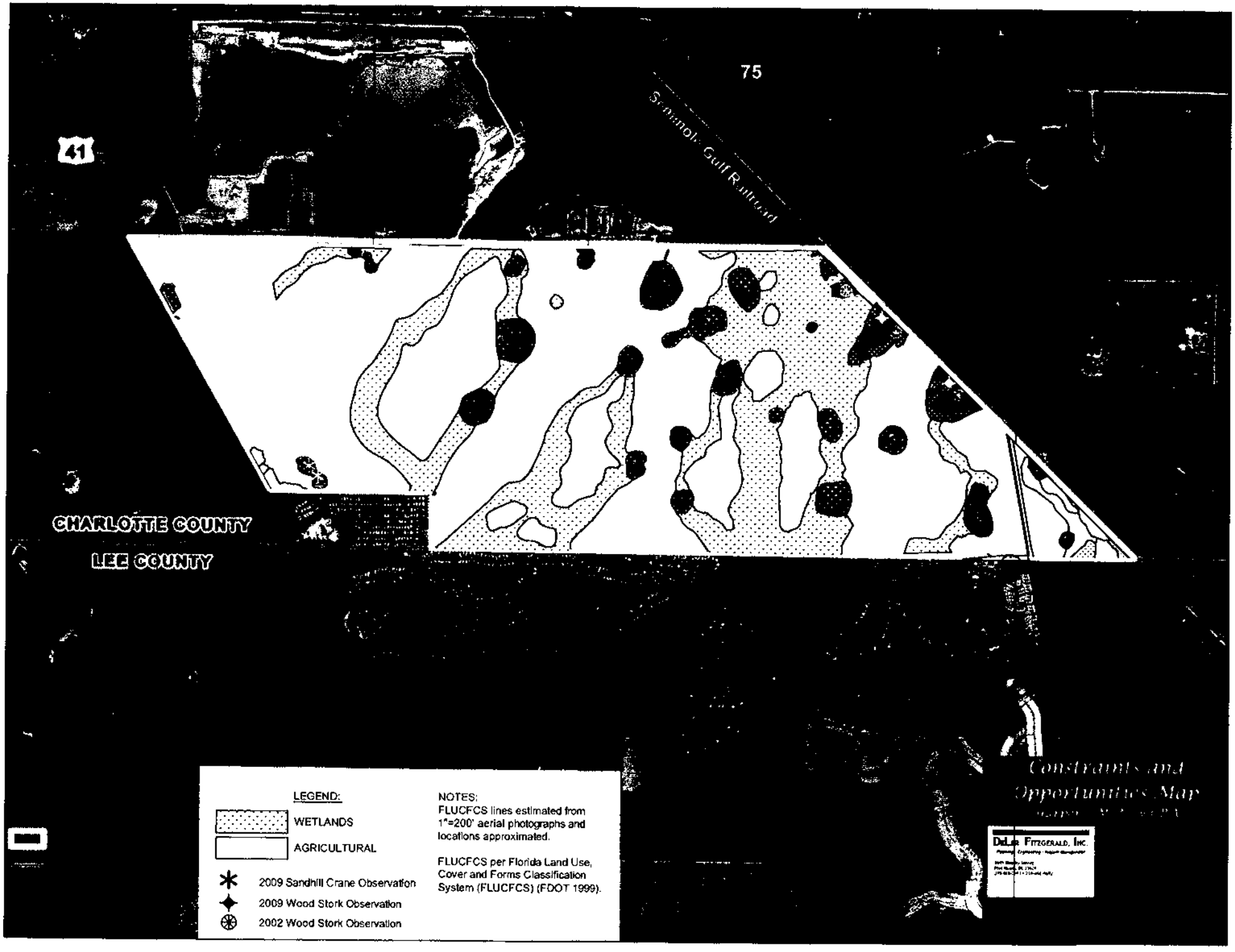
LR2010-879

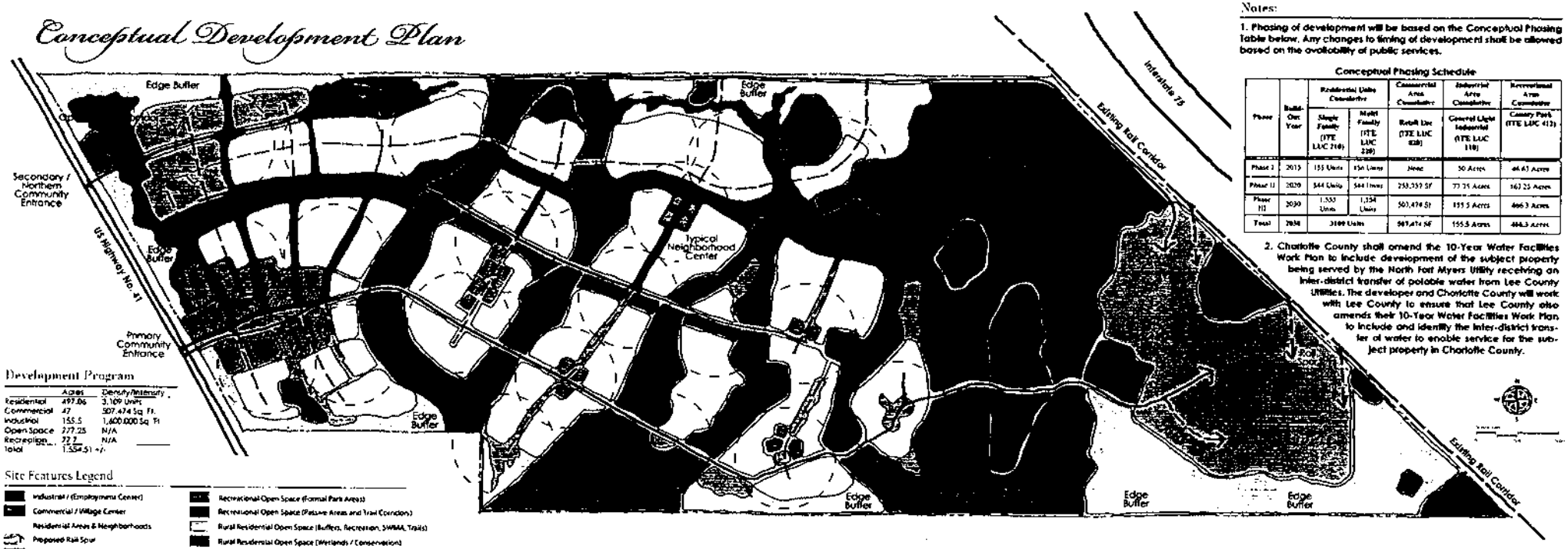
Master Development Plan A
Constraints and Opportunities Map

EXHIBIT A


75
41
Seaboard Gulf Railroad
CHARLOTTE COUNTY
LEE COUNTY
LEGEND:
WETLANDS
AGRICULTURAL
2009 Sandhill Crane Observation
2009 Wood Stork Observation
2002 Wood Stork Observation
NOTES:
FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.
FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).
Constraints and Opportunities Map
DuLac Fitzgerald, Inc.

Master Development Plan B
Conceptual Development Plan

Conceptual Development Plan



Development Program

	Acres	Density/Intensity
Residential	497.06	3,109 Units
Commercial	47	507,474 Sq. Ft.
Industrial	155.5	1,600,000 Sq. Ft.
Open Space	277.25	N/A
Recreation	72.7	N/A
Total	1,554.51 +/-	

Site Features Legend

- Industrial / (Employment Center)
- Commercial / Village Center
- Residential Areas & Neighborhoods
- Proposed Rail Spur
- Neighborhood Center
- 5 Minute Walk Pedestrian Shed
- Recreational Open Space (Formal Park Areas)
- Recreational Open Space (Preserve Areas and Trail Corridors)
- Rural Residential Open Space (Buffers, Recreation, SWMA, Trails)
- Rural Residential Open Space (Wetlands / Conservation)
- Rural Residential Open Space (Conservation / Freshwater Marsh Areas)
- Primary Framework Street
- Secondary Framework Street

Notes:

1. Phasing of development will be based on the Conceptual Phasing Table below. Any changes to timing of development shall be allowed based on the availability of public services.

Conceptual Phasing Schedule

Phase	Build-Out Year	Residential Units Cumulative		Commercial Area Cumulative	Industrial Area Cumulative	Recreational Area Cumulative
		Single Family (ITE LUC 210)	Multi Family (ITE LUC 220)	Retail Use (ITE LUC 820)	General Light Industrial (ITE LUC 110)	Country Park (ITE LUC 412)
Phase I	2015	155 Units	156 Units	None	50 Acres	44.63 Acres
Phase II	2020	544 Units	544 Units	253,737 SF	77.75 Acres	167.25 Acres
Phase III	2030	1,555 Units	1,554 Units	507,474 SF	155.5 Acres	466.3 Acres
Total	2034	3109 Units		507,474 SF	155.5 Acres	466.3 Acres

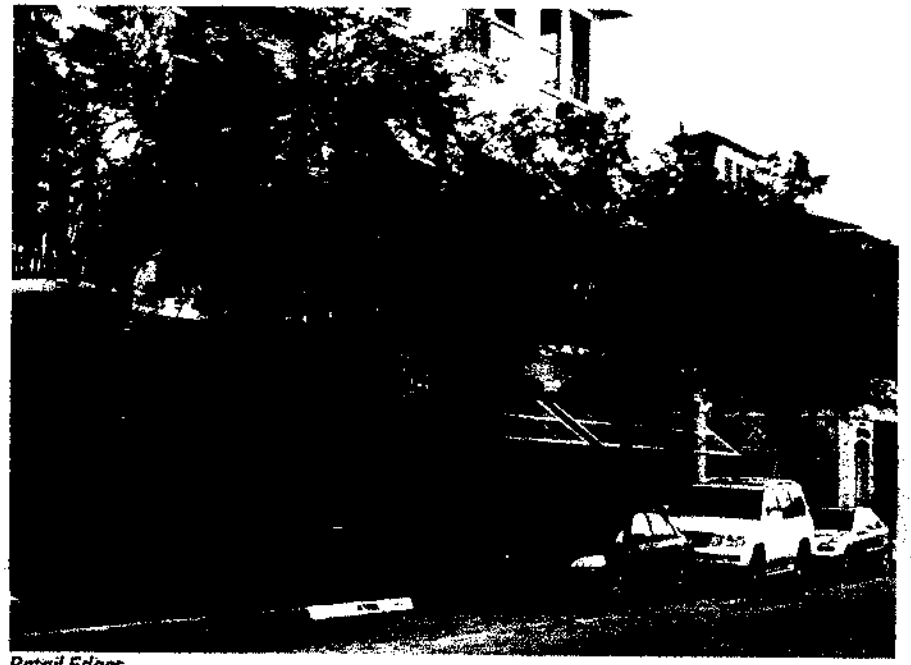
2. Charlotte County shall amend the 10-Year Water Facilities Work Plan to include development of the subject property being served by the North Fort Myers Utility receiving an inter-district transfer of potable water from Lee County Utilities. The developer and Charlotte County will work with Lee County to ensure that Lee County also amends their 10-Year Water Facilities Work Plan to include and identify the inter-district transfer of water to enable service for the subject property in Charlotte County.

10.20.2010

Master Development Plan C
Traffic Circulation Map

Creating Livable Streets

- Streets are a major part of the public realm and play a key role in placemaking for livable environments
- Context sensitive design – streets are designed appropriately according to the adjacent land uses
- An interconnected network allows for reduction in pavement widths, thus creating human scaled streets
- Multiple access routes to each location in the community spreads trips
- Concept of shared space where streets are designed with all users/modes in mind – pedestrians, bicyclists and automobiles
- Defined hierarchy of residential streets, lanes, avenues, main streets, drives and boulevards
- Design speeds closely match the street type, vehicle use and proposed speed limit
- On-street parking is encouraged for functional purposes as well as for traffic calming
- Planting strips and street trees are standard

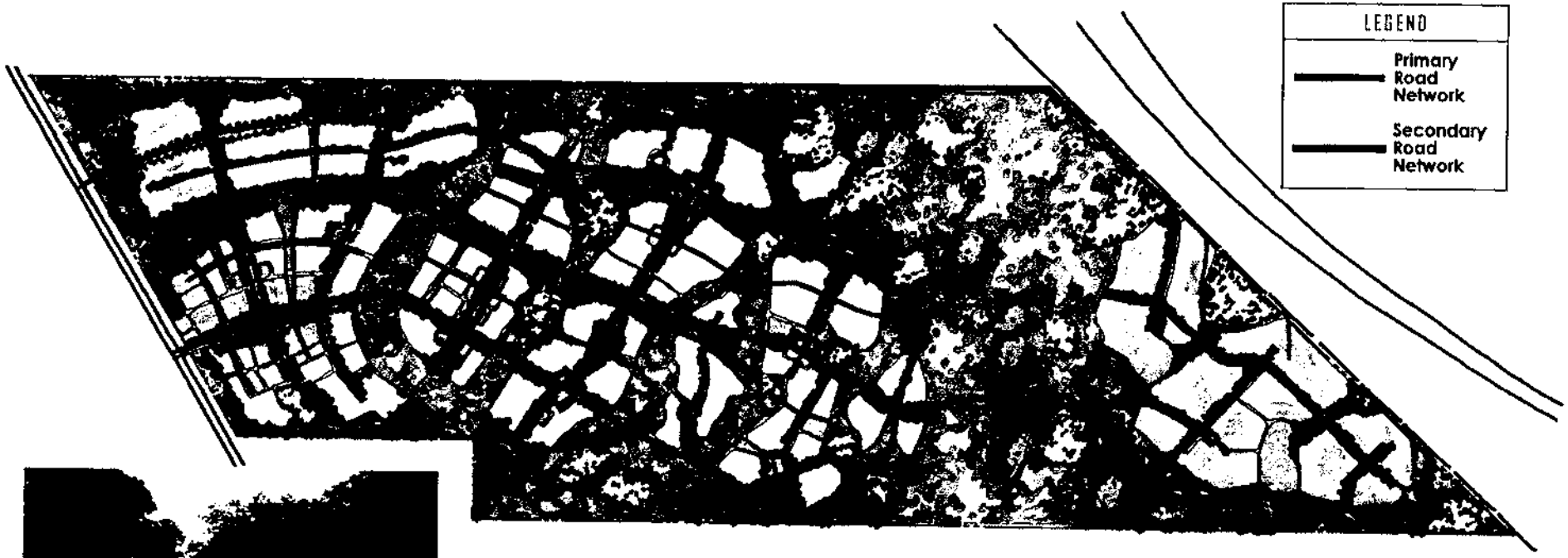


Retail Edges

Median Parks

Residential Scale

Commercial Districts



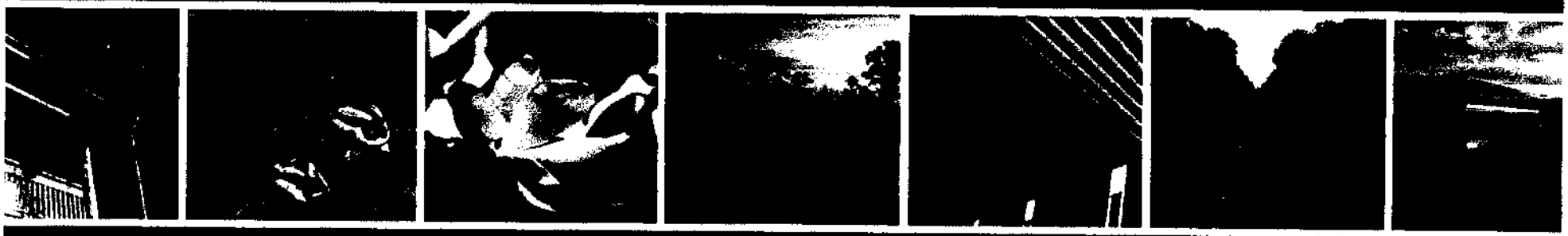
Transportation Network Plan

Low Impact Development Strategies for Stormwater Design & Management Integral to Street & Transportation Design

Low Impact Development Bio-Swale

Master Development Plan D
Pattern Book

McNew Ranch



Pattern Book

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Community Description

The McNew Ranch is envisioned as a community unique to the region. The planning and development objectives are organized around the core principles of compact development, connectivity, walkability, mixed and multi-use commercial, office, industrial and employment centers, a multi-layered system of parks and open space, and environmental restoration and buffering to protect and respond to the rural character of the area. The emphasis on these basic principles will create a highly livable and vibrant community with a fine-grained mix of land uses, housing types and price points, and recreational opportunities that create a multitude of lifestyle choices for its residents. Various Districts, Neighborhoods, and Neighborhood Centers within the community will be linked together by an interconnected network of streets and parks and open space that weave together the fabric of the community.

This Integrated Livable Environment is Defined by:

- A transportation network of streets, sidewalks and trails that accommodates both pedestrians and automobiles and creates multiple routes of travel between destinations - resulting in pedestrian scaled, livable streets.

- An interconnected network of Parks and Open Spaces that create a variety of recreational opportunities – from small neighborhood pocket parks and larger community parks to expansive natural greenway corridors that traverse the site and help to restore natural drainage patterns while providing unique recreational opportunities.

- A Commercial Village Center that provides a series of unique housing and retail opportunities – from a pedestrian oriented main street with small shops and cafes to a broader commercial offering that includes office and employment uses. All of these program elements are set in a scaled "urban village" setting surrounding water, plazas and broad openspace parks and community recreation corridors. The internal capture of trips further defines the interrelated nature of this community plan so that to the degree it is able, it can be self supporting.

- A series of residential neighborhoods anchored by a Neighborhood Center, each centered on a park and connected by walkable streets and/or the project wide recreational open space network. These neighborhoods will provide a mix of housing types, densities, and price points that create architectural diversity and a vibrant livable community.

Conceptual Development Plan

Development Program

	Acres	Density/Intensity
Residential	497.06	3,109 Units
Commercial	47	507,474 Sq. Ft.
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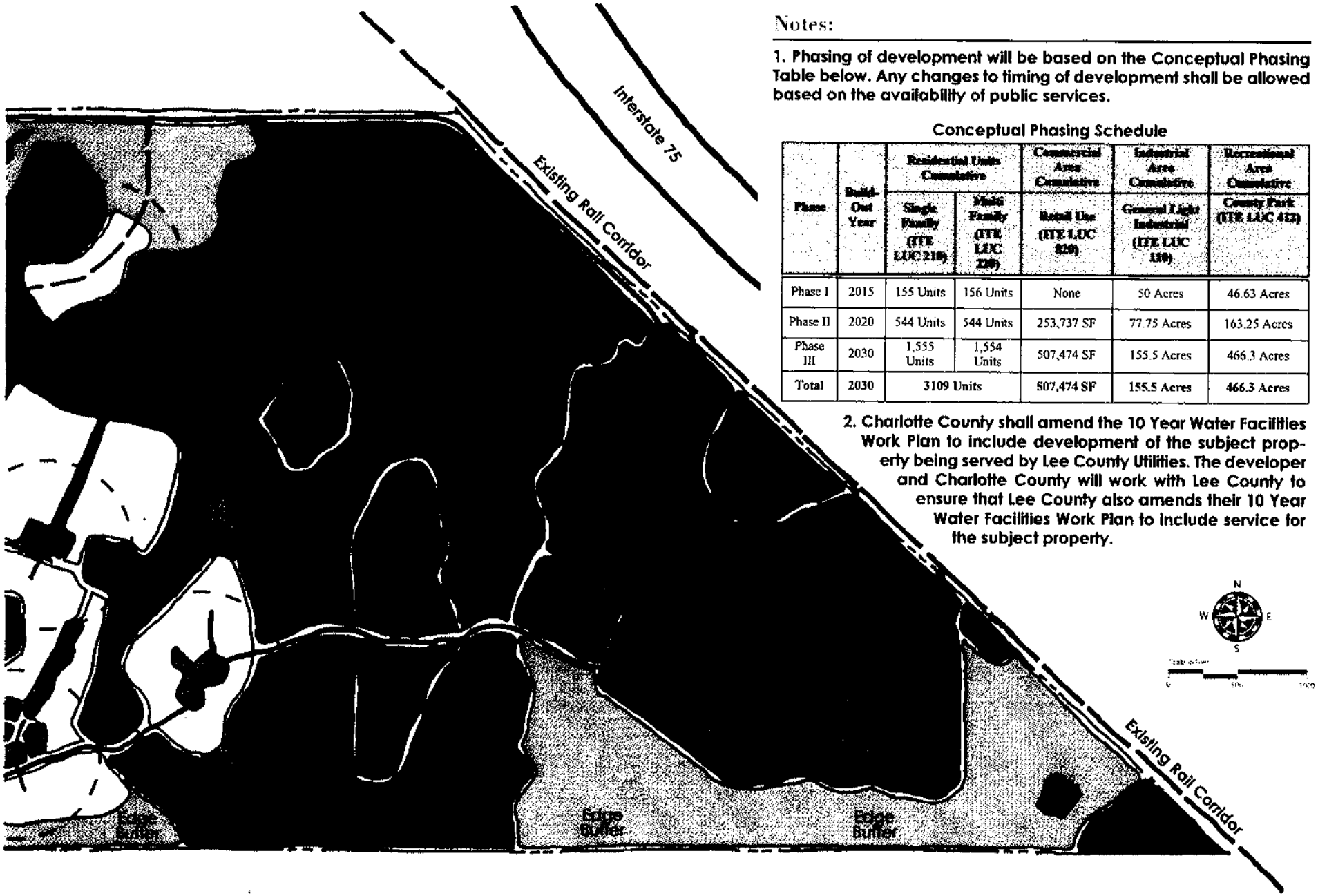

Notes:

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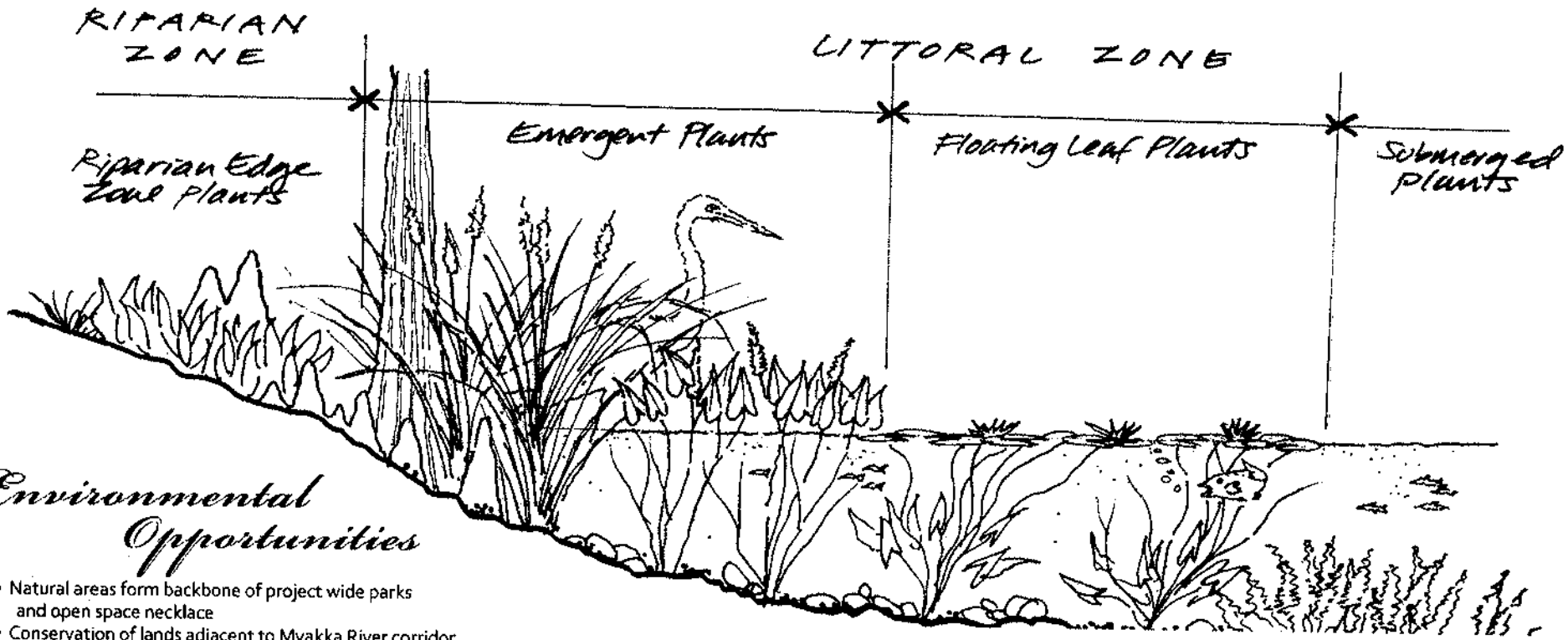
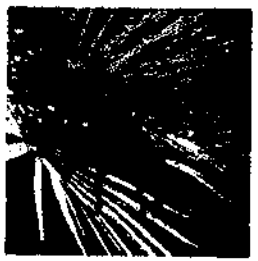
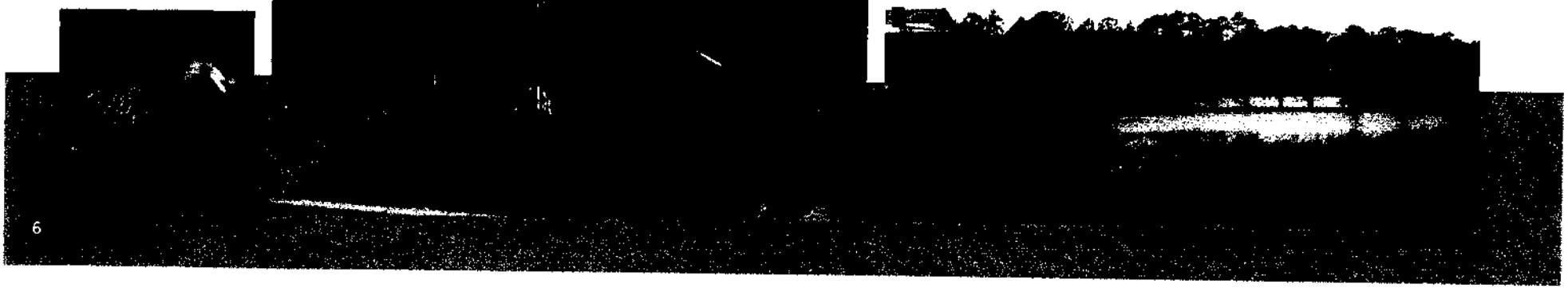


Environmental Opportunities

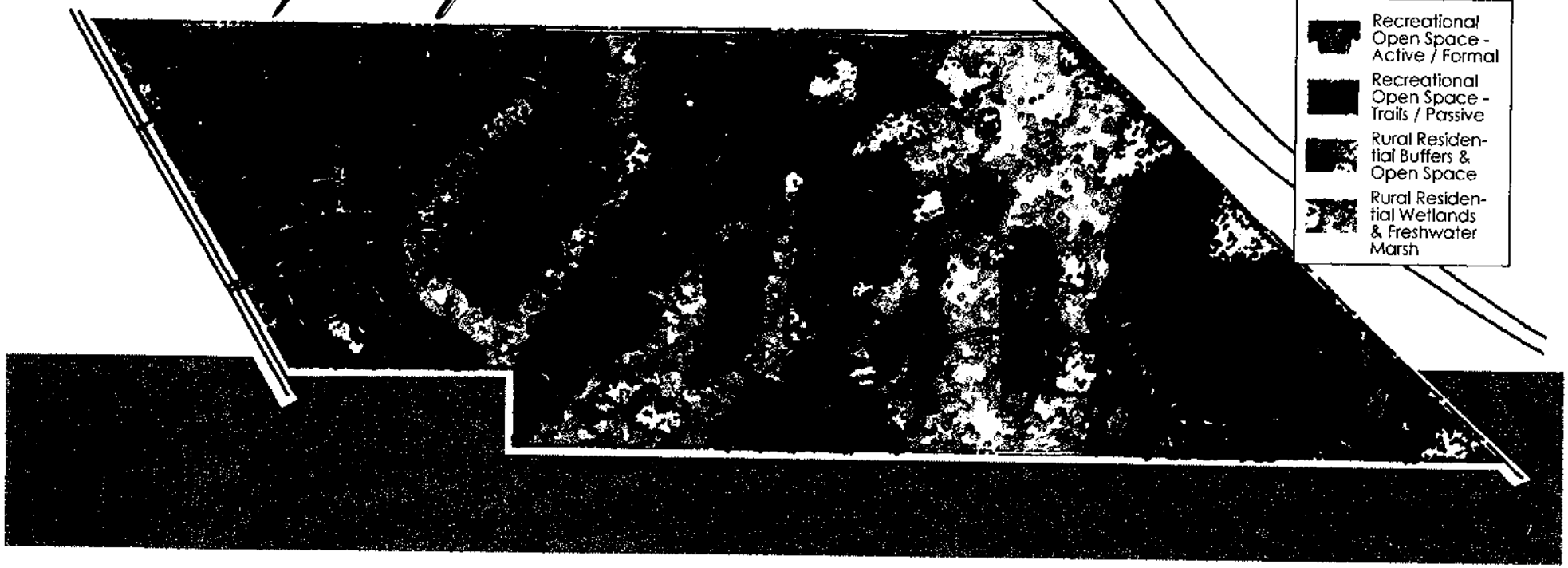
- Natural areas form backbone of project wide parks and open space necklace
- Conservation of lands adjacent to Myakka River corridor
- Restoration of historic flowway corridors and natural drainage patterns
- Wetland restoration and creation
- Creation of additional species habitat
- Nature trails and interpretative signage program





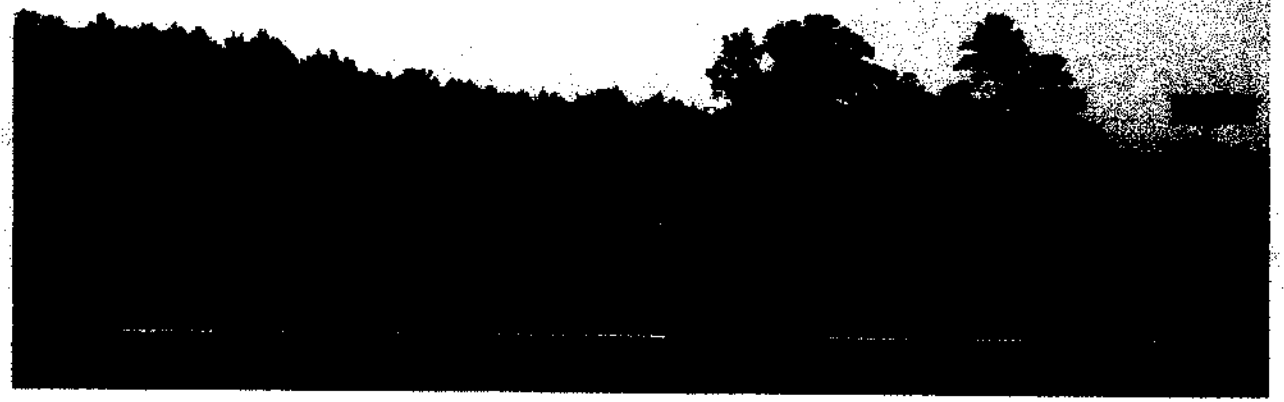
Parks & Open Space Network Plan

Overall Open Space Network Plan



Highway 41 - Edges & Buffers

Form & Character Image Gallery



Edge Treatment with Fencing and Sweeping Landscape - Rural Architectural Elements

+/- 600 ft Buffer

Rural Residential Open Space & Buffers

- Native and Varied Landscape Design Strategies
- Edge Manipulation of Landform & Water Elements
- Use of Rural Materials, such as Fencing, Large and Broad Open Spaces, etc.

Project Entry

Opportunities for Environmental Discovery

Edge Treatment with Fencing and Sweeping Landscape

+/- 350 ft Buffer

+/- 200 ft Buffer

Project Entry

+/- 300 ft Buffer

Industrial & Employment Use Area

Residential Area

Recreational Open Space Corridor

Residential Area

Residential Area

Residential Area

Residential Area

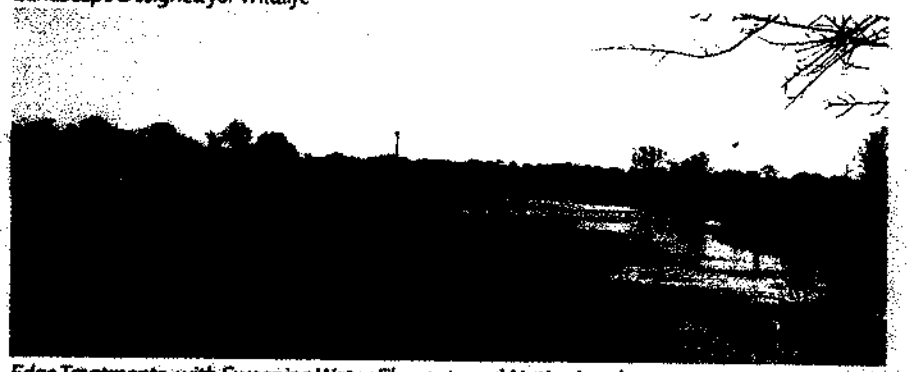
+/- 200 ft Buffer

+/- 400 ft Buffer

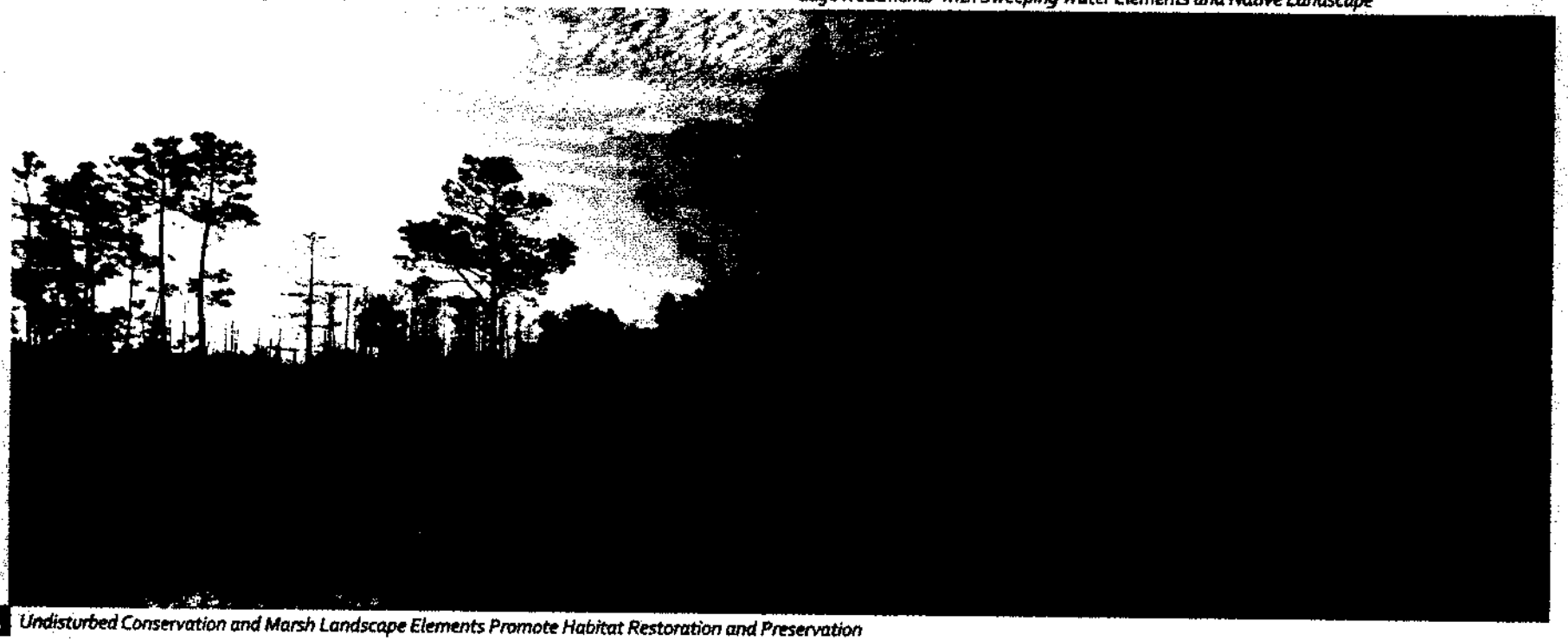
Rural Residential Open Space & Buffers

Edge Treatments with Sweeping Landscape

Landscape Designed for Wildlife

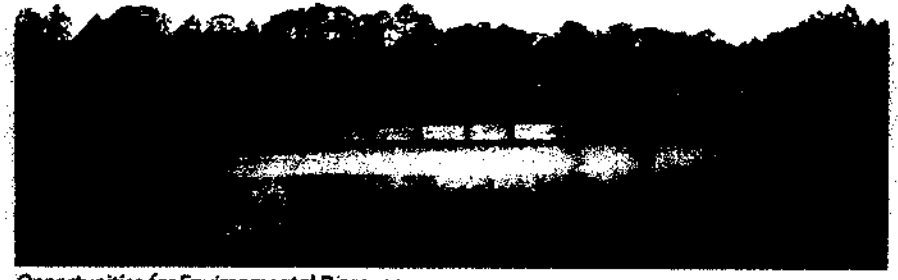


Edge Treatments with Sweeping Water Elements and Native Landscape



Undisturbed Conservation and Marsh Landscape Elements Promote Habitat Restoration and Preservation

Rural Character Elements and Landscape designed for Wildlife



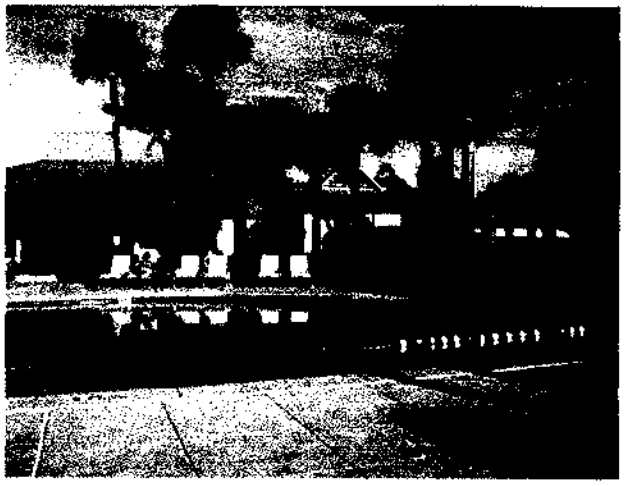
Opportunities for Environmental Discovery

Edge Treatment with Fencing and Sweeping Landscape

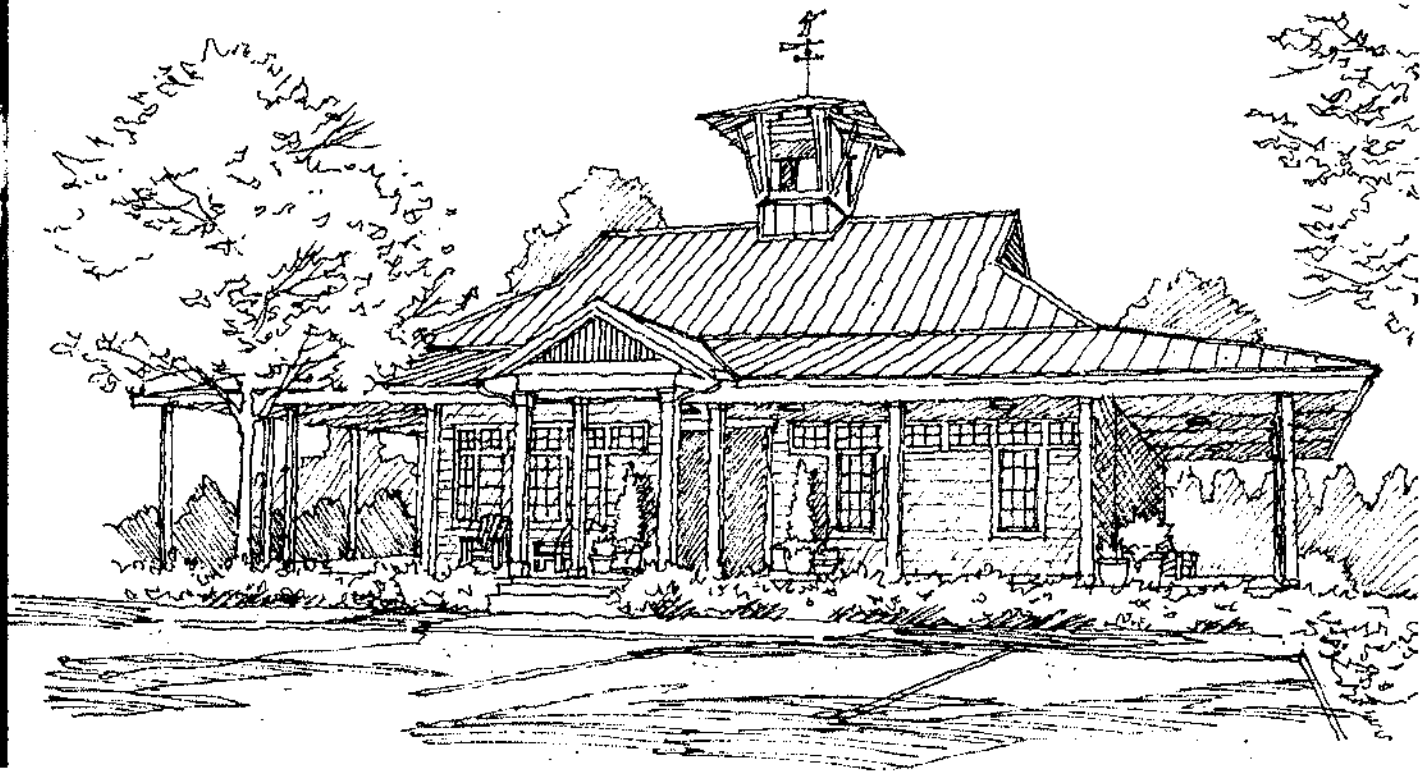
Opportunities for Environmental Discovery

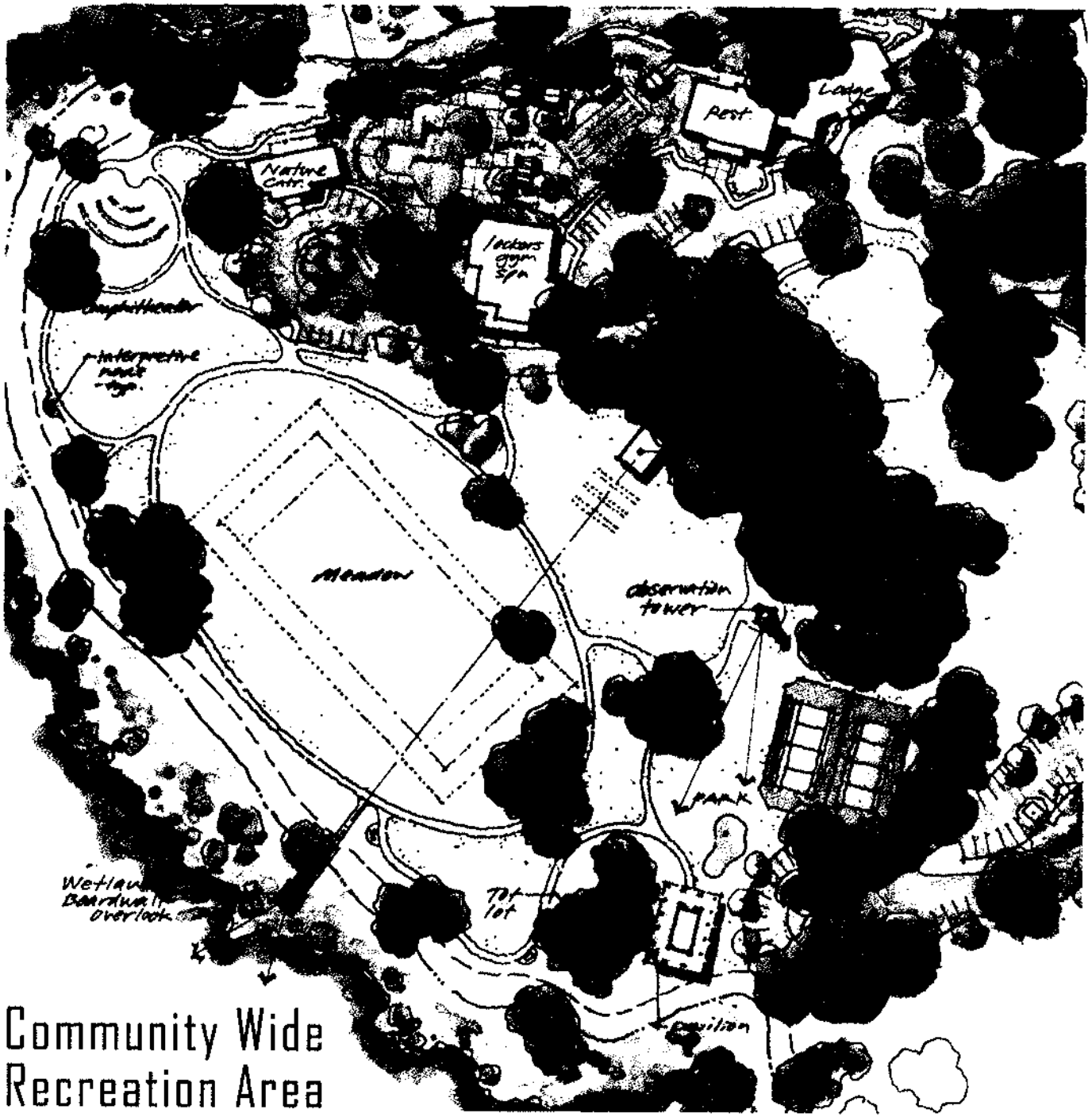
Low Impact Development Strategies for Stormwater Design & Management

Low Impact Development Swales at Conservation Edge



Community Recreation Components

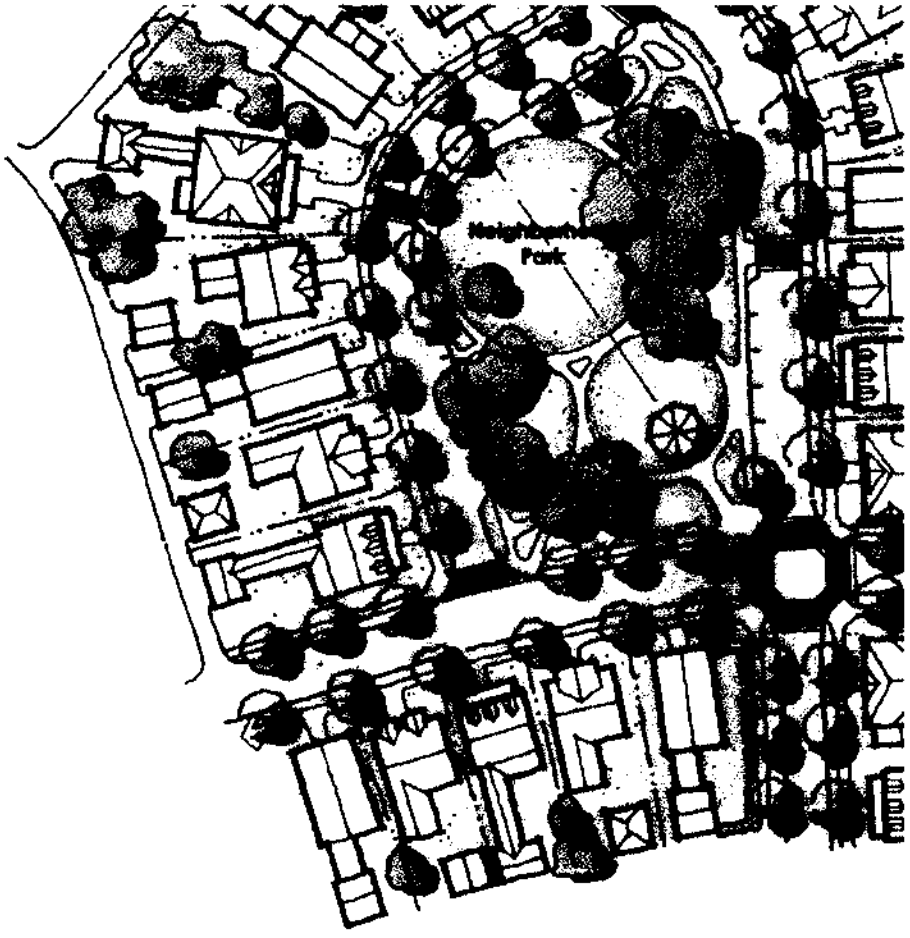




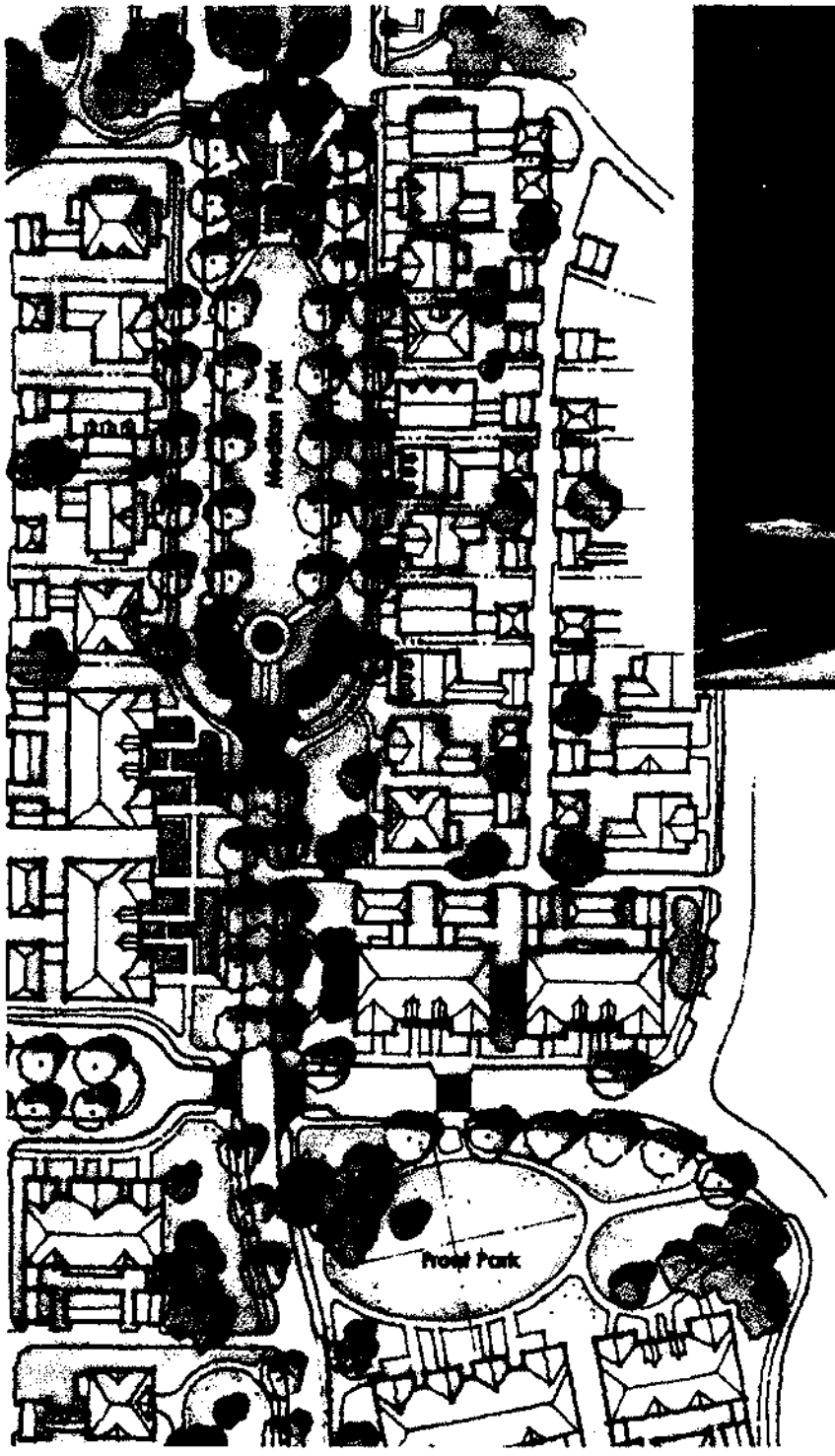
Community Wide Recreation Area

Within the Open Space Network are a series of parks and open spaces that vary in size and character. From simple, small urban greens with benches, lawn and canopy trees to community parks with various active recreation amenities, to naturalized open spaces with trails, boardwalks and interpretive sign programs. These places create the environmental network that weaves the fabric of the community together.

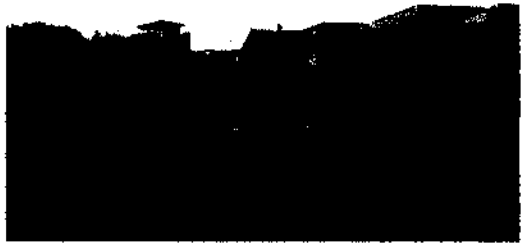
Park and Open Space Character Precedents



Small parks, greens or squares act as the centering elements for neighborhoods and are often located at the termination of important vistas. These are visually distinct and identifiable places that physically organize and give character to each neighborhood. They are woven into the community via the street network and serve as the central place for informal gatherings and neighborhood events.



Linear Median Parks Provide Connectivity



Larger community parks for active recreation are a critical part of integrated communities. These provide opportunities for both organized sports leagues and informal pick-up games.

Public edges

18 *Conceptual Vision of Village Green and Primary Community Common Open Space Area*

Creating Livable Streets

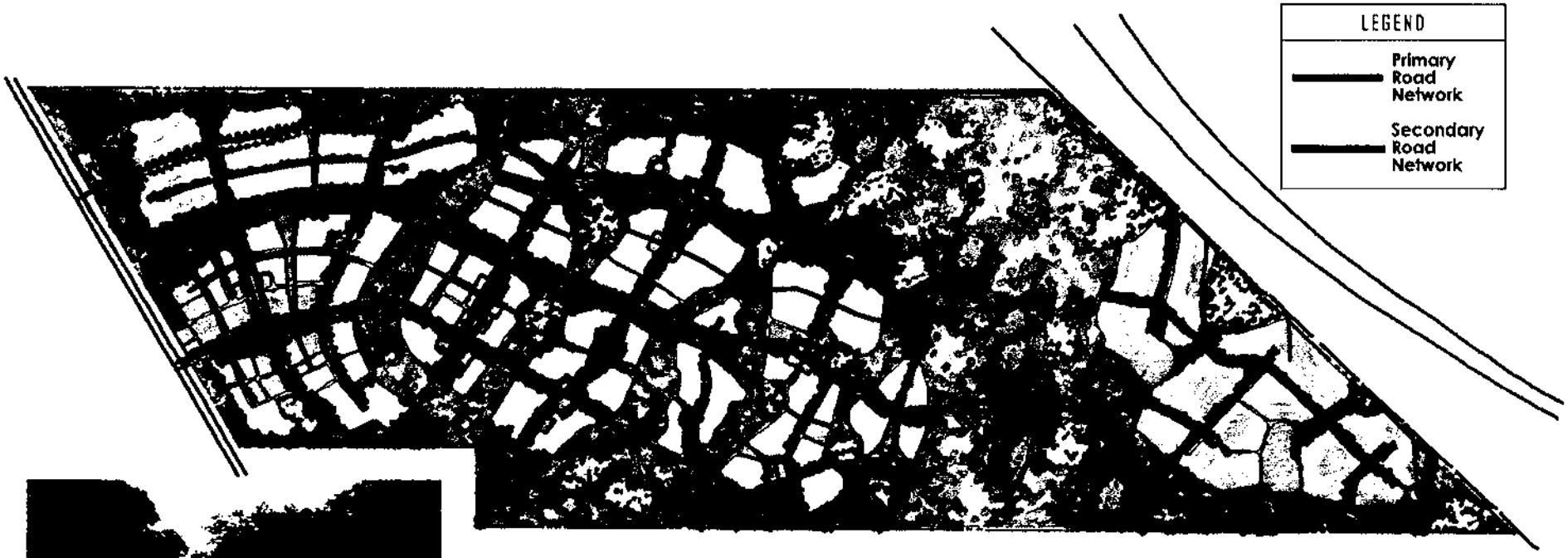
- Streets are a major part of the public realm and play a key role in placemaking for livable environments
- Context sensitive design – streets are designed appropriately according to the adjacent land uses
- An interconnected network allows for reduction in pavement widths, thus creating human scaled streets
- Multiple access routes to each location in the community spreads trips
- Concept of shared space where streets are designed with all users/modes in mind – pedestrians, bicyclists and automobiles
- Defined hierarchy of residential streets, lanes, avenues, main streets, drives and boulevards
- Design speeds closely match the street type, vehicle use and proposed speed limit
- On-street parking is encouraged for functional purposes as well as for traffic calming
- Planting strips and street trees are standard

Retail Edges

Median Parks

Residential Scale

Commercial Districts



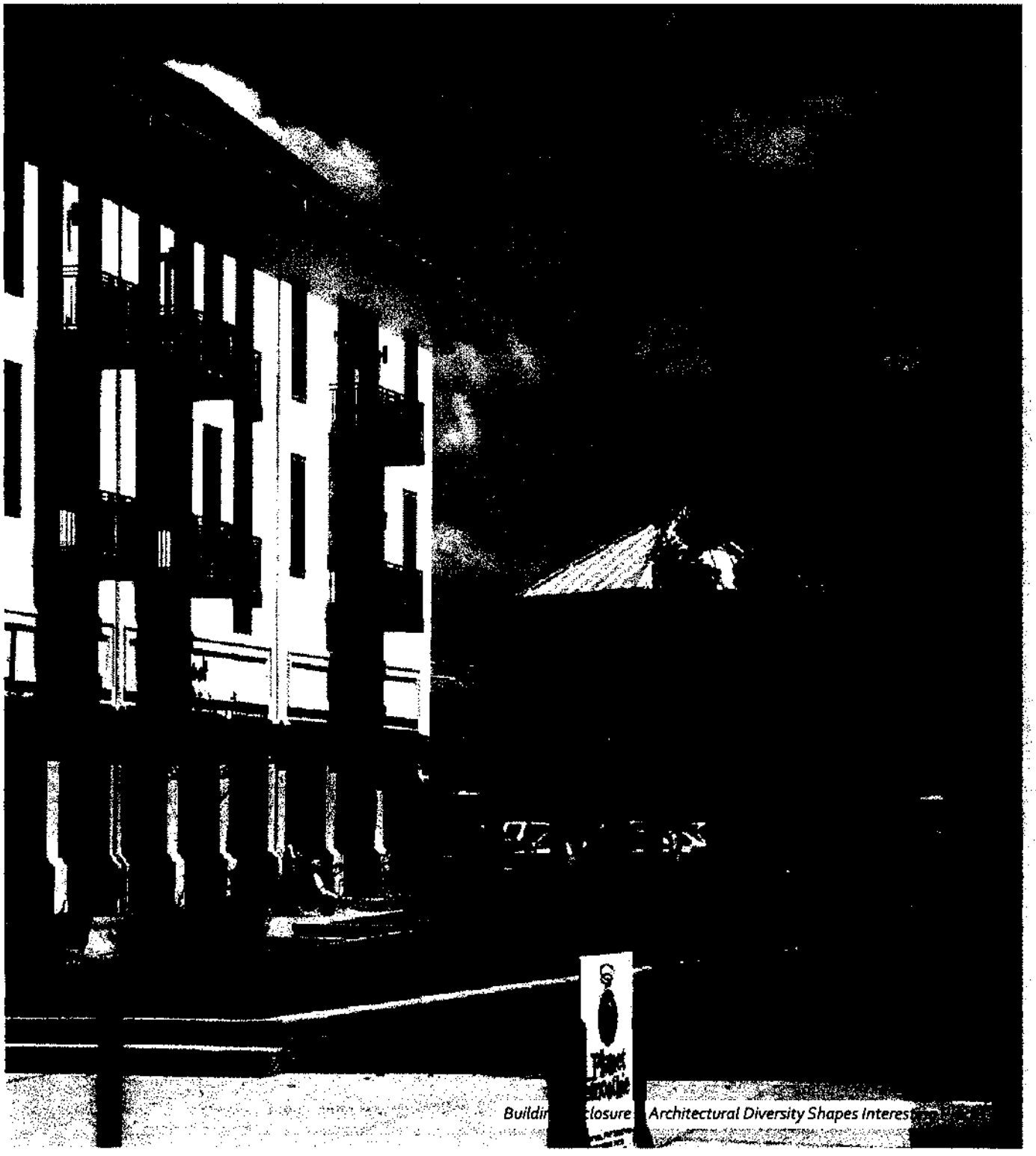
Transportation Network Plan

Low Impact Development Strategies for Stormwater Design & Management Integral to Street & Transportation Design

Low Impact Development Bio-Swale

Village Center

Concept Diagram



Buildi closure Architectural Diversity Shapes Interes

Village Center

Vision & Principles

Village Centers are pedestrian-friendly, and generally located at intersections of prominent framework streets. They contain commercial, office and civic uses, anchored by a grocery store, and other local shopping amenities with attached residential uses in mixed- and or multi-use buildings. Village Centers serve residents within a 5-minute drive or a 5 to 10-minute walk in adjacent neighborhoods. Access to buildings is provided from alleys and side streets.

Example Uses:

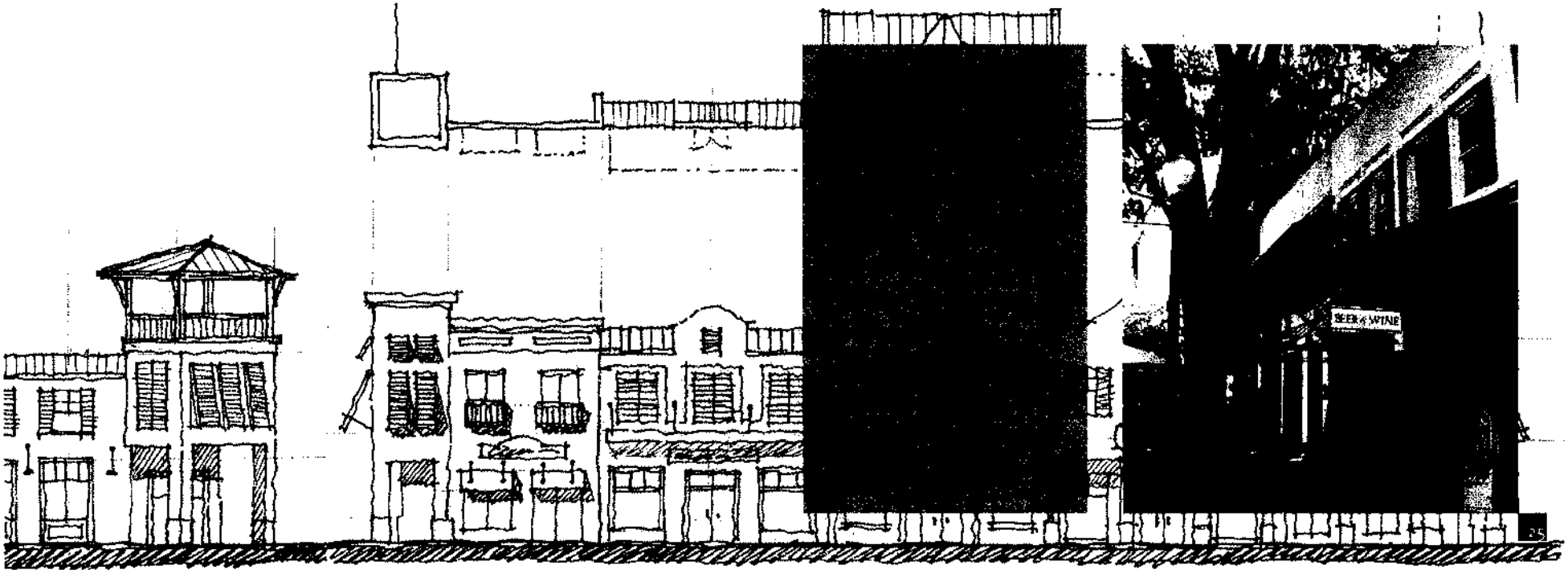
- **Residential - Residential Attached & Detached, Live-Work Dwellings, Bed and Breakfasts, Assisted Living Facilities**
- **Neighborhood to Regional Scale Commercial General Retail, Office, Restaurant, Recreation, Entertainment & Visitor Services**
- **Community Centers, Swimming Pools, Hotels, Ice or Roller Skating Rinks and Bowling Alleys, Mini Golf Courses, Bed and Breakfasts, Active and Passive Parks and Open Space, Theatres, Playhouses and Tourist Attractions**
- **Medical, Health &Personal Care Related Services, Athletic Clubs, Health and Fitness Centers, Spas, Funeral Homes, Medical Offices, Labs, Nursing Homes, Surgical Centers, Veterinary Offices and Clinics**
- **Civic - Religious Facilities, Government Facilities, Museums, Art Galleries, Libraries, Schools and Universities**

Character & Form Diagram for a Typical Village Center Layout / Configuration

Pedestrian Oriented Village Center

- Reminiscent of old downtown "main streets."
- Buildings are brought close to the street are typically two-story or an exaggerated single story that form a "building wall" which defines the public realm.
- Ample space is provided for a pedestrian promenade along the front of the shops which includes café seating, street trees, planters, benches, seat walls, music, unique shop signage, pedestrian scaled lighting, small fountains etc... All of these help to create a lively, activated edge along the front of the shops that expands the pedestrian experience beyond shopping.
- Parking is provided via diagonal spaces on the main street in front of the shops or in parking lots located behind the buildings.

DIAGONAL PARKING *PEDESTRIAN PROMENADE* *OUTDOOR DINING*



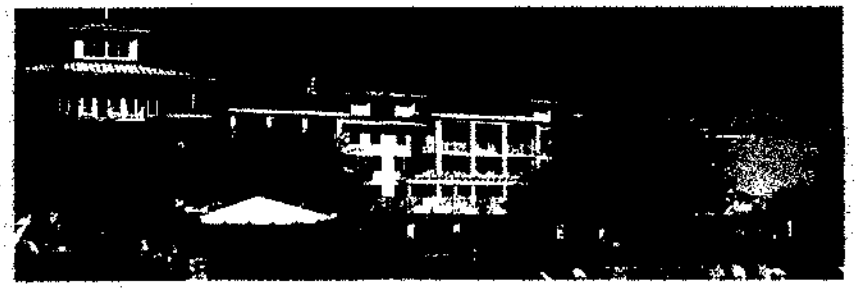
Village Center
Form & Character Image Gallery

Variety and Mix of Commercial Types

Water as an Amenity

Higher Density Housing Types

A Multitude of Civic and Community Use Areas and Spaces - Farmer's Markets, Festival & Events



Variety and Mix of Commercial Types

Variety and Mix of Commercial Types

Public Parks and Civic Green

Neighborhood Centers

Vision & Principles

Neighborhood Centers are an intrinsic part of neighborhoods and generally located towards the geographic center of a neighborhood. These centers provide needed neighborhood-serving, convenience retail, personal, business, professional and public services. Uses fit the size, scale and intensity of the neighborhood setting and may include, restaurants, hair salons, libraries, schools, recreation centers, police and fire stations, emergency services, offices, and neighborhood corner stores. Residential units could be provided above these ground-level services. At a minimum, some type of civic use is present, such as a Neighborhood Park, plaza, square or green. By providing a focal point for local activity, a Neighborhood Center helps define the neighborhood as a specific place.

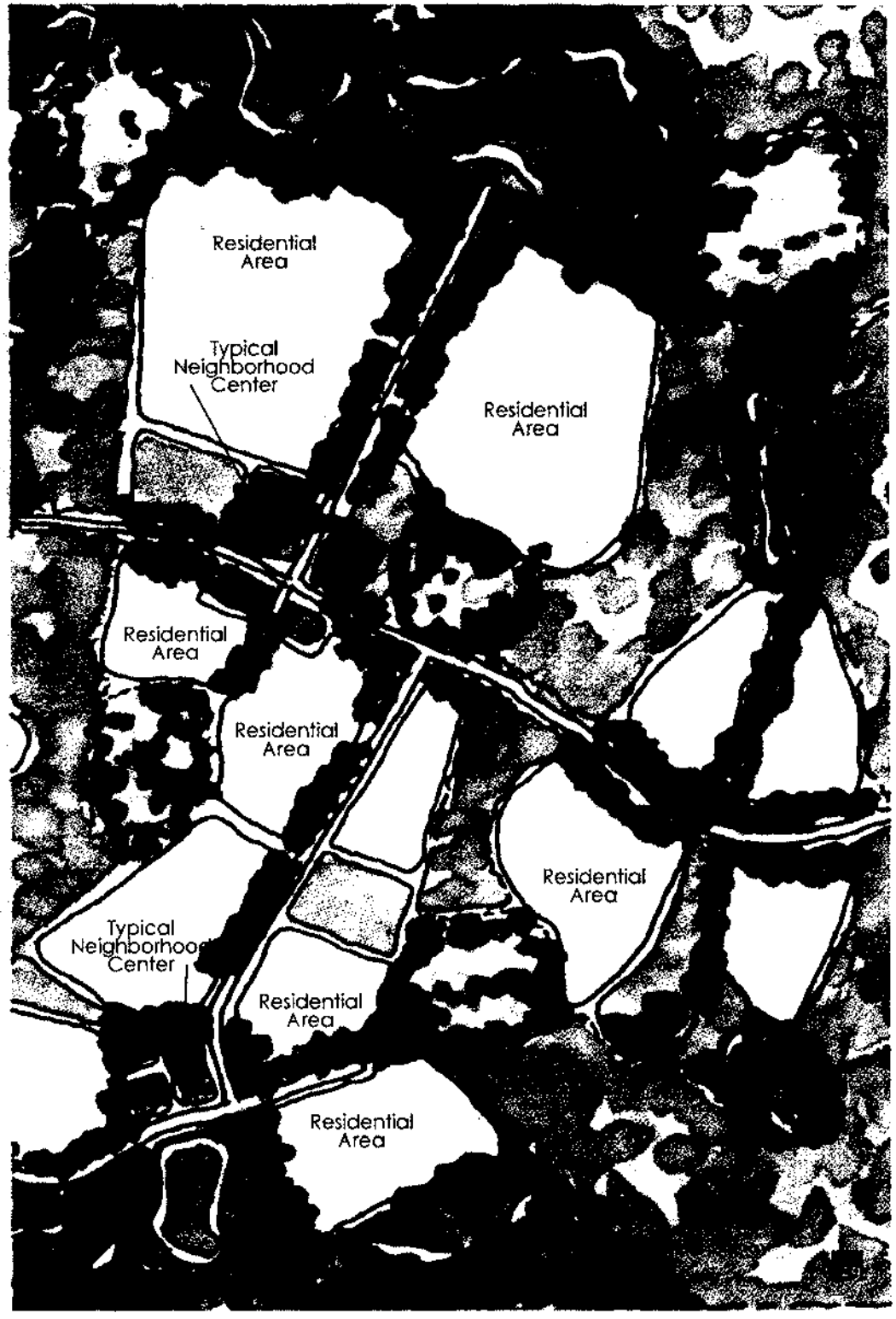
Neighborhood Centers & Centering Elements

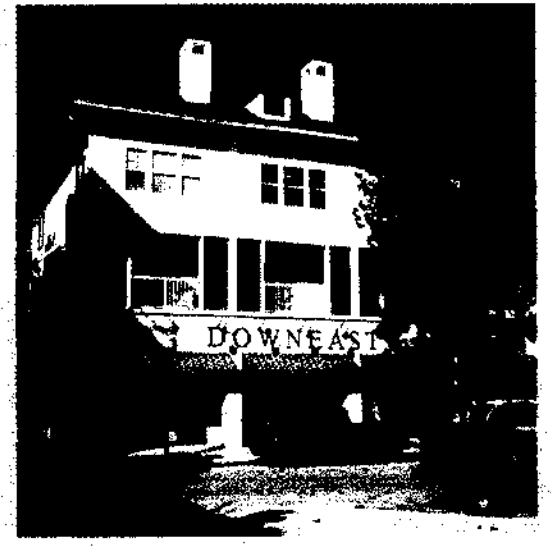
- Neighborhoods shall form the basic building block of development. These neighborhoods shall be sized such that the majority of housing is within a reasonable walking distance (defined as approximately ½ mile) of a neighborhood center.

- Neighborhoods shall be characterized by a mix of residential housing types distributed on a well-connected street system.

- A neighborhood center shall provide a public/civic focal point through the use of such non-residential uses such as appropriately scaled retail/office uses and park uses.

- Interspersed throughout the neighborhoods shall be pedestrian sheds of approximately ¼ mile radius, each with a centering element that may include uses such as parks, open space, community centers, churches, or other recreational, institutional, or civic uses.





Neighborhood Centers

Form & Character Image Gallery

Residential Neighborhood Areas & Character

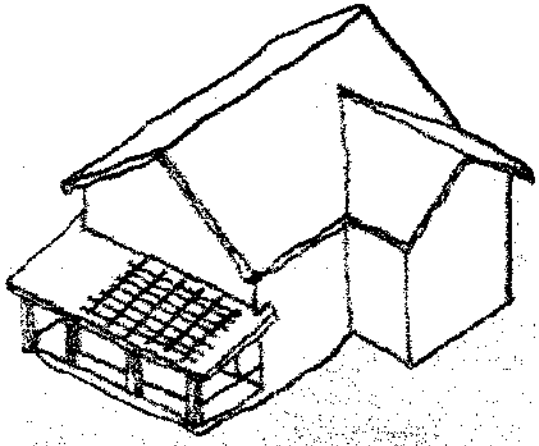
- Fine grained mix of housing densities, products, types and styles
- Some TND (traditional neighborhood development) neighborhoods are located closest to commercial area
- Houses address the street and public realm in an appropriate fashion
- Basic rules of architectural proportion for various architectural styles are adhered to
- Garages are recessed or side loaded (in front loaded lot conditions) or front onto an alley (closest to commercial area)

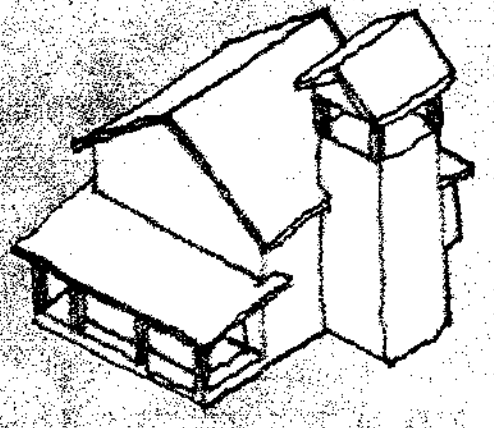
Traditional neighborhood home

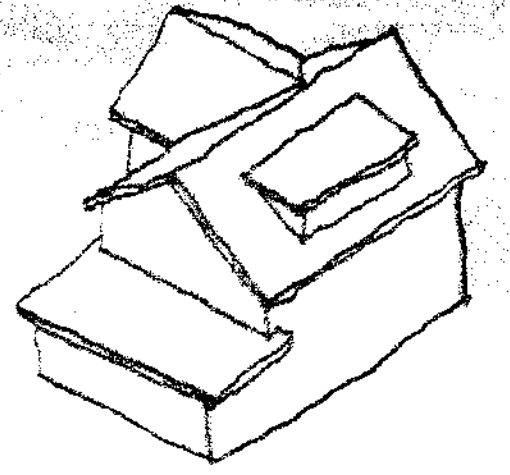
Conventional neighborhood home

Street oriented

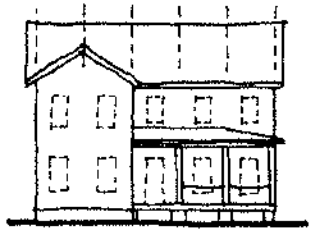
Recessed garages

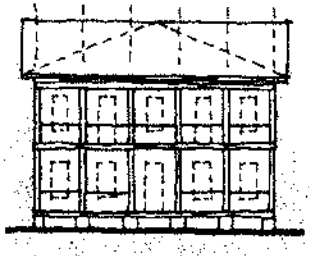






Garden courts





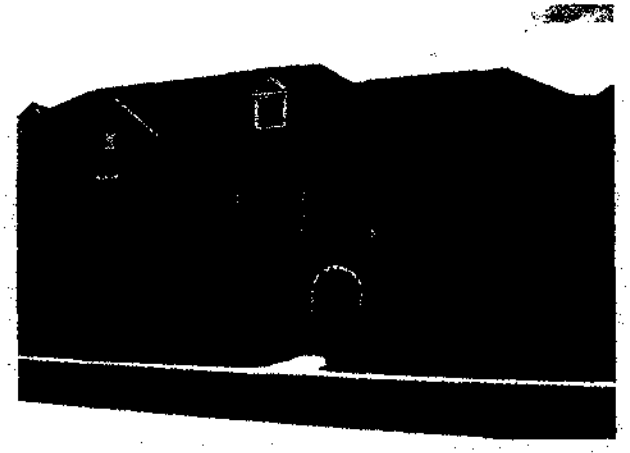
Appropriate proportions

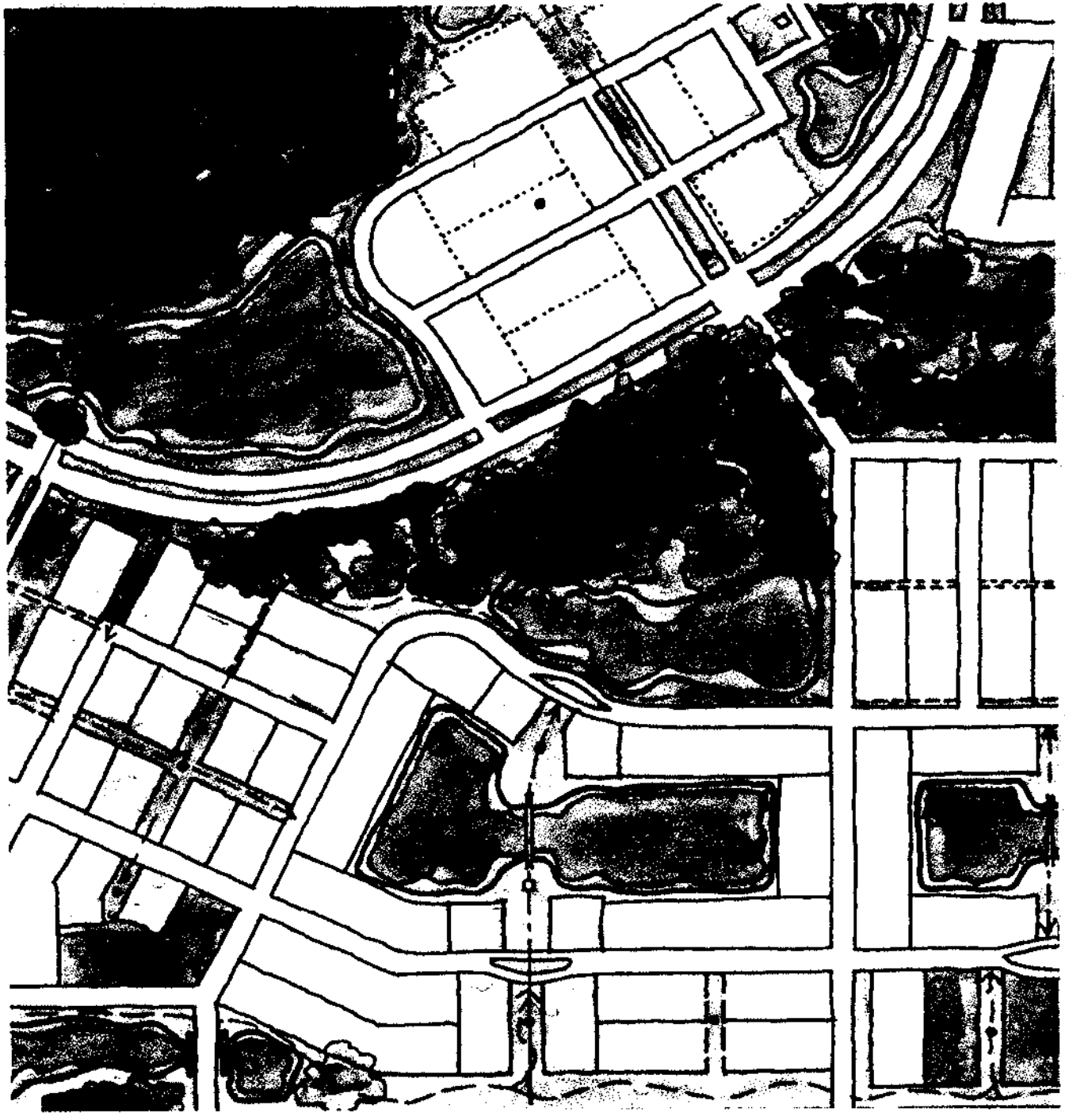
Tuck under parking

Street oriented

Attached homes

COFFEE





Residential Neighborhood

Vision & Principles

- Neighborhoods are a Collection of Compact Development Areas Organized around a Neighborhood Center.

- Neighborhoods and their "Centers" Form the Basic Building Block of the Community and will be Walkable and Connected through a Network of Streets and Blocks that Provide Multiple Routes and Maximize Internal Trip Capture.

- Neighborhoods will be Compact, with a Range of Densities and Intensities that are Compatible and will be organized by Streets and Bold Open Space and Park Systems.

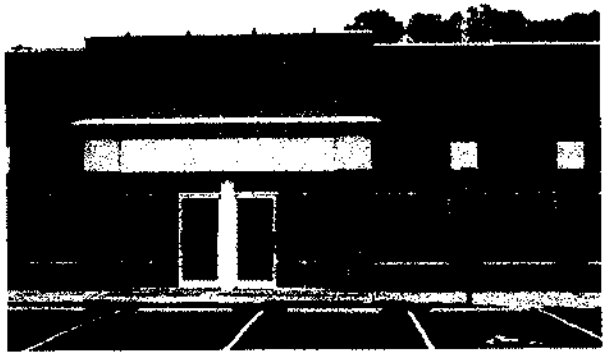
- Each Neighborhood has a Neighborhood Center that Provides a Community Focal Point, a Pedestrian Destination, and a Social Gathering Space. Neighborhood Centers may Include a Park, a School, a Transit Stop, or Other Similar Civic Uses with Limited Convenience Commercial Uses.

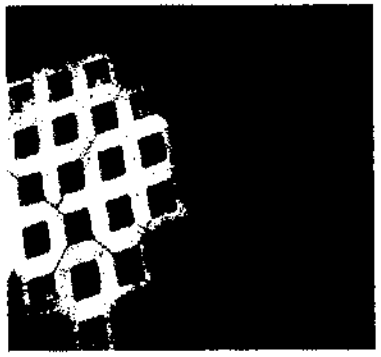
- The Village Center will Provide a Mix of Land Uses, including Retail, Office, Employment and Civic Uses. Further, the Village Center will be Compact, with a Range of Densities and Intensities.

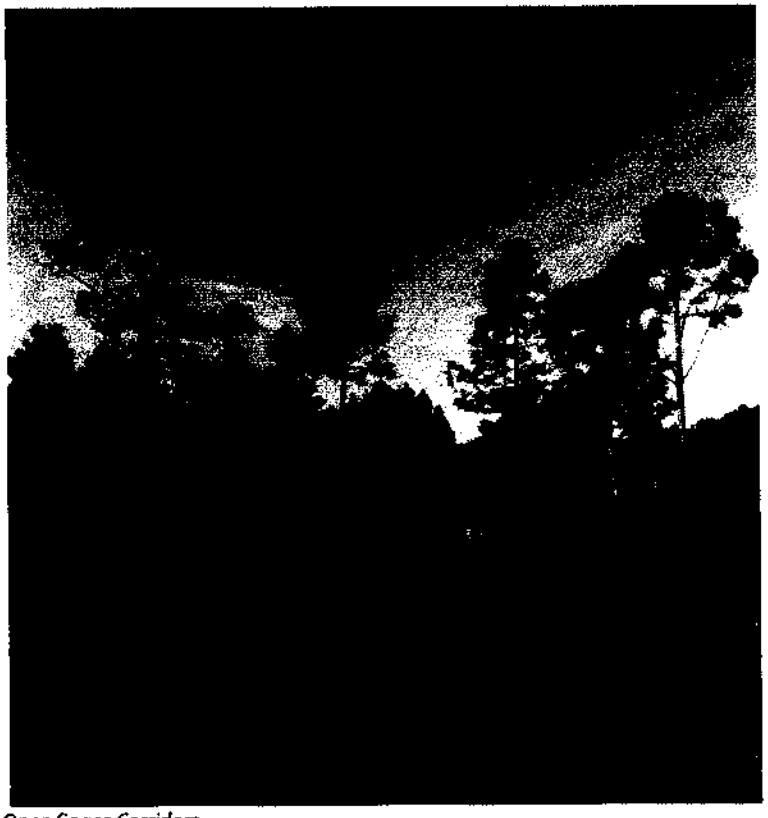
Prototypical Neighborhood Layout for an Integrated Network of Streets and Open Space Systems with Housing ZVariety and Density Gradients

Industrial & Employment Center

Form & Character Image Gallery

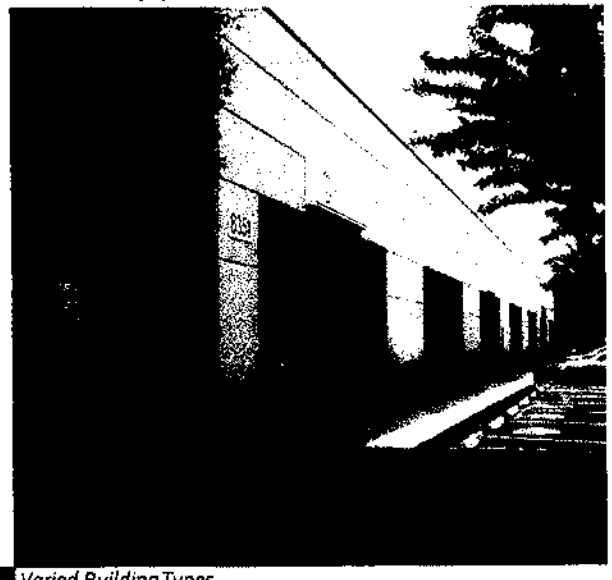






Varied Building Types

Open Space & Resource Based Recreation Open Space Corridors

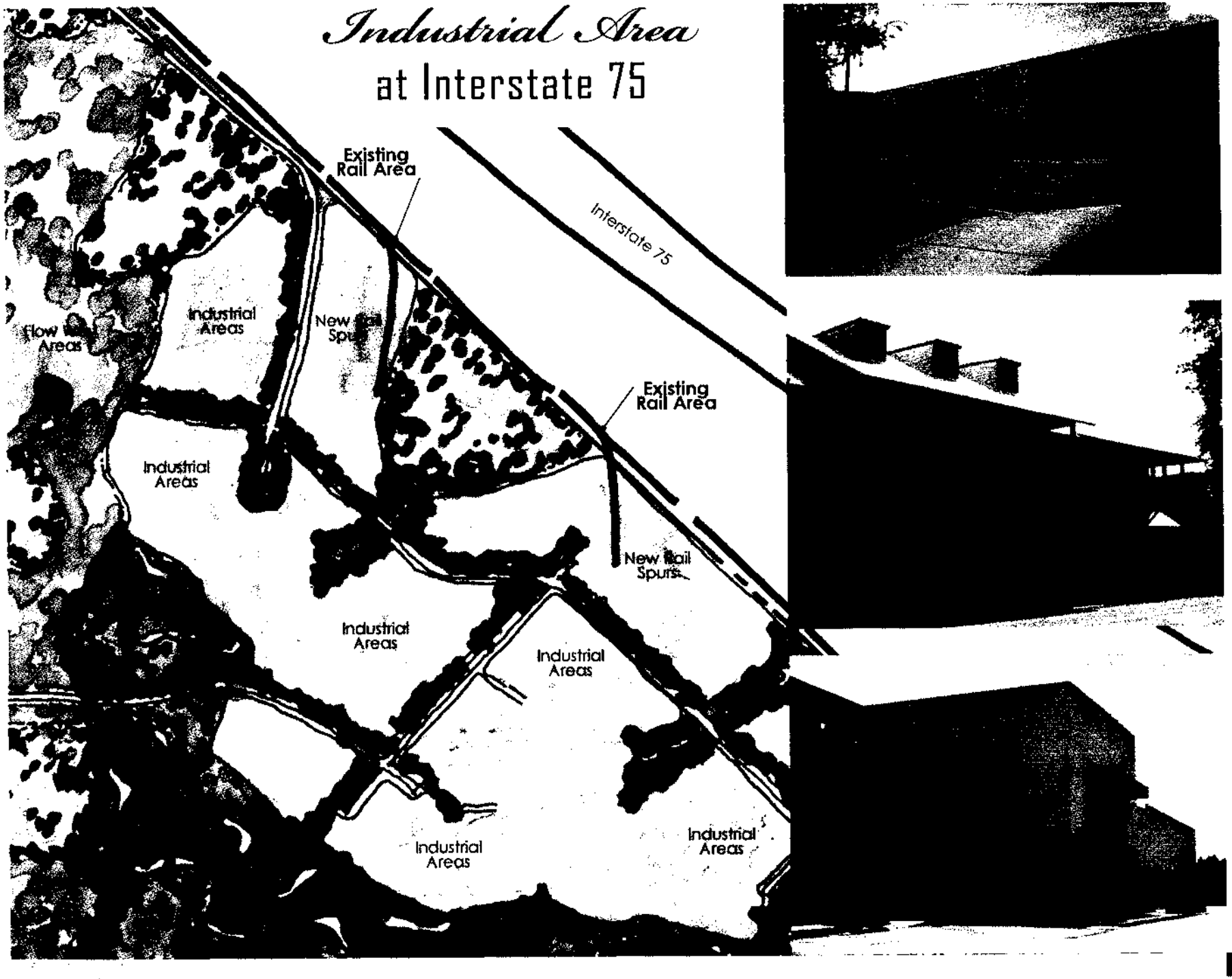


Varied Building Types

Open Space & Recreation Corridors

Existing Rail Conduit and New Rail Spurs to Site

Industrial Area
at Interstate 75



Prepared for:

Harper McNew Partnership
c/o Mr. Ronald Inge

Prepared By:

Court Street Partners LLC
1211 North Orange Avenue, Suite 204
Winter Park, Florida 32789

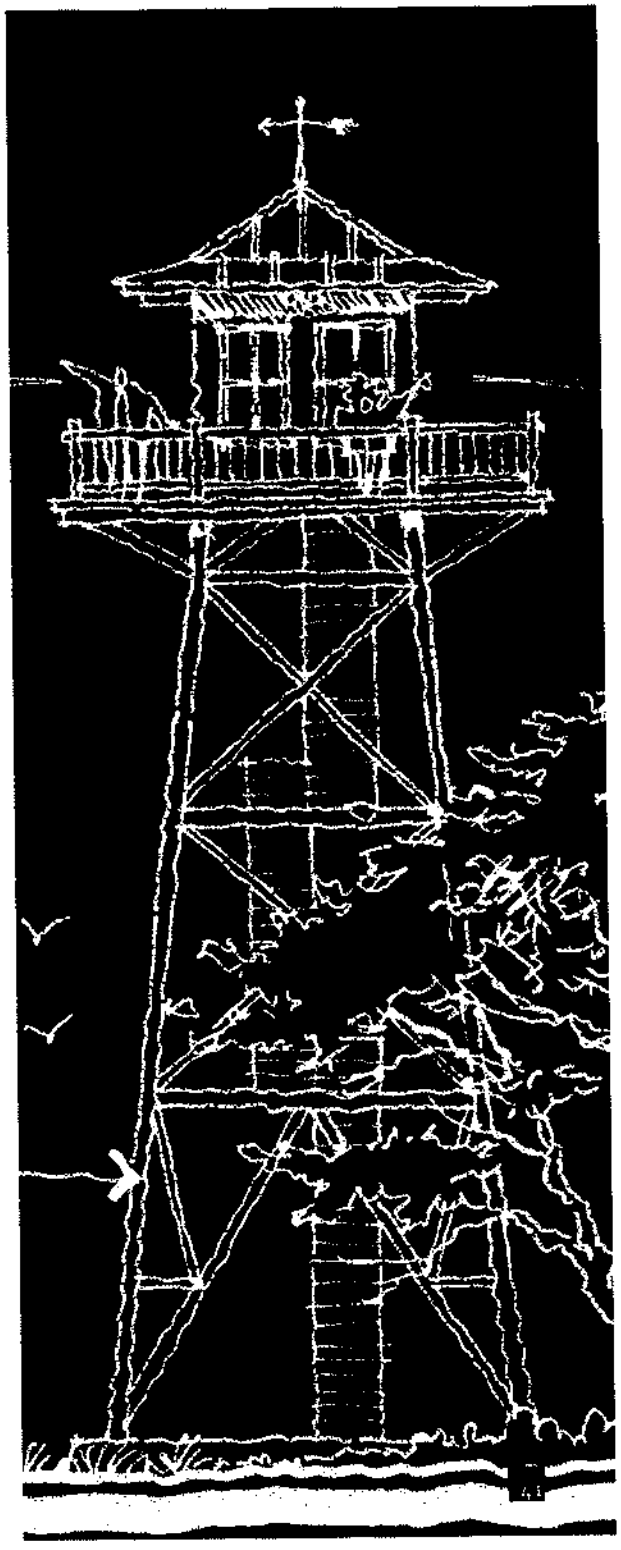
407/ 620-9631
jwrapson@courtstreetpartners.com
c/o Mr. Jeffrey W. Rapson

Project Team:

Court Street Partners LLC
1778 Park Avenue North, Suite 111
Maitland, Florida 32751

DeLisi Fitzgerald, Inc.
1500 Royal Palm Square Blvd., Suite 101
Fort Myers, Florida 33919

07 October 2010



Master Development Plan E

Population Projections:

Two methods of population projections are being provided: Method One is based on 1.95 persons per single-family dwelling unit (data from "Charlotte County Population and Employment Projections Technical Memorandum", prepared by Renaissance Planning Group, dated December 1, 2008) multiplied by the total number of built-out units (which is 3,109), for a total development population of 6,063; Method Two is based on Census data and is calculated using the total County population divided by the total number of units in the County (which equals 1.53), multiplied by 3,019 (the total number of built-out units), for a total development population of 4,619. The population projections are being provided by projected phase.

Method One	Year	Units (cumulative)	Population
Phase I	2015	311	606
Phase II	2020	1,088	2,122
Phase III (Total)	2030	3,109	**6,063**

Method Two	Year	Units (cumulative)	Population
Phase I	2015	311	475
Phase II	2020	1,088	1,665
Phase III (Total)	2030	3,109	**4,619**

Master Development Plan F

Student Projections:

Student Multipliers

Elementary School = 0.065 Students/Unit
Middle School = 0.036 Students/Unit
High School = 0.051 Students/Unit

The pre-amendment density is 155 residential units; the total post-amendment density would be 3,109 residential units. The proposed project has three phases, which will be adopted into the 2050 Plan. The phases are as follows:

Project Phases	Year	Units (cumulative)
Phase I	2015	311
Phase II	2020	1,088
Phase III (Total)	2030	3,109

For Phase I, which is the five-year time period, the school generation is:

- For Elementary School: 311 x 0.065= 20 students
- For Middle School: 311 x 0.036 = 11 students
- For High School: 311 x 0.051= 15 students

Build Out Student Projections

- Elementary School = 202 Students
- Middle School = 112 Students
- High School = 158 Students/Unit

For the next five-year planning period, capacity exists in the elementary and middle schools. For high school, there is a deficit of 69 students in year 2011/2012. If the project were to commence immediately upon the adoption of this amendment, the applicant/developer shall work with the School District to mitigate any impacts at the high school level. According to the Interlocal Agreement between Charlotte County and School District, the applicant will have to offer mitigation options prior to actual development. In addition, per Requirements of the Plan Amendment under the Rural Community Mixed Use land use category, , the applicant/developer must provide an opportunity for the School Board to consider establishment of needed schools within a central portion of the development.

SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Diane Brinckman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, The Arcadian, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Hearing, was published in said newspaper in the issues of:

October 3, 2010

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Diane Brinckman
(Signature of Affiant)

Sworn and subscribed before me this 4th day of October, 2010.

(Signature of Notary Public) Amber Freeman

AMBER FREEMAN
Comm# DD0780576
Expires 4/20/2012
Florida Notary Assn., Inc

Personally known ✓ OR Produced Identification ___

Type of Identification Produced _____

#590.63

COPY

CERTIFIED TRUE COPY
OF THE ORIGINAL
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA
BY: Angela Fahler
DEPUTY CLERK

NOTICE OF PUBLIC HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, PRELIMINARY PLATS, STREET AND PLAT VACATIONS

A PUBLIC HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON MONDAY, OCTOBER 18, 2010, AT 9:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY GROWTH MANAGEMENT DEPARTMENT, AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: http://www.charlottecountyfl.com/agenda.asp

ALL INTERESTED PERSONS ARE URGED TO ATTEND THESE PUBLIC HEARINGS. THE PUBLIC IS WELCOME TO SPEAK; THERE WILL BE A FIVE-MINUTE TIME LIMIT FOR EACH CITIZEN'S PRESENTATION ON AN AGENDA ITEM. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

PA-10-08-22 Legislative Commission District IV
An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, for an amendment to the 2030 Future Land Use Map from Low Density Residential (LDR) to Office and Institutional (OI); for property located at 16954 Toledo Blade Boulevard, in the Port Charlotte area, containing 0.7± acres; Commission District IV; Petition No. PA-10-08-22; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

Z-10-08-23 Quasi-Judicial Commission District IV
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial Neighborhood (CN) to Office, Medical, and Institutional (OMI), for property located at 16954 Toledo Blade Boulevard, in the Port Charlotte area, containing 0.7± acres; Commission District IV, Petition No. Z-10-08-23; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

PA-10-08-24 Legislative Commission District II
An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, for an amendment to the 1997-2010 Future Land Use Map of the Charlotte County Comprehensive Plan from Low Density Residential to Parks and Recreation and to the 2030 Future Land Use Map from Low Density Residential (LDR) to Parks and Recreation (PKR); for property located southeast of Coral Ridge Drive and southwest of Taylor Road, in the Punta Gorda area; containing 8.7± acres; Commission District II; Petition No. PA-10-08-24; applicant: ONMI LLC c/o James White; providing an effective date.

Z-10-08-25 Quasi-Judicial Commission District II
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture Estates (AE) to Commercial Intensive (CI); for property located southeast of Coral Ridge Drive, and southwest of Taylor Road, in the Punta Gorda area; containing 8.7± acres; Commission District II; Petition No. Z-10-08-25; Applicant: ONMI LLC c/o James White; providing an effective date.

PA-10-08-26 Legislative Commission District II
An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, for an amendment to the 1997-2010 Future Land Use Map of the Charlotte County Comprehensive Plan from Low Density Residential to Commercial Center and to the 2030 Future Land Use Map from Low Density Residential (LDR) to Commercial (COM); for property located northwest of Coral Ridge Drive, south of Airport Road, and southwest of Taylor Road, in the Punta Gorda area; containing 2.38± acres; Commission District II; Petition No. PA-10-08-26; applicant: ONMI LLC c/o James White; providing an effective date.

Z-10-08-27 Quasi-Judicial Commission District II
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture Estates (AE) to Commercial Intensive (CI); for property located northwest of Coral Ridge Drive, south of Airport Road, and southwest of Taylor Road, in the Punta Gorda area; containing 2.38± acres; Commission District II; Petition No. Z-10-08-27; Applicant: ONMI LLC c/o James White; providing an effective date.

PA-10-08-28 Legislative Commission District II
An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, for an amendment to the 1997-2010 Future Land Use Map of the Charlotte County Comprehensive Plan from High Density Residential to Commercial Center and to the 2030 Future Land Use Map from High Density Residential (HDR) to Commercial(COM); for property located at the north-east corner of the intersection of Carmalita Street and Cooper Street, in the Punta Gorda area; containing 1.05± acres; Commission District II; Petition No. PA-10-08-28; applicant: ONMI, LLC; providing an effective date.

Z-10-08-29 Quasi-Judicial Commission District II
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 12 (RMF-12) to Commercial Neighborhood (CN); for property located at the north-east corner of the intersection of Carmalita Street and Cooper Street, in the Punta Gorda area; containing 1.05± acres; Commission District II; Petition No. Z-10-08-29; Applicant: ONMI, LLC; providing an effective date.

PA-10-06-19 Legislative Commission District III
An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, for an amendment to the 1997-2010 Future Land Use Map of the Charlotte County Comprehensive Plan from High Density and Medium Density Residential to Commercial Center and to the 2030 Future Land Use Map from High Density and Medium Density Residential to Commercial; for property located at 1035, 1040 and 1060 Shore View Drive, and 935, 945, 950, and 985 Gulf Boulevard, on Manasota Key; containing 5.13± acres; Commission District III; Petition No. PA-10-06-19; Applicant: Harmonie Development Group, LLC; providing an effective date.

Z-10-06-20 Quasi-Judicial Commission District III
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Manasota Multi-family 12 (MMF-12) and Manasota Multi-family 7.5 (MMF-7.5) to Manasota Commercial Tourist (MCT), for property located at 1035, 1040 and 1060 Shore View Drive, and 935, 945, 950, and 985 Gulf Boulevard, on Manasota Key; containing 5.13± acres; Commission District III; Petition No. Z-10-06-20; Applicant: Harmonie Development Group, LLC, providing an effective date.

PA-10-04-13-LS Legislative Commission Districts I & II
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to revise the text of Policy 2.2.28, Objective 2.7, Policies 2.7.1 to 2.7.15 of the Future Land Use Element of the 1997-2010 Comprehensive Plan regarding the Rural Community Mixed Use Future Land Use Map designation. Petition No. PA-10-04-13-LS; Applicant: Charlotte County Board of County Commissioners.

PA-10-01-09-LS Legislative Commission District II
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to the Charlotte County 1997-2010 Comprehensive Plan and the Smart Charlotte 2050 Comprehensive Plan from Agriculture to Rural Community Mixed Use including a Master Development Plan, for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1554.51± acres; Commission District II, Petition No. PA-10-01-09-LS; Applicants: Harper Property Holdings, LLC and McNew Property Holdings, LLC.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The Charlotte County Commission meeting room is accessible to the physically disabled. However, if you need assistance or require auxiliary aids and services please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

P.O. #: 2010003088.AA
Publish: October 3, 2010

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

November 2, 2010

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948-1094

Attention: Ms. Anne L. Pfahler, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 26, 2010 and certified copy of Charlotte County Ordinance No. 2010-064, which was filed in this office on October 29, 2010. This ordinance replaces the one previously filed on October 26, 2010.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

RECEIVED AT
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2010 NOV -4 PM 12:44
BARBARA T. SCOTT
CLERK OF CIRCUIT COUR
CHARLOTTE COUNTY, FL

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