



## **DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT**

**CASE #:** RZNE-0067-2025

**REQUEST:** Rezone from Commercial General (CG) to PUD (Planned Unit Development)

**PROPERTY OWNER:** JBCC Veterans Blvd. LLC  
50 Central Avenue, Ste 980  
Sarasota, Florida 34236

**APPLICANT:** Steve Krzynski, PE  
Morris Engineering and Consulting, LLC  
6901 Professional Parkway E  
Sarasota, Florida 34240

**PROPERTY ID:** 31-39-23-0000-0023-0000

**TOTAL PARCEL SIZE:** +/- 2.32 Acres

**ZONING DISTRICT:** CG (Commercial General)

**FUTURE LAND USE MAP  
DESIGNATION:** LDR (Low Density Residential)

**OVERLAY DISTRICTS:** None

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### **DEVELOPMENT REVIEW REPORT**

The request before the DeSoto County Board of County Commissioners, is an Official Zoning District Atlas Amendment application (Rezoning) (RZNE – 0067-

2025) filed by Steve Krzynski, PE of Morris Engineering and Consulting, LLC, on behalf of the Applicant, JBCC Veterans Blvd, LLC, to rezone a +/- 2.32-acre parcel. The applicant is requesting approval of the proposed Planned Unit Development (PUD) zoning district to allow a 3-story, 81,666 SF self-storage facility with a 0.81 FAR, as more particularly reflected in the Concept Development Plan.

The property is generally located in southwest DeSoto County, at the NE Corner of N Orlando Blvd and Veterans Blvd, lying within DeSoto County but adjacent to both the City of North Port (Sarasota County) to the west and Charlotte County to the South. It is the only parcel in DeSoto County on the west side of I-75.

The DeSoto County Land Development Regulations (LDR) Article XI, Division 7 requires the Planning Commission/Local Planning Agency to hold at least one public hearing with due public notice on a rezoning application and to make a recommendation on the application to the Board.

## **I. BACKGROUND**

The General Development Order Application states the request is to amend the Official Zoning District Atlas by changing the zoning district for +/- 2.32 acres from Commercial General (CG) Zoning District to Planned Unit Development (PUD) to allow a 3-story, 81,666 SF self-storage facility with a 0.81 FAR and associated infrastructure with a Concept Development Plan.

The Interim 2040 Future Land Use Map shows the property is designated as Low Density Residential. Future Land Use Element, Objective 1.4 defines the Low Density Residential Future Land Use Category. The PUD Concept Development Plan shows the proposed building, stormwater, parking, as well as wetlands that are proposed to be impacted. The open space shown on the proposed Concept Development Plan exceeds the required 25% open space, providing 37% (+/- 36,966 s.f.).

<b>Land Use Table</b>	<b>Acres/S.F.</b>	<b>% of Site</b>
Impervious Area	58,114 SF	57.6%
Stormwater Area	5,771 SF	5.7%
Common Open Space Area	36,966 SF	36.7%
<b>Total</b>	<b>100,851 SF (2.32 acres)</b>	<b>100%</b>

## **II. PROPOSED ORDINANCE**

AN ORDINANCE OF THE DESOTO COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS AMENDING THE OFFICIAL ZONING ATLAS IDENTIFIED IN LAND DEVELOPMENT REGULATIONS ARTICLE 2, ZONING DISTRICTS AND REQUIREMENTS, SECTION 20-31, ESTABLISHMENT OF ZONING DISTRICTS; GRANTING TO THE APPLICANT, JBCC VETERANS BLVD, LLC, AN OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZNE-0067-2025) BY CHANGING THE ZONING DISTRICT OF +/- 2.32 ACRES FROM COMMERCIAL GENERAL (CG) TO PLANNED UNIT DEVELOPMENT (PUD) WITH A CONCEPT DEVELOPMENT PLAN FOR AN 81,666 SQUARE FOOT MINI WAREHOUSE PURSUANT TO APPROVED BONUS INTENSITY ON PROPERTY GENERALLY LOCATED IN SOUTHWEST DESOTO COUNTY AT THE NORTHEAST CORNER OF N. ORLANDO BOULEVARD AND VETERANS BOULEVARD, THE PROPERTY IDENTIFICATION NUMBER BEING 31-39-23-0000-0023-0000 AND PROVIDING FOR AN EFFECTIVE DATE.

## **III. DATA & ANALYSIS**

In all quasi-judicial proceedings, the applicant shall bear the burden of demonstrating by competent and substantial evidence that the application satisfies the standards and requirements of the LDR and the Comprehensive Plan.

LDR Article XI, Administration and Enforcement, Division 7 addresses Official Zoning District Atlas (rezoning) amendment and text amendment applications. LDR Section 20-1650 defines the Official Zoning District Atlas as scaled-based maps of the unincorporated area of the County depicting the land features, roads and property lines overlaid with zoning district boundaries adopted by the DeSoto County Board of County Commissioners, certified and dated by the Board Chairman, as may be amended from time to time. Zoning District symbols are depicted within each boundary.

**A. Application requirements.** LDR Section 20-1496 establishes two prerequisites for the filing of an Official Zoning District Atlas amendment as shown below.

1. Initiation. LDR Section 20-1496(a) restricts the persons who may initiate an Official Zoning District Atlas Amendment to the following:

- Board of County Commissioners;
- Planning Commission;
- Board of Adjustment;
- Any other department of agency of the County; or
- Any person other than those listed above; provided, however, that no person shall propose an amendment for the rezoning of property (except as agent or attorney for an owner) which he does not own. The name of the owner shall appear on each application.

*The Planning Director finds that on March 24, 2025, a General Development Order application and an Official Zoning District Atlas Amendment application (RZNE-0067-2025) and fee were filed with the Development Department. The Planning Director finds the General Development Order Application was executed by Steve Krzynski, P.E., as authorized agent for the owner. Based on the above findings, it is concluded the application can be found in **conformance** with this requirement.*

2. Filing requirements. LDR Section 20-1496(b) provides that all proposals for zoning amendments shall be submitted in writing to the

Development Department, accompanied by all pertinent information required by the LDR and the application along with payment of the application fee.

*The written General Development Order Application and Official Zoning District Atlas Amendment Development Order Application Form and fees were filed with the Development Department on March 24, 2025.*

*Based on the above findings, the Planning Director concludes the application can be found in **conformance** with the filing requirements in LDR Section 20-1496(b) for rezoning.*

**B. The Planning Director review.** LDR Section 20-1497 addresses The Planning Director review.

1. Section 20-1497(a) provides that upon receipt of an application; the Planning Director shall determine whether the application is complete. If the application is complete, it will be accepted for review. If the application is incomplete, the Planning Director shall specify in writing the additional information required for the application to be processed. No further action shall be taken on the application until the additional information is submitted and determined to be complete.

*The Planning Director provided notice that the rezone application was deemed complete on March 24, 2025. The Planning Director finds that the Planning & Zoning Division of the Development Department processed the application in **conformance** with LDR Section 20-1497(a).*

2. Section 20-1497(b) provides that after receipt of a complete application; the Planning Director shall distribute the application for review by the Development Review Committee (DRC).

*The Planning Director finds the application package was distributed to DRC members after each filing. Thus, the Planning Director finds the*

*Planning & Zoning Division of the Development Department has processed the application in **conformance** with the requirements of LDR Section 20-1497(b).*

3. Section 20-1497(c) provides that upon completion of review; the Development Department shall prepare a staff report and schedule review of the application at a public hearing by the Planning Commission.

*The Development Review Report was provided to the authorized agent for review and comment. Thus, the Planning Director finds the Planning & Zoning Division of the Development Department has processed the application in **conformance** with LDR Section 20-1497(c).*

- C. **Planning Commission Report.** LDR Section 20-1498(a) provides that the report and recommendations of the Planning Commission to the Board of County Commissioners shall show that the Planning Commission has studied and considered the proposed change in relation to the 15 factors listed below.

1. Whether the proposed change would be consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

*Consistency analysis: The Planning Director has reviewed the application against the Goals, Objectives, and Policies of the Comprehensive Plan in Exhibit F and finds and concludes the following.*

*The subject property is currently undeveloped and is adjacent to Interstate 75 to the north and east, and vacant residential property to the west, located in in the City of North Port. Vacant commercial land is located to the south, across Veterans Blvd, in Charlotte County.*

*The subject property is designated Low Density Residential on the Future Land Use Map. Policy 1.4.7 allows existing non-residential zoned areas within the Low Density Residential land use, on arterial*

*roadways, and mini warehouse uses can have a base intensity of 0.4 FAR, with a maximum FAR of 1.0 subject to meeting Bonus Criteria in Policy 1.1.4. The site, with existing CG zoning, is proposing a PUD rezone in accordance with Policy 1.1.3: Density Unit Bonus Limits, which states that the Land Development Regulations shall require Planned Developments. The proposed PUD Concept Development Plan is requesting the bonus FAR and proposing an 81,666 SF mini-warehouse on the +/- 2.32-acre property for a gross FAR of 0.81.*

*The applicant has provided a narrative considering performance criteria as relates to bonus intensity. The site is in proximity to existing water and wastewater (Charlotte County Utilities) located along the south side of Veterans Blvd, a 4-lane divided arterial roadway. The proposed site is served by DeSoto County Fire Station #2, located 7.8 miles to the northeast. Because the proposed use is non-residential, the proximity of schools, affordable housing, mixed-use, and recreational activities are not applicable. The site offers 37% open space (25% required) with 10' landscape buffers around the perimeter of the site. Approximately 0.4 acres of wetlands, identified in the Environmental Report and the ERP application, are proposed to be impacted.*

*The proposed development will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

*The Environmental Considerations Report (Ian Vincent & Associates) and an ERP application approval were submitted. The ERP identifies 0.4 acres of wetlands proposed to be impacted on the site (0.28 acres onsite and 0.12 acres off-site, per the Concept Development Plan).*

**In summary, the Planning Director concludes that the rezoning application can be found in conformance with the Comprehensive Plan.**

## **2. The existing land use pattern.**

*Consistency analysis: The subject property is in southwest DeSoto County, at the NE Corner of N Orlando Blvd and Veterans Blvd, lying within DeSoto County but adjacent to both the City of North Port (Sarasota County) to the west and Charlotte County to the South. It is the only parcel in DeSoto County on the west side of I-75.*

*The subject property is currently undeveloped. **Table 1** provides a description of the Future Land Use Categories, Zoning Districts, and specific types of land uses surrounding the proposed PUD:*

**TABLE 1**

Directions	Future Land Use	Zoning District	Use
<b>Site</b>	Low Density Residential	RMF-6 ( <i>current</i> )  <i>PUD (proposed)</i>	Vacant, Non-agricultural Land
<b>North</b>	Low Density Residential	CG	Interstate 75, vacant
<b>South – Charlotte County</b>	Low Density Residential	CE	Veterans Blvd., vacant
<b>East</b>	Low Density Residential	CG	Interstate 75, vacant
<b>West – City of North Port, Sarasota County</b>	Low Density Residential	AC-10 (Activity Center 10 supports variety of commercial and industrial uses, as well as limited residential uses)	Vacant Residential



Directions	Future Land Use	Zoning District	Use

#### **USE COMPATIBILITY ANALYSIS**

***Table 1** shows the existing land use pattern. The surrounding properties are primarily in the Low Density Residential Future Land Use Category. To the north and east of the triangular shaped subject parcel is Interstate 75. Vacant commercial land is located to the south, across from Veterans Blvd., in Charlotte County. To the west there is vacant single-family residential in the City of North Port in Sarasota County.*

*The table illustrates that the surrounding uses are developing in a fashion consistent with the Low Density Residential Future Land Use category. While the primary use of the LDR is residential, a sustainable mix of neighborhood scale commercial may be introduced only as part of the PUD process (Policy 1.4.2). Commercial areas shall be located at the intersections of collector and/or arterial roads and shall be separated approximately 2 miles from other existing and/or future commercial designated areas. PUD zoned projects may establish their own specific height, bulk, setback, buffering, and other regulations for the zoning district to help to achieve compatibility between uses.*

*The proposed PUD is located at the northwest corner of Interstate 75 and Veterans Blvd. and as the only parcel in DeSoto County west of I-75, has no direct access to De Soto County. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

- 3. The creation of an isolated district unrelated to adjacent and nearby districts.**

*Consistency analysis: The subject parcel is in a developing area, albeit*

*given the location on the west side of I-75 at the NE Corner of N Orlando Blvd and Veterans Blvd, the City of North Port (Sarasota County) to the west and Charlotte County to the south, the site is more dependent upon those jurisdictions in terms of access and utilities, but all other services are from DeSoto County. The following non-residential supporting services are the following approximate distances:*

- *DeSoto County Sheriff's Office – 23 miles (offices)*
- *Charlotte County Sheriff's District Office – 3.2 miles*
- *DeSoto County Fire Station #2 – 7.8 miles*
- *Charlotte County Fire/EMS Station 8 – 3 miles*
- *Fawcett Memorial Hospital (Port Charlotte) – 5.8 miles*

*Mutual aid with adjacent counties may be utilized when emergency services are required, but the site is in proximity to services for a non-residential use.*

*Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

4. **The impact on the availability of adequate public facilities consistent with the level of service standards adopted in the Comprehensive Plan, and as defined and implemented through the DeSoto County concurrency regulations.**

*Consistency analysis: DeSoto County reviews development to ensure projects are subject to minimum criteria for public facilities requiring a concurrency review that do not result in a reduction of the level of service below the adopted standard. Policy 1.22.5 provides for roadways, recreation and open space, solid waste, potable water and sanitary sewer. Future development applications will be required to be consistent with this policy.*

*The project is a proposed Planned Unit Development (PUD) District, for a commercial use, which requires a concept development plan with the*

*Zoning Atlas Amendment. The concept development plan provides a supportive report as required by Sec. 20-144(g)(2), which would classify the PUD and concept development plan as an Intermediate Development Order.*

*The project is not located within DeSoto County's utility service area, however it is located within the Charlotte County utility service area. The proposed mini-warehouse will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

*No traffic study was provided with the PUD rezone application. Given the proposed mini-warehouse use, traffic is expected to be minimal as mini-warehouse facilities have very low ITE Trip Generation rates. Access to the site is proposed on Veterans Blvd. in Charlotte County. Charlotte County staff has reviewed the site plan for the proposed mini-warehouse and issued final site plan approval. A note was requested to be added to the Concept Development Plan stating:*

*"According to Paragraph C, of the Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21 (County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with and acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time*

*needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due the County are settled.”*

*Based on the above findings, the application, with recommended conditions, can be found to be in **conformance** with this factor.*

**5. Whether the existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for changes.**

*Consistency analysis: The project is in a transitioning area, on the west side of Interstate 75, with Charlotte County to the south and the City of North Port to the west.*

*The surrounding properties are primarily in the Low Density Residential Future Land Use Category. To the north and east of the triangular shaped subject parcel is Interstate 75. Vacant commercial land is located to the south, across from Veterans Blvd., in Charlotte County. To the west there is vacant single-family residential in the City of North Port in Sarasota County.*

*The proposed PUD is located at the northwest corner of Interstate 75 and Veterans Blvd. and as the only parcel in DeSoto County west of I-75, has no direct access to DeSoto County. The proposed project is adjacent to Interstate 75 to the east, approximately 1 mile north of the interchange of I-75 and Kings Highway. The proposed rezone from CG to PUD is consistent with the proposed use of a mini-warehouse and creates a logical development pattern with access to a major*

*transportation corridor that aligns with the intensities permitted under the DeSoto County Comprehensive Plan.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

**6. Whether changed or changing conditions make the passage of the proposed amendment necessary.**

*Consistency analysis: The project is in a developing area, on the west side of Interstate 75, with Charlotte County to the south and the City of North Port to the west.*

*The zoning amendment is necessary for the project based on the requirements of Policy 1.1.3 of the Comprehensive Plan which states that the Land Development Regulations shall require Planned Developments for projects requesting a density/intensity bonus.*

*Future development applications must conform to all required Federal, State, and County permitting requirements. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

**7. Whether the proposed change will adversely influence living conditions in the area.**

*Consistency analysis: The project is a non-residential use, a 3-story, 81,666 SF self-storage facility.*

*Self-storage warehouses serve area residential uses and businesses. They are very benign uses with limited traffic, noise, and uses that would be incompatible with area residential development. While it is not adjacent to lands with similar densities/intensities, given its location on a thoroughfare and contiguous to an interstate highway, mini warehouses are considered to be benign land uses, and the proposed project is not expected to adversely affect living conditions*

*in the area.*

*Future development applications must conform to all required Federal, State, and County permitting requirements. Based on the above it is concluded the application can be found in **conformance** with this factor.*

**8. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.**

*Consistency analysis: A traffic study was not provided with the PUD rezone application. Given the proposed mini-warehouse use, traffic is expected to be minimal. The ITE Trip Generation rates for mini-warehouses are very low.*

*Access to the site is proposed on Veterans Blvd. in Charlotte County. Charlotte County staff has reviewed the site plan for the proposed mini-warehouse and issued final site plan approval. A note was requested to be added to the Concept Development Plan stating:*

*According to Paragraph C, of the Code of Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21 (County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with and acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will*

*be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder, by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due to the County are settled.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

**9. Whether the proposed change will create a drainage problem.**

*Consistency analysis: The proposed PUD shows proposed stormwater areas on the Concept Development Plan. The FEMA flood maps for this area are numbers 1200720266C effective on 11/06/2013. Based upon the flood maps, the site is located in Flood Zone X. Stormwater will be maintained on-site and directed to a series of dry retention and wet retention ponds. The stormwater will be properly treated and attenuated per the State requirements prior to discharge. An environmental resource permit from SWFWMD was provided as well as a drainage connection permit from FDOT.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

**10. Whether the proposed change will seriously reduce light and air to adjacent areas.**

*Consistency analysis: The reduction of light and air to the adjacent areas is a function of total development vs. open space, building height, and building setbacks.*

*Based upon the site design and location, the project will not seriously reduce light and air to the adjacent area.*

*Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

**11. Whether the proposed change will adversely affect property values in the adjacent area.**

*Consistency analysis: The project is a non-residential use in a residential area but located on Veterans Blvd, a thoroughfare roadway and backs up to I-75. Self-storage warehouses serve area residential uses and businesses. They are benign land uses that generate limited traffic trips and noise and are commonly found throughout communities.*

*Therefore, the proposed change in zoning should not adversely affect property values in the immediate area. Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

**12. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.**

*Consistency analysis: With the PUD established standards for setbacks and LDR required open space, the proposed change should not be a deterrent to the improvement or development of adjacent property. The parcel is contiguous to two major roadways, providing additional separation between the site and land to the east and south. Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

**13. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.**



*Consistency analysis: It can be found that the proposed change does not grant a special privilege to an individual owner as compared to the public welfare for the proposed PUD. The Comprehensive Plan expressly permits mini-warehouse uses in the Low Density Residential Future Land Use Category and the standards in the PUD zoning district have criteria to minimize impacts to adjacent uses.*

*The public's health, safety, and welfare has been considered and the change in zoning can be found in **conformance** with this factor.*

**14. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.**

*Consistency analysis: Policy 1.1.3 of the Comprehensive Plan mandates that a project seeking a bonus FAR is processed as a PUD rezoning. The existing CG (Commercial General) zoning cannot support the planned project, based on the standards of this policy.*

*Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

**15. Whether the change suggested is out of scale with the surrounding area.**

*Consistency analysis: The project scale can be found to be appropriate with the area. The site is uniquely located on a parcel with street frontage on an arterial and interstate roadway. The proposed 3-story, 81,666 SF self-storage facility may help to buffer noise from the interstate to the surrounding properties based on the building massing. The separation between the subject building and adjacent building envelopes does not present a concern of an incompatible scale.*

*It can be found that the proposed rezone to PUD will allow for development at an appropriate scale, consistent with the contiguous single family residential uses and development trends in the*

*surrounding area. Furthermore, the required landscape buffers will help to mitigate the size of the proposed building.*

*In summary the proposed PUD is not out of scale with the surrounding area and is consistent with the Low Density Residential land use designation. Overall, the request for the PUD district and concept development plan are consistent with the Goals, Objectives, and Policies of the DeSoto County Comprehensive Plan. Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

***In summary, the Planning Director finds that the application can be found in conformance with the Comprehensive Plan and the 15 factors found in LDR Section 20-1498(a) provided recommended conditions are imposed.***

- D. Planned Unit Development District - General Requirements and Limitations.** LDR Section 20-144(e) requires the following general requirements and limitations shall apply in PUD districts approved under the terms and provisions of these regulations.
- (1) Unified control. All land included for purpose of development within PUD district shall be owned or under the control of the applicant for such zoning designation, whether that applicant be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The applicant shall present firm evidence of unified control of the entire area within the proposed development. The applicant shall:
    - a. Agree to be bound by:
      1. The concept development plan officially adopted as the PUD district; and
      2. Such other conditions or modifications as may be attached to the rezoning of land to the PUD classification.
    - b. Provide agreements, contracts, deed restrictions or sureties acceptable to the County for completion of undertaking in accordance with the adopted concept development plan as well as for the continuous operation and maintenance of such areas,

functions and facilities that are not to be provided, operated or maintained at general public expense, and

- (2) All conditions shall run with the land.

*The Development Director concludes that these general requirements will apply when the PUD zoning district application, including the Concept Development Plan is approved. Any required documentation required by this requirement shall be imposed during the Improvement Plan review and approval process. Thus, the Development Director concludes this factor is premature and does not apply until the time the PUD and Concept Development Plan is approved. Thus, this factor is **not applicable**.*

**E. Planned Unit Development District Specific Requirements.** LDR Section 20-144(f) requires a PUD to comply with 13 other requirements.

1. Location: PUD districts shall be located to maintain adopted level of service on all impacted public rights-of-way.

*A traffic study was not provided with the PUD rezone application. Given the proposed mini-warehouse use, traffic is expected to be minimal. Access to the site is proposed on Veterans Blvd. in Charlotte County. Charlotte County staff has reviewed the site plan for the proposed mini-warehouse and issued final site plan approval. A note was requested to be added to the Concept Development Plan stating:*

*According to Paragraph C, of the Code of Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21 (County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection*

*services necessary to ensure work performed within the right-of-way is performed in accordance with and acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due to the County are settled.*

*Thus, it is concluded the application can be found in **conformance** with this factor.*

2. Minimum Area Required: The minimum area required for a planned unit development district containing only residential uses shall be 5 acres: containing only commercial or industrial uses shall be 2 acres, and containing a mix of residential, commercial or industrial uses shall be 5 acres.

*The Development Director finds the PUD is 2.32 acres and for commercial use. Therefore, the application can be found in **conformance** with this factor.*

3. Character of the Site: The condition of soil, ground water level, drainage and topography shall all be appropriate to both kinds and pattern of use or uses intended. The site shall also contain sufficient width and depth to adequately accommodate its proposed use and design.

*The concept plan demonstrates that the width and depth of the site can accommodate the design. Soils Conditions Map shows the property consists of Eauggallie Fine Sand and Felda Fine Sand. The Soil Survey of DeSoto County, Florida classifies these soils as being deep, poorly drained soils that formed in thick beds of sandy and loamy marine sediments. These soils are on flatwoods and marine terraces. Slopes range from 0 to 2 percent. The soil conditions will be evaluated by a geo-technical engineer with the construction drawings and are suitable for the proposed nonresidential development provided appropriate drainage and fill materials are provided.*

*The topographic map of the property shows the elevations range from 21 to 24 feet in elevation. Based on the above, it is concluded the topography can be found to be suitable for commercial development based on the future engineering. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

4. Uses Permitted: An applicant may propose any use or combination of uses within a proposed PUD subject to the minimum area requirements contained herein.

*Consistency analysis: The development includes a 3-story, 81,666 SF self-storage facility, which can be found to meet the minimum area requirements. Thus, the Development Director concludes the application can be found in **conformance** with this factor.*

5. Density: The overall, gross density of the proposed PUD Concept Development Plan shall be calculated by dividing the total number of units proposed by the gross acreage of the PUD. In no event shall the gross density exceed the maximum density permitted by the Comprehensive Plan. In the event of multiple Future Land Use Map categories, no project may be authorized to utilize density averaging or blending techniques.

*Consistency analysis: The subject development is a non-residential mini warehouse and not subject to a density evaluation.*

*Thus, the Development Director concludes that this factor is not applicable to the project review.*

6. Minimum Open Space: Planned Unit Developments shall set aside at least 25% of the gross area as open space. Usable open space shall include active and passive recreation areas such as playgrounds, golf courses, water frontage, waterways, lagoons, flood plains, nature trails and other similar open spaces. Open water area beyond the perimeter of the site and street rights-of-way, driveways, off-street parking areas and off-street loading areas, or private yards shall not be counted in determining usable open space.

*Consistency analysis: The project is a non-residential use, so public recreation is not applicable. The PUD Concept Development Plan exceeds the minimum required 25% open space (25,212 sf) required by the Low Density Future Land Use category, providing 37% (+/- 36,966 sf). The provided open space includes landscaped open space area and stormwater area, as shown on the concept plan. The PUD zoning district requires 25% useable open space and limits 25% of the useable open space to stormwater management facilities and does not exempt non-residential projects from providing useable open space. Staff recommends a condition requiring the Improvement Plan to comply with the useable open space standards. Based on the above, it is concluded the application can be found in **conformance** with this factor.*

7. Minimum Lot Area and Frontage Requirements within a PUD: No minimum lot size or yards shall be required within a PUD, except that peripheral yards abutting the exterior limits of the PUD boundary (except for boundaries limited in or by water) shall observe yard requirements in accordance with the zoning classification the use most closely resembles. Every dwelling unit or other use must be served directly or via an approved private road, pedestrian way, court, or other area dedicated to public use or reserved for private use, or common element guaranteeing

access. Permitted uses are not required to front on a publicly dedicated road or street.

*Consistency analysis: The Concept Development Plan shows the proposed setbacks for the self-storage facility are consistent with the setbacks for the CG district (existing zoning of the site). A 40' front setback, 10' side setback, and 25' rear setback are noted on the Concept Development Plan. Because the triangular shaped site has frontage on Veterans Blvd. and Interstate 75, a front setback is provided on both roadway frontages with a side yard setback provided along the western property line. Access is proposed from Veterans Blvd.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

8. Off-Street Parking and Off-Street Loading Requirements: Off-street parking and off-street loading requirements shall be as for comparable uses set out in the Land Development Regulations. Shared parking facilities may be approved as part of the request upon review of an acceptable alternative parking strategy study.

*Consistency analysis: The Concept Development Plan shows the location of the proposed parking and loading areas. The Land Development Regulations do not address parking and loading for mini-warehouse/self-storage facility uses. The applicant provided an analysis of neighboring and similar sized jurisdictions, demonstrating the range of different requirements if applied to the site, from 2 spaces to 19 spaces. The applicant has provided 7 parking spaces, including one ADA space, justifying a parking calculation that meets the needs of the proposed use (1 space per employee on busiest shift plus one space per 250 SF of office space). One loading zone space is also provided, as well as a covered 30' wide loading area, adjacent to the building.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

9. Development Planning - External Relationships: Development planning within a PUD district shall provide protection of the development from adverse surrounding influences and protection of surrounding areas from adverse influences generated by or within the district.
  - a. Principal vehicular access points shall be designed to encourage smooth traffic flow and minimum hazards to vehicular or pedestrian traffic. Merging and turnout lanes and/or traffic dividers shall be required where existing or anticipated heavy traffic flows indicate need. Where streets within the district intersect adjoining streets, appropriate visibility triangles shall be maintained.

*Consistency analysis: Traffic patterns and required improvements are details that are generally approved with the final plans, supported by a traffic analysis. Charlotte County has approved these details for the applicant, since they propose access to a Charlotte County roadway. A note was requested to be added to the Concept Development Plan stating:*

*According to Paragraph C, of the Code of Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21 (County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with and*



*acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due to the County are settled.*

*Based on the above, it is concluded the application can be found in **conformance** with this factor.*

- b. Fences, walls or vegetative screening at edges of PUD districts shall be provided where needed to protect residents from lighting, noise or other adverse off-site influences, or to protect residents of adjoining districts from similar possible influences from within the PUD district. In all cases, screening shall, at a minimum, be designed to protect existing or potential first-floor residential occupant window levels. In particular, off-street parking areas for five (5) or more cars, service areas for loading or unloading vehicles other than passengers, and areas for storage and collection of trash and garbage shall be so screened.

*Consistency analysis: A Type B buffer is required to be adjacent to residential and is proposed along the west. A Type A buffer is proposed along Veterans Blvd. to the south and I-75 to the east. The proposed dumpster is in a 12'x12' enclosure. Parking lot landscaping will be reviewed with the Improvement Plan. Based*

*on the above findings, it is concluded the application can be found in **conformance** with this factor.*

10. Phasing of Development

- a. It is the intent of DeSoto County that to the extent possible, each approved PUD development be carried through to completion in essentially the form in which it is approved at the Concept Development Plan level. Therefore, each phase of the development will be expected to adhere closely to the design principles of the Concept Development Plan. However, the County recognizes as a practical matter, that the long term nature of the proposed buildout of the PUD will likely justify changes based on changing economic or other factors. Therefore, provision is made for the submission of individual phases or subunits of the entire PUD. All such phases shall, in their timing, nature, intensity and location, be determined to be consistent with the larger PUD and to contribute to its completion in a unified fashion. Where such consistency is not feasible, it is assumed that the overall PUD Concept Development Plan will be modified to reflect changed conditions or factors.
- b. These phases shall be so located and related that should for any reason the full PUD is not developed, the completed portion will be self-contained.
- c. If the PUD is to be phased and more than one (1) final plat is required, successive plats must be filed so that development activity shall be of a reasonable continuous nature, and shall adhere to the following:
  1. All public service facilities, major recreation facility or facilities, including open space, parks, nature areas or environmentally sensitive areas to serve the designated phase shall be platted prior to the platting of more than the first twenty-five (25%) percent of the

total permitted dwelling units or recreational vehicles. The above may be accomplished by phases. As each phase is approved, the public service facilities, recreation and environmentally sensitive areas within the proposed phase shall be dedicated to such public or private entity for such use.

*Consistency analysis: The proposed PUD is a non-residential use and will be completed in one phase.*

*This factor is **not applicable**.*

2. Internal commercial areas shall not be platted prior to, but may be platted concurrent with, the platting of at least 25 percent of the total permitted dwelling units or recreational vehicles.

*Consistency analysis: This factor is **not applicable**.*

3. After rezoning to PUD district, no plat or building permit shall be issued by the County, and no development shall commence unless in conformance with the approved concept development plan.

*Consistency analysis: This factor is **applicable**.*

4. If no significant construction has begun or no use is established in the PUD within five years from the time of rezoning the site to PUD, the concept development plan shall lapse and be of no further effect. If a concept development plan lapses under the provisions of this section, the Board of County Commissioners may initiate a petition to rezone the said PUD to an appropriate zoning classification. No rezoning petition may be initiated until the County has provided the applicant with notice of its intent to rezone and further provided a 60-day period during which the applicant may begin construction and thereby cure the lapse. The Board may extend the PUD for two years provided the applicant can show good cause why said development cannot

proceed. There shall be no limit to the number of extensions that may be granted by the Board.

*Consistency analysis: This factor **is not applicable to the analysis of the initial PUD rezone.***

5. After the original phase containing 25 percent of the total permitted dwelling units is approved and platted, subsequent phases containing areas of residential development shall not be approved for final plat until a minimum of 25 percent of the residential units have been developed and certificates of occupancy issued; provided, however, that the developer of the PUD shall be exempt from this provision if the developer:
  - (i) Enters into a long-term road and drainage maintenance agreement with the County; or
  - (ii) Creates a community development district, special taxing district, property owners' association or other acceptable legal entity that will assume ownership and maintenance responsibility of the road and drainage system.

*Consistency analysis: The proposed PUD is a non-residential use and will be completed in one phase. The proposed phasing shall be provided with the Improvement Plan. This factor **is not applicable.***

11. Preservation and Protection of Natural Historic or Archeological Features:  
Every effort shall be made in the planning and development of the PUD District to preserve and protect desirable natural, historic or archaeological features of the site, including trees and other vegetation of consequence. Preliminary evidence from the appropriate agency shall be submitted with the application indicating potential impacts or areas to consider for more detailed study.

*Consistency analysis: The project must meet County, State and Federal laws and permitting requirements. An environmental report was submitted (Ian Vincent & Associates, November 2022) and a copy of the Sept. 20, 2024 SWFWMD Notice of Agency Action – Approval of ERP was provided. There are 0.28 acres of wetlands (FLUCCS 630 and 643) located within the project area for the ERP, with 0.12 acres of secondary wetland impacts off-site to the northwest. Permanent filling and dredging impacts to 0.28 acre of wetlands (FLUCCS 643) will occur for construction of the project. Permanent filling/dredging impacts to 0.28 acre of qualifying wetlands were evaluated. Wetland mitigation for permanent filling and dredging impacts will be provided by the purchase of 0.01 freshwater forested wetland mitigation credits from the Peace River Mitigation Bank, ERP No. 43029983.000, and 0.09 freshwater non-forested wetland mitigation credits from the Horse Creek Mitigation Bank, ERP No. 43041539.000. The results of the UMAM analysis indicate a relative functional gain of 0.10 units. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat. Protection of any identified cultural resources will be addressed by the State of Florida. Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

12. Utilities: It is intended that within the developed portions of a PUD District, all utilities, including telephone, cable television and electrical systems shall be installed underground, within approved utility easements, except that:
- a. Appurtenances to these systems that are more than four (4') feet in height and two (2') feet in diameter must be effectively screened.
  - b. Main or feeder lines may require overhead installation based on environmental or technical problems
  - c. Primary facilities providing service to the site of development or necessary to service areas outside the development shall be exempt from this requirement; and

- d. In cases of overhead main or feeder lines, service laterals from the point of connection shall be underground to the structure or dwelling

*Consistency analysis: The project is located west of I-75 (only parcel in DeSoto County west of the interstate) and is not within the County's utility service area and is not required to connect to DeSoto County Utilities (DCU). However, the applicant will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

*As the project goes through more detailed plan submittals, these requirements will be addressed. This factor is **not applicable** at this development review phase.*

13.Connectivity: All proposed development shall consider internal and external connectivity. Connectivity is intended to provide alternative routes between uses and neighborhoods, and in turn, reduce travel time. All applications shall provide at least a minimum:

- a. Sidewalks along both sides of all arterial and collector roads and a minimum of one side along all local roads located within and adjacent to the proposed development. Proper connections (i.e. handicap accessibility) at intersections shall be included.

*Consistency analysis: There are no roadways that will provide access to this project, located in DeSoto County. This factor is **not applicable**.*

- b. Stub-outs to vacant land of similar development designation (future urban areas) shall be provided. Requests for a waiver to this requirement may be considered based on agreements that internal roadways will remain private and portions of development are gated.

*Consistency analysis: The site is a non-residential 2.32-acre site backing up to I-75 and has access to Veterans Blvd, a throughfare roadway. This factor is **not applicable**.*

- c. Internal connections between uses to allow proper internal traffic flow shall be required.

*Consistency analysis: The site is a non-residential 2.32-acre site backing up to I-75 and has access to Veterans Blvd, a throughfare roadway. This factor is **not applicable**.*

**F. Other PUD requirements.** LDR Section 20-144(g) imposes additional requirements. LDR Section 20-144(g)(1) addresses the procedure for applying for Planned Unit Development zoning.

*This section requires submission of a concept development plan that addresses 14 factors and supportive document that responds to four issues. The 14 factors and a response to those factors are shown below.*

1. Location and size of the site including its legal description.

*Consistency analysis: The application includes a general location map, boundary survey, Property Identification Map, and legal description. Thus, the application can be found in **conformance** with this factor.*

2. An ownership and encumbrance report showing recorded ownership Interests including liens and encumbrances. If the applicant is not the owner, a statement of the developer's interest if the property and authorization from the owner for the PUD rezoning.

*Consistency analysis: An ownership and encumbrance report showing recorded ownership Interests was included with the application. Thus, the application can be found in **conformance** with this factor.*

3. Relationship of the site to existing development in the area, including streets, utilities, residential, commercial and industrial development, and physical features of the land including pertinent ecological features.

*Consistency analysis: The Concept Development Plan and general location map address the relationship of the site to existing development in the area and physical features of the land including pertinent ecological features. Thus, the application can be found in **conformance** with this factor.*

4. Density or intensity of land use to be allocated to all parts of the site to be developed together with tabulations by acreage and percentages thereof.

*Consistency analysis: The Concept Development Plan displays the intensity (floor area ratio) for the proposed non-residential use. Thus, the application can be found in **conformance** with this factor.*

5. Location, size and character of any common open space or preservation areas and the form of organization proposed to own and maintain any common open space.

*Consistency analysis: The Concept Development Plan displays the proposed open space. Thus, the application can be found in **conformance** with this factor.*

6. Use and type of buildings, i.e., single-family detached, townhouses, garden apartments, medium rise or high rise, proposed for each portion of the area included within the Concept Development Plan.

*Consistency analysis: The Concept Development Plan shows the proposed non-residential use, a self-storage facility, is proposed*



*to be a 3-story (42' 3" in height) 81,666 SF building (27,222 SF per floor). Thus, the application can be found in **conformance** with this factor.*

7. Proposed method of providing required improvements such as streets, water supply, storm water management and sewage collection.

*Consistency analysis: The project is located west of I-75 (only parcel in DeSoto County west of the interstate) and is not within the County's utility service area and is not required to connect to DeSoto County Utilities (DCU). However, the applicant will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

*A SWFWMD Environmental Resource permit was provided authorizing the construction of a stormwater management system for the site.*

*A traffic study was not provided with the PUD rezone application. Given the proposed mini-warehouse use, traffic is expected to be minimal. Access to the site is proposed on Veterans Blvd. in Charlotte County. Charlotte County staff has reviewed the site plan for the proposed mini-warehouse and issued final site plan approval. A note was requested to be added to the Concept Development Plan stating:*

*According to Paragraph C, of the Code of Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21*

*(County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with and acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted amount, the permit holder by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due to the County are settled.*

*Thus, the application can be found in **conformance** with this factor.*

8. Provisions for the parking of vehicles and the function and location of vehicle and pedestrian system facilities.

*Consistency analysis: The Concept Development Plan shows the location of the proposed parking. The Land Development Regulations (LDR) does not address parking and loading for mini-warehouse/self-storage facility uses. The applicant provided an analysis of neighboring and similarly sized*

*jurisdictions, demonstrating the range of different requirements if applied to the site, from 2 spaces to 19 spaces. The applicant has provided 7 parking spaces, including one ADA space, justifying a parking calculation that meets the needs of the proposed use (1 space per employee on busiest shift plus one space per 250 SF of office space). This analysis is found to be acceptable, and thus, the application can be found in **conformance** with this factor.*

9. A plan for pedestrian and vehicular circulation showing the general locations, widths and recommended surface treatment of all major internal thoroughfares and pedestrian access ways, and diagrammatic traffic movement to, within and through the planned development unit.

*Consistency analysis: The Concept Development Plan indicates vehicular circulation as well as sidewalks for pedestrian circulation from the parking to the proposed building. Thus, the application can be found in **conformance** with this factor.*

10. Information about existing vegetative cover and soil conditions in sufficient detail to indicate suitability for proposed structures and uses.

*Consistency analysis: Land development applications must meet County, State and Federal laws and permitting requirements. An environmental report was submitted (Ian Vincent & Associates, November 2022) and a copy of the Sept. 20, 2024, SWFWMD Notice of Agency Action – Approval of ERP was provided. There are 0.28 acres of wetlands (FLUCCS 630 and 643) located within the project area for the ERP, with 0.12 acres of secondary wetland impacts off-site to the northwest. Permanent filling and dredging impacts to 0.28 acre of wetlands (FLUCCS 643) will occur for construction of the project. Permanent filling/dredging impacts to 0.28 acre of qualifying wetlands were evaluated. Wetland mitigation for permanent filling and dredging impacts*

*will be provided by the purchase of 0.01 freshwater forested wetland mitigation credits from the Peace River Mitigation Bank, ERP No. 43029983.000, and 0.09 freshwater non-forested wetland mitigation credits from the Horse Creek Mitigation Bank, ERP No. 43041539.000. The results of the UMAM analysis indicate a relative functional gain of 0.10 units. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat. A geotechnical engineer will conduct a soil analysis, which is needed for the site engineering design work. Thus, the application can be found in **conformance** with this factor.*

11. In case of plans which call for development over a period of years or in phases, a schedule showing the times within which application for final approval of all sections of the planned unit development are intended to be filed.

*Consistency analysis: The proposed PUD is a non-residential use and will be completed in one phase. Thus, the application can be found in **conformance** with this factor.*

12. Any additional data, plans or specifications as the applicant may believe is pertinent to the proposed planned unit development.

*Consistency analysis: No additional data is required and none was provided. Thus, the application can be found in **conformance** with this factor.*

13. A list of deviations with appropriate justifications or support evidence, which may include design safety standards, independent studies, and professionally acceptable alternative design.

*No deviations are requested by the applicant. Thus, the application can be found in **conformance** with this factor.*

14. Data and analysis demonstrating preliminary compliance with designated level-of-service.

*Consistency analysis: No traffic study was provided with the PUD rezone application. Given the proposed mini-warehouse use, traffic is expected to be minimal. Access to the site is proposed on Veterans Blvd. in Charlotte County. Charlotte County staff has reviewed the site plan for the proposed mini-warehouse and issued final site plan approval. A note was requested to be added to the Concept Development Plan stating:*

*According to Paragraph C, of the Code of Laws & Ordinance Charlotte County, Florida (AKA Municode), granting authority to the County Engineer under Part III (Land Development & Growth Management), Chapter 3-6 (Roads & Bridges), Article II (Construction; Improvements), Division I (Generally), Section 3-6-21 (County Specifications; permits), that: Given the magnitude of improvements that will be performed to construct proposed improvements to Veterans Blvd turn lane to provide access to the site, either the owner, developer and/or contractor will post a check in an amount sufficient to cover the costs of inspection services necessary to ensure work performed within the right-of-way is performed in accordance with and acceptable to County and FDOT standards. This check would be used to cover costs incurred by Construction Management. At the time of permit application, the applicant shall provide a full set of construction plans, pertinent data indicating the length of contract time needed to perform the work, and the name of the contractor to perform the work. An estimated amount of inspection time will be calculated, and an amount will be determined to cover those services. Should the length of time or hours needed to complete the inspection services exceed the estimate and posted*

*amount, the permit holder by acceptance of the permit conditions, will be charged and agree to reimburse Charlotte County, any additional costs incurred. No work shall commence until this check is posted and no CO will be given until any outstanding monies due the County are settled.*

*The project is located west of I-75 (only parcel in DeSoto County west of the interstate) and is not within the County's utility service area and is not required to connect to DeSoto County Utilities (DCU). However, the applicant will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

*Based on the above findings, the application can be found in **conformance** with this factor.*

**G. Section 20-144(g)(2)** also requires that supportive documents address four factors. The factors and an analysis of those factors is shown below.

- a. A statement describing the character and intended use of the planned unit development and indicating how and why the proposed project complies with the Comprehensive Plan of the County and the statement of purposes on planned unit development.

*Consistency analysis: The applicant provided a supportive document demonstrating compliance with the Comprehensive Plan that was reviewed by staff and found to be acceptable. Thus, the application can be found in **conformance** with this factor.*

- b. A general description of the proposed development, including information as to:

1.Total acreage involved in the project. The Concept Development Plan shows the number of total number of acres.

*Consistency analysis: The Concept Development Plan includes the required information. Thus, the application can be found in **conformance** with this factor.*

2.The number and type of dwelling units involved and the corresponding overall project density in dwelling units per gross acre.

*Consistency analysis: The Concept Development Plan is for a non-residential use and this factor is not applicable.*

3) A list of proposed uses, both residential and non-residential.

*Consistency analysis: The application includes the proposed non-residential use for a self-storage/mini-warehouse facility. Thus, the application can be found in **conformance** with this factor.*

4) The minimum design standards reflected by the site plan for such features as lot shape and size, setbacks, internal streets and pedestrian ways, open space provisions, off-street parking, signs and landscaping.

*Consistency analysis: The Concept Development Plan displays the overall project size, layout, setbacks, open space, and buffers. Thus, the application can be found in **conformance** with this factor.*

- b. A proposed schedule of development which identifies the anticipated phase start and completion date, and the area and location of common open space to be provided at, or by said stage.

*Consistency analysis: The proposed PUD is a non-residential use and will be completed in one phase. Thus, the application can be found in **conformance** with this factor.*

- c. A statement indicating whether streets or roads (and pedestrian ways) shall be of private ownership and maintenance, public ownership and maintenance, or some other form of ownership.

*Consistency analysis: The proposed PUD is a non-residential use for a self-storage/mini-warehouse facility. No new streets are proposed. Thus, this factor is not applicable.*

**G. Planning Commission/Board review criteria.** LDR Subsection 20-144(h)(2) addresses the Concept Development Plan approval process and Paragraph 20-144(h)(2)2 requires Planning Commission review while Paragraph 20-144(2)(h)3 requires the Board of County Commission to consider the Concept Development Plan at a hearing and either grant approval or disapproval based on the same criteria used by the Planning Commission, these being whether the following criteria can be satisfied:

1. The proposed use or mix of uses is appropriate at the subject location.

*Consistency analysis: The proposed mini warehouse can be found to be appropriate at this location. The subject property is in southwest DeSoto County, at the NE Corner of N Orlando Blvd and Veterans Blvd, lying within DeSoto County but adjacent to both the City of North Port (Sarasota County) to the west and Charlotte County to the South. It is the only parcel in DeSoto County on the west side of I-75.*



*The subject property is currently undeveloped. **Table 1** shows the existing land use pattern. The surrounding properties are primarily in the Low Density Residential Future Land Use Category. To the north and east of the triangular shaped subject parcel is Interstate 75. Vacant commercial land is located to the south, across from Veterans Blvd., in Charlotte County. To the west there is vacant single-family residential in the City of North Port in Sarasota County.*

*The table illustrates that the surrounding uses are developing in a fashion consistent with the Low Density Residential Future Land Use category. While the primary use of the LDR is residential, a sustainable mix of neighborhood scale commercial may be introduced only as part of the PUD process (Policy 1.4.2). Commercial areas shall be located at the intersections of collector and/or arterial roads and shall be separated approximately 2 miles from other existing and/or future commercial designated areas. PUD zoned projects may establish their own specific height, bulk, setback, buffering, and other regulations for the zoning district to help to achieve compatibility between uses.*

*The proposed PUD is located at the northwest corner of Interstate 75 and Veterans Blvd. and as the only parcel in DeSoto County west of I-75, has no direct access to De Soto County.*

*Based upon the project, meeting the requirements found in the Land Development Code for setbacks, buffers, and open space, the proposed rezone and PUD Concept Development Plan mitigate any potential incompatibilities with the proposed use at this location. Based on the above findings, it is concluded the application can be found in **conformance** with this factor.*

2. The recommended conditions to the concept development plan and other applicable regulations provide sufficient safeguards to the public interest.

*Consistency analysis: The proposed ordinance accompanying this Development Review Report recommends any conditions which are*

*intended to provide sufficient safeguards to protect the public interest. Thus, the application can be found in **conformance** with this requirement.*

3. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

*Consistency analysis: This Development Review Report documents why the conditions have been imposed and demonstrate that they are reasonably related to the impacts caused by the development in relation to the public interest. Thus, the application can be found in **conformance** with this requirement.*

#### **H. Other PUD Regulations.**

1. LDR Section 20-144(i) is regarding improvement plan approval.

*The Development Director concludes this factor is **not applicable** to the rezoning application because a Concept Development Plan needs to be approved before an Improvement Plan can be submitted.*

#### **I. Criteria for award of bonus density.**

LDR Section 20-1626 establishes three criteria for the award of a density bonus: infrastructure improvements, quality of life, and development standard enhancements. The intent of bonus density/intensity is to allow an increase in a project's extent of development based on the applicant providing public amenities and community improvements. LDR Section 20-1627 provides the Board shall determine whether and to what extent the requested bonus density implements the above criteria, which shall be considered equally and, in their totality, is in the best interest of the public, and is consistent with related need assessments or findings. No one criteria or category of criteria shall outweigh all others, either for approval or denial. LDR Section 20-1627 also provides the Board may evaluate and base its decision on unique requests or additional

improvements that are consistent with the intent of these categories for award of bonus density/intensity.

- a. *Infrastructure improvements* include off-site or on-site improvements which increase and reserve capacity for other uses or create efficiencies and reduce duplicative efforts in providing necessary infrastructure for the general public. Proposed improvements are those that provide a specific public benefit not otherwise required by the LDR. Improvements are those that are found or identified in the following documents:
  - The Comprehensive Plan, including specifically FLUE Policy 1.1.4;
  - A Capital Improvement Plan;
  - A local or regional transportation plan;
  - Any County Master Plan.

*Applicant's proposed benefits: The applicant states in the Project Narrative that existing water and wastewater are located along the south side of Veterans Blvd. Veterans Blvd. is an urban, 4-lane divided roadway at this location. Fire Station #2 is located approximately 7.8 miles northeast along Kings Highway. The project proposes 10 foot wide, Type "A" and Type "B" landscape buffering. Vehicle use parking landscaping will be included per the Land Development Code. The landscaping materials utilized will be aesthetically pleasing and environmentally friendly by utilizing native varieties. The property is bordered to the south by properties located within Charlotte County with an existing residential zoning (RSF-3.5) and a Future Land Use of Low Density Residential, matching the Future Land Use of the subject parcel. Also, to the south is a DRI, mixed use development, Sabbi Monti, part of the Sandhill DRI properties. This development has an allocation of 1,552,553 SF of Commercial gross square feet, 231,053 SF of mini-warehouse and additional commercial uses along with 3,171 residential units. Property to the west is located within City of North Port with an existing zoning and Future Land*

*Use of AC10 (Activity Center 10). The commercial FAR density for the AC10 category is 1.0. To the east of the property is I-75 and then Commercially zoned property within DeSoto County. These properties are zoned CG with a Future Land Use of Low Density Residential. Similar and larger densities are noted with the adjacent properties in both DeSoto County and the City of North Port. The Charlotte County development is at a higher density than this current request.*

*Staff Analysis:*

*There are not any public improvements proposed or required in DeSoto County for this project. The applicant has coordinated with Charlotte County on needed utility services and access, as the infrastructure to be utilized lies in Charlotte County. The subject property is currently undeveloped and is adjacent to Interstate 75 to the north and east, and vacant residential to the west. Vacant commercial is located to the south, across from Veterans Blvd in Charlotte County.*

*The subject property is designated Low Density Residential on the Future Land Use Map. Policy 1.4.7 allows existing non-residential zoned areas within the Low Density Residential category, on arterial roadways, to have a base intensity of 0.4 FAR, and allows up to a 1.0 FAR for hotels and mini-warehouse uses, subject to meeting the bonus criteria. The site, with existing CG zoning, is proposing a PUD rezone in accordance with Policy 1.1.3: Density Unit Bonus Limits, which states that the Land Development Regulations shall require Planned Developments. The applicant is requesting the bonus FAR and proposing a 81,666 SF mini-warehouse on the +/- 2.32-acre property for a gross FAR of 0.81.*

*The applicant has provided a narrative considering performance criteria as relates to bonus intensity. The site is in proximity to existing water and wastewater located along the south side of Veterans Blvd, a 4-lane divided arterial roadway. The proposed*

*site is served by DeSoto County Fire Station #2, located 7.8 miles to the northeast. Because the proposed use is non-residential, the proximity of schools, affordable housing, mixed-use, and recreational activities are not applicable. The site offers 37% open space (25% required) with 10' landscape buffers around the perimeter of the site. Approximately 0.4 acres of wetlands, identified in the Environmental Report and the ERP application, are proposed to be impacted.*

*The proposed development will connect to existing public utility systems along Veterans Boulevard in the Charlotte County Utility Franchise Area. The project has received Final Site Plan approval from Charlotte County for the proposed utility and roadway improvements.*

- b. *Quality of life* refers to the development and dedication of land and/or facilities, improvement of corridors and gateways, or enhancement and improvement of the ecological quality of natural resources. Environmental assessments identifying how and why the proposed improvements will meet these goals may be required by the County. Depending on the proposed facility, the County may require evidence of resources to ensure maintenance and management of the facility or resource. Improvements shall be those that implement or improve the following:
- (1) Economic development, including redevelopment;
  - (2) Conservation and enhancement of natural or scenic resources, including farmland;
  - (3) Protection of streams or water supply beyond those protections required by federal, state or local regulation;
  - (4) Enhancement of parks, forests, wildlife preserves, nature preserves or sanctuaries;
  - (5) Enhancement of recreational opportunities consistent with related master plan(s),

- Comprehensive Plan, Capital Improvement Plan, or corridor plan(s);
- (6) Implementation of gateway plans;
  - (7) Preservation of historic structures;
  - (8) Improvement in regionally connected and significant trail connectivity;
  - (9) Connectivity between developments with similar densities;
  - (10) Donation of land that provides a benefit to the public;
  - (11) Clustering of development and protection of environmentally sensitive areas beyond what is required by federal, state or local regulations.

*Applicant's proposed benefits: The applicant states that the addition of a new commercial development to DeSoto County will bring employment opportunities as well as increased tax revenue for the municipality. Isolated wetland areas are proposed to be impacted with the development. There are no existing trails within the vicinity of the property for connection. However, there is sufficient room within the 10-foot-wide landscape buffers along the I-75 corridor and Veterans Boulevard roadways should an opportunity become available for connection. The development is providing 14% additional open space above the current County regulation requirements. In addition, the site will drain to a proposed wet pond located at the northern end of the property prior to discharge to an existing vacant park area located to the west. An additional ditch compensation area in the southeast corner of the property will add stormwater retention for the areas of the property located within the floodplain. Irrigation for the landscape buffers and parking areas will be provided via low volume drip irrigation lines for water conservation measures. All irrigation will be in compliance with watering schedules and usage as prescribed by the County. Native plantings and bedding materials are proposed to be utilized within the landscape buffers and parking areas additionally decreasing the need for irrigation.*

Staff analysis: The project is adjacent to Interstate 75 and residential development on surrounding sides. The site plan shows a small amount of wetland impacts and buffers from other wetlands. The applicant is planting native vegetation in all buffer areas to remove gaps in vegetation. There are no known trail plans in this area.

The project is a non-residential use, so public recreation is not applicable. The PUD Concept Development Plan exceeds the minimum required 25% open space (25,212 sf) providing 37% (+/- 36,966 sf). Provided open space includes landscaped open space area, stormwater area, and wetland/wetland buffer area. Development is clustered on the upland portions of the site, the amount of parking has been minimized, preserving the wetlands, as much as possible.

- c. *Development Standards.* Design standards related to the appearance and function of the proposed project, which create opportunities for diverse housing types, unique character and a sense of place, creative design. Improvements shall be those that implement or improve the following:

- (1) Mixed use housing types (examples), such as single family (detached), multifamily (low/mid-rise), attached single family (townhouses, carriage homes) within development and phase boundaries;
- (2) Design features such as neighborhood and historically relevant architectural styles, multimodal and complete street enhancements, architectural street lighting;
- (3) Affordable housing inclusion;
- (4) Pervious surface and long-term maintenance, reduction in run-off;
- (5) Water conservation.

Applicant's proposed benefits: The project is adjacent to Interstate 75 and residential development to the west and south. The applicant is proposing native planting and bedding materials as well as low flow drip irrigation to aid water

conservation.

Staff analysis: The application and concept plan indicate the site has some wetland impacts and developed around wetlands. No building elevations have been provided. However, the applicant has consolidated the development into a 3-story building (42' 3" in height). They also provided a parking analysis to provide a minimum amount of parking to reduce the impacts of impervious surfaces and unnecessary stormwater runoff.

Overall Staff Analysis: Land Development Regulations (LDR) Section 20-1627 provides that an applicant seeking approval of bonus density/intensity has the burden of proving based on competent substantial evidence that the development qualifies for bonus density/intensity and the extent to which bonus density/intensity shall be awarded. The applicant notes the following criteria for bonus intensity as being exceeded:

- The site is located along an existing roadway with existing utility services available to the property without having to construct additional offsite improvements.
- Additional Open Space of 14%, beyond the minimum standard will be provided onsite.
- Additional ditch compensation in the southeast corner of the property is shown on the plan for additional stormwater retention.
- Water conservation is aided with native planting and bedding materials as well as low, flow drip irrigation.
- Interconnection points are provided for potential connection to the west side of the development.
- Land for a potential trail area is shown to be accommodated along the eastern buffer line.
- Added employment opportunities for DeSoto County.
- Increased tax base revenue for DeSoto County.
- Fire/EMS are within 8 miles of the subject property.



- *The mini warehouse will not increase the need for school capacity or recreation/park areas .*
- *Commercial uses along I-75 located within the proper zoning and Future Land Use categories is envisioned by the County.*
- *While it is not adjacent to lands with similar densities/intensities, given its location on a thoroughfare and contiguous to an interstate highway, mini warehouses are benign land uses and the proposed project is not expected to adversely affect living conditions in the area.*

*LDR Section 20-1626 establishes three criteria for the award of a density bonus: infrastructure improvements, quality of life, and development standard enhancements.*

*In terms of infrastructure improvements, the applicant is meeting the requirements and standards for the area and adjacent jurisdictions. In terms of quality of life, mini-warehouse facilities are benign uses, and the project may help to mitigate the interstate noise for the nearby residential. Other commercial uses could have been proposed that would have added significant traffic, noise, etc. to the adjacent uses. The applicant proposes additional open space beyond the minimum requirement and landscaping to enhance the project. Given the nature of the proposed use and location, staff supports the request for an award of bonus intensity for this project.*

**J. Conditions and Safeguards.** LDR Section 20-1499 allows the imposition of conditions to safeguard surrounding areas from potential incompatibilities generated by the application.

1. The Planning Commission may recommend that a rezoning application or an application to amend the LDR be approved subject to conditions and safeguards, including but not limited to limiting the use of the property to certain uses provided for in the requested zoning district.

*Consistency analysis: The Planning Director finds that the Land Development Code provides specific height, bulk, setback, density, and other regulations for the PUD zoning district to ensure compatibility*

*between uses. Applications for Planned Unit Development (PUD) provide the Board with the ability to attach conditions to a project for unique situations, items that are needed outside of the standard requirements of the LDR, sometimes needed to allow the project to fit into the built environment.*

*Future development must conform to all required Federal, State, and County permitting requirements.*

2. The Board of County Commissioners, after receiving the recommendation from the Planning Commission on an application for rezoning or an application to amend the LDRs, may grant or deny such rezoning or amendment and may make the granting conditional upon such conditions and safeguards as it may deem necessary to ensure compliance with the intent and purposes of the Comprehensive Plan.

*Consistency analysis: The Board of County Commissioners is scheduled tentatively to consider the application at their duly noticed November 18, 2025, public hearing.*

**K. Public notice requirements.** LDR Section 20-1502 requires notice of the date, time and place of the public hearings by the Planning Commission and Board of County Commissioners shall:

1. Be sent at least 10 days in advance of the hearings by mail to ten surrounding property owners or all owners of property within 1,000 feet of the property line of the land subject to the special exception use application; and
2. Have at least one sign posted on each road frontage; and
3. Be advertised in a newspaper of general circulation in DeSoto County at least 10 days prior to each public hearing.

The Planning Director caused written notice of the hearings to be mailed to all property owners within 1000 ft and such notice is on file.

## **IV. ATTACHMENTS**

Exhibit A: General Location Map

Exhibit B: Interim 2040 Future Land Use Map (FLUM), Excerpt

Exhibit C: Official Zoning District Atlas Amendment Development Order Application, Excerpt

Exhibit D: Concept Development Plan

Exhibit E: Proposed Ordinance

Exhibit F: Comprehensive Plan Goals, Objectives, and Policies

## **V. FINDINGS AND CONCLUSIONS**

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

- A. The Planning Director finds the subject property consists of a +/- 2.32-acre site located in southwest DeSoto County, on Veterans Boulevard in Lake Suzy, FL, adjacent to both the City of North Port (Sarasota County) to the west and Charlotte County to the South. It is the only parcel in DeSoto County on the west side of I-75.
- B. The Planning Director finds the Interim 2040 Future Land Use Map shows the property is designated Low Density Residential.
- C. The Planning Director finds the Official Zoning District Atlas shows the property is currently zoned Commercial General (CG).
- D. The Planning Director finds that on March 24, 2025, an Official Zoning District Atlas amendment application (RZNE-0067-2025) was filed by Steve Krzynski,

as authorized agent for the owner, which proposed to change the zoning district to Planned Unit Development (PUD).

- E. LDR Section 20-1345 requires the application to be complete and in writing. The Planning Director found the filed application was submitted in writing and complete.
- F. LDR Sections 20-1345(c) provides the complete application that should be distributed to the Development Review Committee (DRC) for comments. The Planning Director finds the application was distributed to the DRC on March 24, 2025.
- G. LDR Section 20-1496(b) requires the Planning Commission to review the application at a public hearing and a duly noticed quasi-judicial Planning Commission public hearing, scheduled November 4, 2025.
- H. LDR Section 20-144(4)(2)3 requires that after the Planning Commission hearing, the application and staff report be forwarded to the Board for a public hearing. The application has been scheduled for the November 18, 2025 Board public hearing.
- I. LDR Section 20-1498(a) requires consistency with the Comprehensive Plan. The application has been reviewed against the Comprehensive Plan, and it is concluded the application is consistent with the Comprehensive Plan.
- J. LDR Division 7 establishes an adoption process, and the Planning Director concludes the application has been processed in conformance with the adoption process, as the application has been scheduled for Planning Commission and Board of County Commissioners public hearings.
- K. LDR Section 20-1498 also includes criteria that must be considered when reviewing the application. The Planning Director finds and concludes the application meets those requirements and can be approved by the Board of County Commissioners.

- L. The LDR establishes specific public notice requirements for an Official Zoning District Amendment Development Order Application. The Planning Director finds and concludes the application has been duly noticed in conformance with the public hearing requirements and public hearings have been scheduled before the Planning Commission and Board of County Commissioners.

## **VI. ALTERNATIVE ACTIONS**

The DeSoto County Planning Commission/Local Planning Agency may take one of the following alternative actions:

- A. Enter into the record the Development Review Report and all other competent substantial evidence presented at the hearing and recommend approval of the PUD rezone and concept development plan and *a Floor Area Ratio of 0.81 per the Performance Criteria in Comprehensive Plan Policy 1.1.4* to the Board of County Commissioners, adoption the findings and conclusions contained herein, and adoption the proposed Ordinance as presented.
- B. Enter into the record the Development Review Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein, and recommend denial of the proposed ordinance to the Board of County Commissioners.

## **VII. RECOMMENDED CONDITIONS FOR APPROVAL**

- 1. Prior to approval of the Improvement Plan, the applicant shall provide documents showing Charlotte County's approval of access and utilities for the project.
- 2. The Floor Area Ratio for the project is limited to 0.81.
- 3. The applicant shall provide a copy of all required State and Federal permits from agencies that include but are not limited to the Florida Department of Transportation, Southwest Florida Water Management District, Florida Department of Environmental Regulation, Army Corps of Engineers, etc.,

to the Development Department prior to issuance of the Notice of Commencement.

Condition 4 was modified after the Planning Commission hearing, as follows:

4. The Improvement Plan shall show a minimum of 25% useable open space for the project per Section ~~20-155~~ 20-144(f).6 of the LDR and be approved by the Planning Department unless the Board approves a deviation.

Additional condition 5 recommended by the Planning Commission:

5. All loading zones shall be pre-approved by Public Safety.

## **VIII. MOTIONS FOR CONSIDERATION BY THE BOARD OF COUNTY COMMISSIONERS**

- A. Approval: I move to adopt proposed Ordinance, (RZNE-0067-2025), approving the rezoning to PUD and Concept Development Plan, with conditions and *grant a Floor Area Ratio of 0.81 per the bonus performance criteria in Comprehensive Plan Policy 1.1.4*, and enter into the record the Development Review Report, findings and conclusions, and all other competent and substantial evidence presented at the hearing.
- B. Denial: I move to deny the proposed Ordinance and application for rezoning to PUD (RZNE-0067-2025) and enter into the record the Development Review Report, findings and conclusions, and all other competent and substantial evidence presented at the hearing.
- C. Planning Commission Recommendation. The Planning Commission met on November 4, 2025, and recommended approval with the addition of Condition #5 requiring loading zones to be approved by Public Safety. The vote was 4-0.

**D. Board action.** The Board public hearing date is scheduled for November 18, 2025, public hearing.