



City of North Port
WMS Development Group LLC
Public Private
Partnership Proposal

PLAN UPDATE | JULY 10, 2023

Proposed by WMS Development Group LLC | Ashley Bloom and Michael Alessio

WORKSHOP OUTLINE

I. THE PROCESS

II. THE REVISED PLAN

III. THE BENEFIT ANALYSIS

IV. THE PPP DECISION

THE PROCESS

I. THE VISION

A. Original Plan

B. Input and Reflection

C. Identity & Environmental

II. THE TEAM

III. THE ZONING – ACTIVITY CENTER 7

IV. THE 2019 PLAN

V. THE SURVEY & DEVELOPMENT INTENSITY

VI. THE FINANCIAL IMPACT

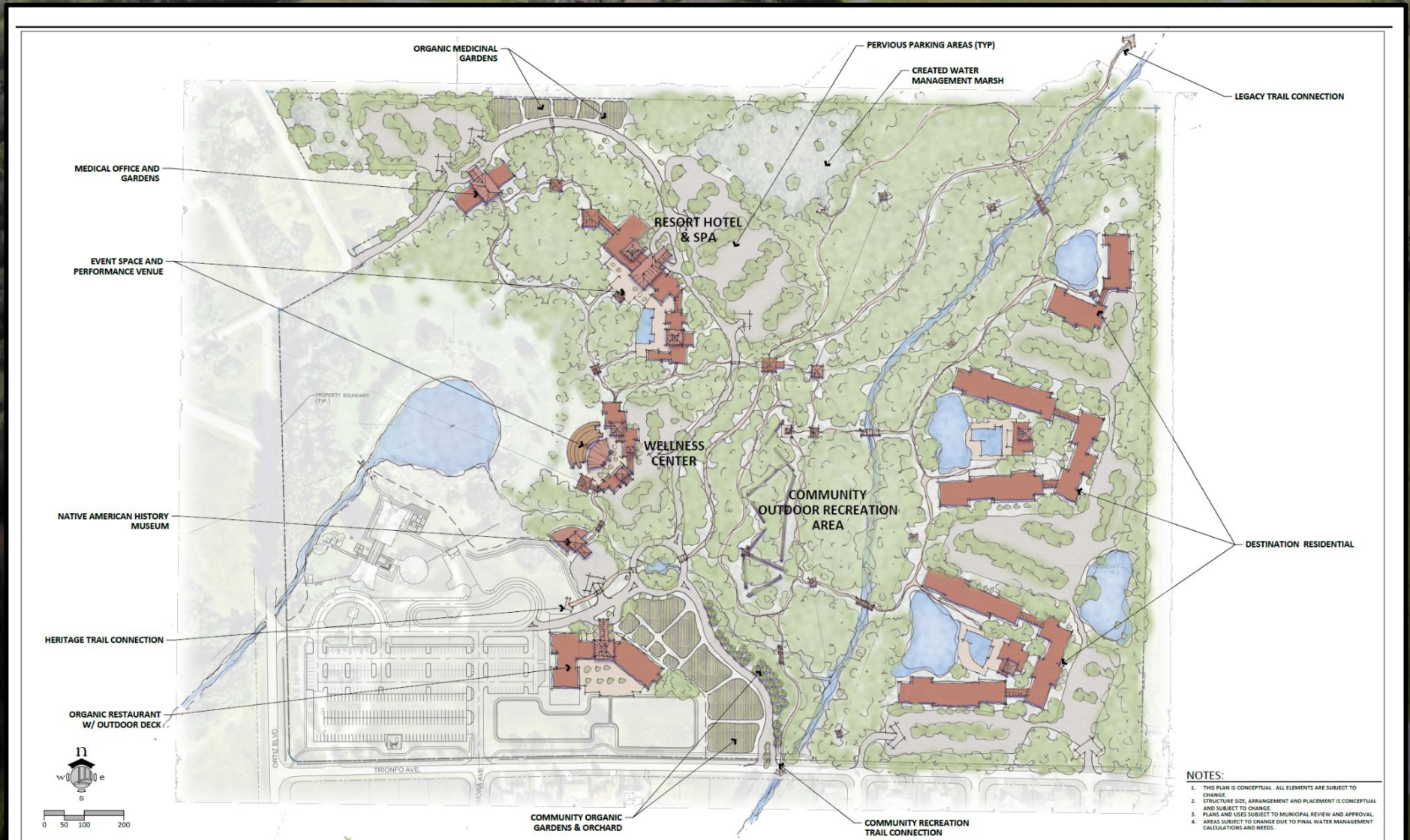
VII. THE REVISION ANALYSIS

The Vision

It is the intent and vision of WMS Development Group LLC to honor the history of the property, further enhance health and wellness around Warm Mineral Springs, and to create a community recreation and amenity zone. The plan calls for developing Phase I to the plans and specifications of the existing Kimley Horn drawings created by the City.

The plan will allow for both the citizens of North Port (enhanced by connection to the Legacy Trail) & visitors from around the world (in both short and long term stays) to have access to the WMS and amenities which will be created.

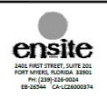
The Vision



- NOTES:**
1. THIS PLAN IS CONCEPTUAL. ALL ELEMENTS ARE SUBJECT TO CHANGE.
 2. STRUCTURE SIZE, ARRANGEMENT AND PLACEMENT IS CONCEPTUAL AND SUBJECT TO CHANGE.
 3. PLANS AND USES SUBJECT TO MUNICIPAL REVIEW AND APPROVAL.
 4. AREAS SUBJECT TO CHANGE DUE TO FINAL WATER MANAGEMENT CALCULATIONS AND NEEDS.



WARM MINERAL SPRINGS ENCLAVE CONCEPTUAL SITE PLAN



SEPTEMBER 2022

The Vision

INPUT AND REVISION. Through this process, the plan has evolved. Consideration has been given to the 2019 Plan, Activity Center guidelines, the 2023 Survey and speaking to various residents & community stakeholders. **The plan STILL calls for developing Phase I to the plans and specifications of the existing Kimley Horn drawings created by the City in spirit of honoring the Spring and 21 acres.**

IDENTITY. The plan will continue to evolve in the Entitlement and PPP process. It is the VISION of WMS Development to create a “sense of place” that is unique to Warm Mineral Springs. This plan will authentically include most of the elements reviewed & learned in the PPP process with a foundation in health, wellness, outdoor recreation, history, and environment.

The Environment

- I. 2003 Cultural Resource Assessment**
- II. 2018 Archeological Assessment**
- III. The 2023 Environmental Assessment**
 - A. City Initiated Report**
 - B. WMS Development Group Report**
 - C. Planning & Permitting**
- IV. Future Studies and Inspections**

The Environment

Environmental Issues, Concerns, & Action Steps

- I. **Gopher Tortoise – 100% Survey & Plan Review**
- II. **Scrub Jay – None Found & Habitat (2021 Review)**
- III. **Woodstork – 2 Miles to Nesting Colony & Possible Habitat in Stormwater**
- IV. **Exotic Species – Eradicate Invasive Plantings**
- V. **Labeling & Signage – Along Trailway**
- VI. **Plant Species – Relocation & Labeling**

The Zoning Activity Center 7

Sec. 55-46. Intent.

The Activity Center #7 District is established for the purpose of identification, protection, preservation and the beneficial use of property strategically located around the environmental resource of the natural spring. **It is intended that this district shall not be a holding category for land, but rather, a terminal category to insure that the present and future residents of the City of North Port shall be able to enjoy and have access to the area.**

The Zoning Activity Center 7

The provisions of this district are intended to provide standards for the development of the **Warm Mineral Springs and surrounding properties to accommodate health and educational facilities, offices, professional, institutional, residential and commercial land uses.** These standards are intended to promote creative and unique designs including, but not limited to, neo-traditional, traffic circles, a consistent architectural theme, preservation of existing architecturally significant structures and natural resources.

The Zoning Activity Center 7

Sec. 55-47. Development standards.

All development shall be required to submit a Development Master Plan and an environmental impact assessment in addition to the other PCD application requirements. The following development standards shall apply:

- A. Residential uses shall not exceed two hundred seventy (270) equivalent residential units.
- B. Retail/commercial/tourist uses shall not exceed sixty-two thousand (62,000) gross square feet, excluding required parking areas.
- C. Institutional/conference center uses shall not exceed forty-five thousand (45,000) gross square feet, excluding required parking areas.
- D. No residential lot shall be located closer than four hundred (400) feet to the conservation buffer immediately surrounding the springs and creek flowing from the springs.
- E. A minimum three hundred (300) foot natural resource buffer shall be established between the springs and any residential lot or structure. Uses within said buffer shall be restricted to passive recreation.

The Zoning Activity Center 7

A. The parameter for the percentage of allowable land uses pursuant to the Comprehensive Plan are as follows:

Low Density Residential	52%
Professional Office	% *
Commercial	12%
Public Recreational Open Space	36%
* The land use categories commercial and professional office are combined.	

NOTE: Activity Center 7A has a Comp Plan change that has passed first reading and will be considered for second reading on 7/11/23 for 5 Dwelling Units per Acre

The Team

KNOWN PARTNER & FINANCIALLY SOUND. The team includes partners which a long, known track record in the Industry & city. Relevant experience includes working in EDC on various projects, affordable housing project & grant, and location of new Utilities site. **The PPP proposal provides a performance bond for \$19 million which assures the City the completion of Phase I work.**

CONSULTANT TEAM. WMS Development Group has engaged highly qualified & respected industry professionals to be on the team. As the process continues, additional members will be added in appropriate areas to navigate site issues in a mindful way and maintain the focus of the vision.

Development Team

Michael Alessio

President of Alessio
Companies



Dr. Henry Fishkind

30+ Year Industry
Expert- Consultant

Mike MacKinnon

Banbury Development
Group - Finance



Ian Vincent

Environmental-
Consultant

Ashley Bloom

Developer &
Brokerage Owner



Brian Smith

Civil Planner-
Consultant

The 2019 Plan

In 2019, Kimley Horn prepared a Master Plan report for the City of North Port. This analysis included Public Involvement, Conceptual Master Plan, Existing Building Renovations, and Park Components. **The report stated “The proposed Master Plan will expand the Park Activities into the full 59.9 acres of the City owned property, while enhancing the existing 21.7 acres.”**

“The proposed Draft Master Plan reflects the program and amenities that were identified and prioritized at the City, Stakeholder and Community meetings... The plan provides the framework of elements that marry the existing Warm Mineral Springs Park with the expanded property through a series of accessible circulation paths and intentional sight lines.”

The 2019 Plan

City of North Port Goals

As part of the Request for Proposals (RFP) the City advertised for the Park Master Plan, a number of program features were included as potential improvements. These features were presented at the public and advisory board meetings, and vetted for community desire to include within the park. These features included:

- Preservation and incorporation of existing tree canopy
- Preservation and incorporation of existing building footprints and structures
- Natural berms or noise abatement options to be located between the Warm Mineral Springs Park site and surrounding neighborhood
- Camping locations for tent and recreational vehicles (RV) camping
- Area for future camping cabins
- Parking improvements including daily park users, RV's, and horse trailers
- Large gathering/festival area
- Site access and entrances including gateway features
- Open-air amphitheater
- Trails including pedestrian, bicycle, horse trails and other passive/natural trails
- Museum and historical/education exhibits, signage or displays
- Trail connectivity to the broader community including Deer Prairie Creek and the Myakka Forest
- Light retail such as boutique shopping, ice cream, etc.
- Restroom facilities located strategically throughout the park
- Recommendations for utility upgrades as necessary (water, sewer, stormwater and electrical)
- Relocation of the community garden as required

Top Improvements



1 Natural Feature Enhancements



2 Architectural Renovations & Improvements



3 Educational Exhibits & Signage

Top Activities



1 Dining Options



2 Seating Options & Picnic Areas



3 Wellness Activities & Exercise Classes

Additional Improvement Needs



Shade



Security



Restrooms

The 2019 Plan

Summary of Potential Program Elements

The potential program elements as originally proposed by the City Commission were discussed and vetted during the public engagement, and advisory board meeting process. During these meetings, a prioritization of program elements and community preferences became clear. The following is a summary of key priorities based on discussion at the meetings:

- Be mindful of the existing conditions by enhancing and embracing the site through the preservation of vegetation and ecological health of the Spring
- Provide a flexible lawn space that is open to passive games like bocce ball, croquet, etc.
- Provide opportunity for a canopy walk amidst the existing trees and creek
- Provide flexible space for temporary food trucks, festivals, and events
- Provide a Trail system expanding to the Deer Prairie Creek Preserve and surrounding neighborhood street network
- Provide buffering between uses on site and adjacent residential development, as well as strategic buffering between the Spring and proposed amenities on the 59.9 acre parcel

- Maintain and expand the existing community garden
- Enhance the access and entry experience to the site through the expansion of parking, sidewalks, and additional signage
- Create an outdoor experience where people can learn about the site's history
- Provide camping (in the form of tents, cabins and RV) on site, that are located in area that do not interfere with the 21.7 acres and do not disturb a significant amount of existing vegetation
- Restore and renovate existing structures
- Incorporate native plantings and low-impact development, and manage invasive and exotic plants existing on-site

Please make Warm Mineral Springs better. It is too lovely a place to be wasted. I have been waiting for 40 years to see this happen.

The 2019 Plan

Conceptual Master Plan: Design Narrative

The proposed Draft Master Plan reflects the program and amenities that were identified and prioritized at the City, Stakeholder and Community meetings, and presented for initial feedback at the City Commission Workshop on 1/7/19. The plan provides the framework of elements that marry the existing Warm Mineral Springs Park with the expanded property through a series of accessible circulation paths and intentional sight lines. Proposed Park elements include:

- Enhanced hardscape
- Landscape enhancement
- Site furnishings including shade structures, lighting, wellness equipment, and seating
- Circulation improvements including a network of trails and boardwalks
- Passive recreation / programmatic activities
- Camping facilities
- Event pavilion
- Additional parking
- Historic and educational exhibits / signage

Design Process

Following the public input and data collection process, the design team focused on the desired elements and how they would fit into the site with minimal impact to the existing naturalized setting. The existing parking lot was expanded to accommodate additional visitors and provide entry and exit points to both Trionfo Ave. and Ortiz Blvd. From the parking lot, separate entry points were established for paying Spring visitors and guests visiting the remaining park property. The majority of improvements are passive, such as trails and shelter areas which limit construction impact to the existing tree canopy and the existing creek. The camping area has a separate access point from everyday guests. Overnight guests access through a private looped drive off of Trionfo Ave. Due to the proposed uses of RV parking, events, and trails being in proximity to the surrounding residential development, careful consideration to berm and buffer placement was provided on the perimeter of the property. ***The Draft Master Plan shown on the next page includes the design decisions and proposed park elements as described above.***

Legend: Conceptual Master Plan

- 1 Existing Buildings with New Courtyard
- 2 Existing Cyclorama
- 3 Pick Up / Drop Off
- 4 Parking
- 5 Overflow Parking
- 6 Event Plaza / Market Area
- 7 Park Monument Sign
- 8 Historical Exhibit
- 9 Restrooms
- 10 Lookout Towers & Canopy Walk
- 11 Maintenance Building
- 12 Equestrian Trail Gateway
- 13 Potential Future Parking

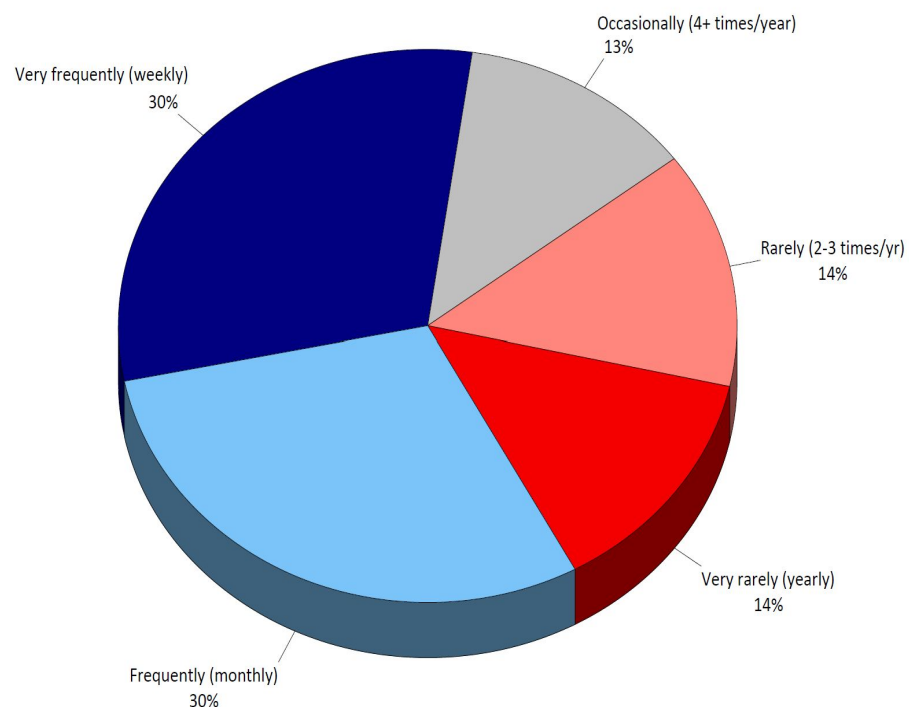
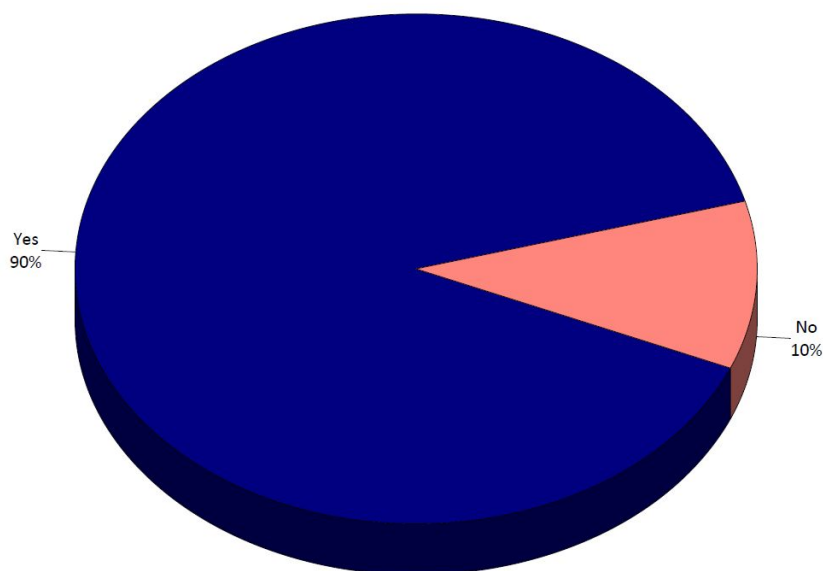
The Survey & Development Intensity

Major Findings 959 Answers | 863 Last 2 Years | Weekly & Monthly 576

Use of Warm Mineral Springs. Most respondents (90%) report visiting Warm Mineral Springs Park. Over the past two years, those respondents most often report visiting frequently (monthly) (30%) or very frequently (weekly) (30%)

Q1. Have you ever visited Warm Mineral Springs Park?

by percentage of respondents



The Survey & Development Intensity

14% of Visitors are Residents | 8,933 of the 63,476 Passes

Warm Mineral Springs Park

October 2021 - September 2022 (as reported by National & State Park Concession, Inc.)

	#/paid	Revenue	Current Fee (less tax)	Proposed Fee (less tax)	
Resident Sales					
Adult Day Pass	5,808	\$ 81,428.16	\$ 14.02	\$ 4.65	\$ 27,007.20
Student Day Pass	1,017	\$ 10,674.65	\$ 10.50	\$ 4.65	\$ 4,729.05
10-visit Pass	476	\$ 62,150.08	\$ 130.57	\$ 4.65	\$ 22,134.00
30-day Pass	1,622	\$ 230,892.93	\$ 142.35	\$ 4.65	\$ 226,269.00
Annual Pass	10	\$ 14,719.60			
Non-Resident Sales					
Adult Day Pass	44,826	\$ 837,779.25	\$ 18.69	\$ 6.51	\$ 291,817.26
Student Day Pass	5,340	\$ 74,684.54	\$ 13.99	\$ 6.51	\$ 34,763.40
10-day Pass	2,875	\$ 403,046.25	\$ 140.19	\$ 6.51	\$ 187,162.50
30-day Pass	1,161	\$ 205,600.17	\$ 177.09	\$ 6.51	\$ 226,743.30
Group Discounted Pass Sold	341	\$ 2,341.34			
Total	63,476	\$ 1,923,316.97			\$ 1,020,625.71

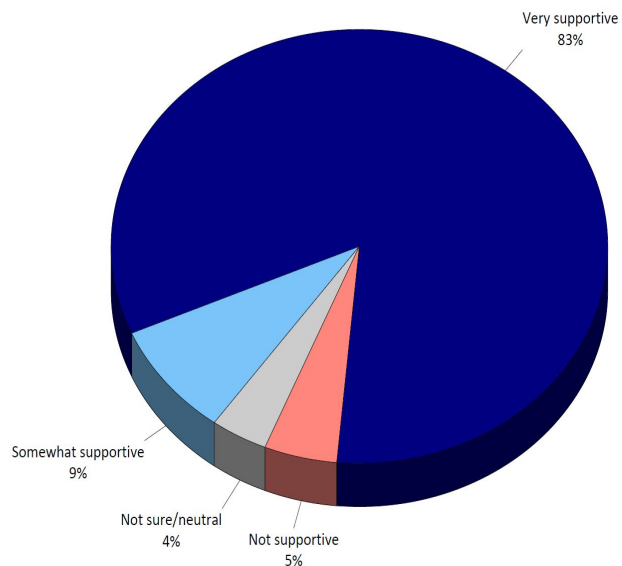
6,825 of the Resident Passes were Day Passes

The Survey & Development Intensity

Support for Levels of Development. Respondents were asked to rate their level of support for three levels of development of Warm Mineral Springs: low, medium, and high intensity. Respondents most supported (selecting “very supportive” or “somewhat supportive”) low intensity development (92%), 65% supported medium intensity development, and only 7% supported high intensity development. When asked to select one level of intensity, most respondents (82%) preferred a low-intensity development.

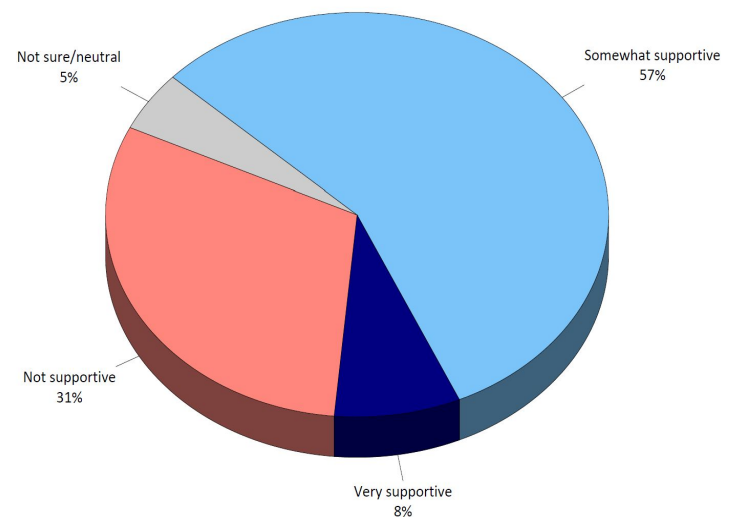
Q8. What is your level of support for a low intensity development of the Springs?

by percentage of respondents (excluding "not provided")



Q9. What is your level of support for a medium intensity development of the Springs?

by percentage of respondents (excluding "not provided")

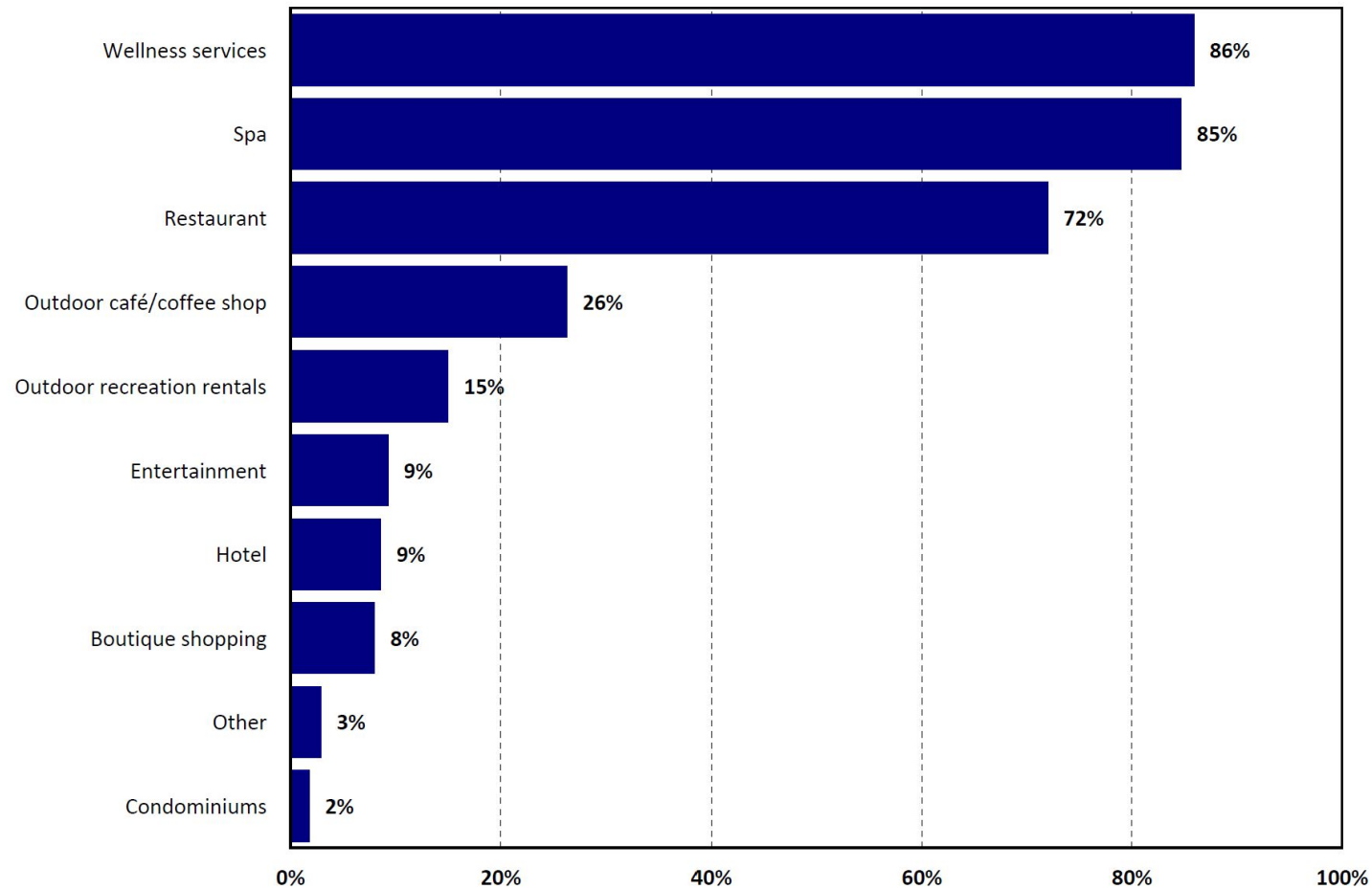


The Survey & Development Intensity

Warm Mineral Springs Park, FL 2023 Survey

Q6. What commercial amenities would you most like to see at Warm Mineral Springs Park?

by percentage of respondents (excluding "none of the above")



The Survey & Development Intensity

Support for Expansion. 93% and 92% respectively were “very supportive” or “somewhat supportive” of connection to Legacy Trail and a looped trail system with canopy walk.

Support for Expansions Respondents were asked to rate their support for 9 potential actions to expand the recreational amenities and facilities at Warm Mineral Springs Park. Respondents most supported (rating “very supportive” or “somewhat supportive”) the addition of trailhead, restroom, and parking to support a connection to Legacy Trail Extension (93%), the construction of a looped trail system with canopy walk (92%), the development and placement of historic exhibits throughout the grounds (88%). These are also the three actions respondents would be most willing to fund with additional tax dollars.

The Survey & Development Intensity

Most Important Aspects of Health at WMS. 91% want clean and safe amenities, 63% year round fitness, and 62% healthy food options.

Use of Wellness Spa. Respondents most often said they would be somewhat likely (55%) to visit a full-service wellness spa at Warm Mineral Springs Park.

Most Important Aspects of Health at Warm Mineral Springs: Respondents were asked to rate the importance of three aspects of overall health at Warm Mineral Springs. Most respondents thought all three aspects were important or very important: clean and safe amenities and facilities (91%), year-round fitness and recreation opportunities (63%), and healthy food options (62%).

The Survey & Development Intensity

DR. HANK FISHKIND

I. REVIEW OF NORTH PORT

II. COMPARABLE MUNICIPALITIES

III. CONCLUSION

The Financial Impact

Warm Mineral Springs is located in an Activity Center 7 which by design was meant to encompass a mix of residential and commercial uses. More than 60% of the Phase 1 Budget will be used for infrastructure improvements. The improvement extend beyond Warm Mineral Springs.

The PPP proposal creates significant economic benefits of about \$71 million dollars in the first 5 years, over 1,000 jobs for the project, and a substantial tax base in perpetuity. Should the City continue ownership and operations of Warm Mineral Springs, there will be no property tax revenue & the funding of needed improvements will have to be sourced or raised.

The Financial Impact

**Summary of Economic Impact Study on the Revised Plan.
There is a significant impact & benefit to the City & residents.**

Aggregate Changes using Type Lightcast Model

\$71,858,805

Change in Earnings

1.13 Multiplier

1,070

Change in Jobs

1.16 Multiplier

\$11,947,143

Change in Taxes on Production and Imports
(TPI)

The Revision Analysis

- 1. Added More Open Space | 67% on Phase 2**
- 2. Moved Hotel Further from Spring & REDUCED by 20%**
- 3. REDUCED Residential by 10% – 270 Units AC 7**
- 4. Established 100' Line Beyond Required Distance & Buffer**
- 5. Limit Height on Hotel | 2 Stories**
- 6. Added Eco Cabins as Hotel Item | Enhanced Eco Tourism**
- 7. Add Meditation Garden**
- 8. Relocate & Expand Event Lawn & Outdoor Venue**
- 9. Add Picnic Tables | Shaded Structure**
- 10. Enhance Walking Trails & Access to Legacy Trail**
- 11. Maintain More of the Tree Canopy**
- 12. Expanded Outdoor Food & Art Area**
- 13. Designed Stormwater to Ensure Flow Away from Spring**

Key Development Metrics

Commercial Area in Phase 2:

- Hotel & Spa +/- 75,000 Square Feet
- Other Commercial Space Under Air +/- 57,014

Phase 2 (60.43 acres):

- Lakes= 3.09 acres (5%)
- Storm water / recreated wetlands= 4.23 acres (7%)
- Buildings= 4.93 acres (8%) Impervious area (sidewalks, pavement) = 15.36 acres (25%)
- Open space = 32.83 acres (55%)
- FAR = +/-0.23

There are approximately 3.4 miles of sidewalks, multi-use paths and trails on the project.

TOTAL OPEN AREA INCLUDING LAKES STORM AND OPEN SPACE 67%

The Revised Plan



WARM MINERAL SPRINGS REDEVELOPMENT PLAN

- A. WARM MINERAL SPRING
- B. REDEVELOPED WMS FACILITY
- C. EXPANDED PARKING & OVERFLOW PARKING
- D. INDIGENOUS VILLAGE & MUSEUM
- E. AMPHITHEATER & EVENT VENUE
- F. EVENT LAWN
- G. FOOD TRUCK PARK & EVENT PLAZA
- H. URBAN GARDENS
- I. CITRUS GROVES
- J. RESORT HOTEL & SPA (2 STORY-150 ROOMS)
- K. ECO CABINS (50 ROOMS)
- L. LEGACY TRAIL HEAD
- M. ROPES COURSE
- N. RESTAURANT
- O. 36 HOLE PUTTING COURSE
- P. MULTI-FLOOR RESIDENTIAL BUILDING (20 UNITS EACH)
- Q. MULTI-FLOOR RESIDENTIAL BUILDING (115 UNITS EACH)
- R. RESORT AMENITY
- S. CREATED WETLAND (WATER MANAGEMENT)
- T. FUTURE DEVELOPMENT

The Revised Plan

- 1. Phase I Renovated to City Plans & Specs**
- 2. 150 Unit, 2 Story Max Health & Wellness Hotel & Spa**
- 3. 50 Eco Retreat 'Cabins'**
- 4. 270 Resort Residences (Condominiums)**
- 5. Event Lawn, Outdoor Amphitheater, Food Trucks**
- 6. 3.4 Miles of Walking Trails & Connection to Legacy Trail**
- 7. 67% Open Area in Phase 2**
- 8. Restaurant, Entertainment, & Putting Course Amenity**
- 9. Enhanced Stormwater and Parking**
- 10. Relocation of Community Garden**
- 11. Ropes Course for Outdoor Activity**
- 12. Indigenous Museum | Honoring History & Florida**
- 13. Meditation Garden, Picnic, and Screened Structures**

Summary of Plan Elements

2023 Survey	
Wellness Services & Spa	X
Connection to Legacy Trail	X
Safe & Clean Amenities	X
Year Round Fitness & Recreation	X
Healthy Food Options / Restaurant	X
Looped Trail Options	X
Historic / Environmental Signage	X
Outdoor Recreation Rentals	X
2019 Plan - City State Goals	
Preservation and incorporation of existing tree canopy	X
Preservation and incorporation of existing building footprints and structures	X
Natural berms or noise abatement options to be located between the Warm Mineral Springs Park site and surrounding neighborhood	X
Camping locations for tent and recreational vehicles (RV) camping	
Area for future camping cabins (Eco Retreats)	X
Parking improvements including daily park users, RV's, and horse trailers (Not RV & Horse)	X
Large gathering/festival area	X
Site access and entrances including gateway features	X
Open-air amphitheater	X
Trails including pedestrian, bicycle, horse trails and other passive/natural trails	X
Museum and historical/education exhibits, signage or displays	X
Trail connectivity to the broader community including Deer Prairie Creek and the Myakka Forest	X
Light retail such as boutique shopping, ice cream, etc.	X
Restroom facilities located strategically throughout the park	X
Recommendations for utility upgrades as necessary (water, sewer, stormwater and electrical)	X
Relocation of the community garden as required	X

Summary of Plan Elements

2019 - Community Feedback

Natural Feature Enhancements	X
Architectural Renovations & Improvements	X
Educational Signage & Exhibits	X
Dining Options	X
Seating Options & Picnic Areas	X
Wellness Activities & Exercise Classes	X
Shade	X
Security	X
Restrooms	X

2019 - Summary of Community, City, Advisory Board

Be mindful of the existing conditions by enhancing and embracing the site through the preservation of vegetation and ecological health of the Spring	X
Provide a flexible lawn space that is open to passive games like bocce ball, croquet, etc.	X
Provide opportunity for a canopy walk amidst the existing trees and creek	X
Provide flexible space for temporary food trucks, festivals, and events	X
Provide a Trail system expanding to Deer Prairie Creek Preserve & surrounding neighborhood street network	X
Provide buffering between uses on site and adjacent residential development, as well as strategic buffering between the Spring and proposed amenities on the 59.9 acre parcel	X
Maintain and expand the existing community garden	X
Enhance the access and entry experience to the site through the expansion of parking, sidewalks, and additional signage	X
Create an outdoor experience where people can learn about the site's history	X
Provide camping (in the form of tents, cabins and RV) on site, that are located in area that do not interfere with the 21.7 acres and do not disturb a significant amount of existing vegetation	
Restore and renovate existing structures	X
Incorporate native plantings & low-impact development, & manage invasive & exotic plants existing on-site	X

The Benefit Analysis

- 1. Public Utilities vs. Well & Septic**
- 2. Timing of Improvements | Now vs. Decades**
- 3. Funding of Improvements | Assurance Bond**
- 4. Tourism Opportunities | Exposure to North Port**
- 5. Health & Wellness Programming**
- 6. Dining & Spa**
- 7. Community Amenity & Entertainment – Wider Appeal**
- 8. Expand Tax Base and Revenue to City**
- 9. Avoid Higher Taxes or Cut Services**
- 10. Job Creation**
- 11. Indigenous Museum | Honoring History & Florida**
- 12. Connection to Legacy Trail & Outdoor Activity**

The PPP Decision

This PPP process has had two RFP periods & continues on a methodical process. It is ultimately up to the Commission to determine what additional development philosophy and intensity, if any, that serves to benefit of the City and its residents. **The proposed plan started with a vision, was modified based on input, and is economically viable while still honoring the Spring & its history, as well as being mindful of the environment and natural conditions.**

The development group is a known partner to the City & has provided a proposal with financial assurity to Phase I. Based on a review of the City & SW Florida region, the plan fits low density. The plan does seek to expand programming, health & wellness, and become a destination to more residents & visitors.

The PPP Decision

WARM MINERAL SPRINGS
THREATENED AND ENDANGERED SPECIES SURVEY
PHOTO LOG



Representative Site Photo: Homeless Encampment



Several areas were covered in trash and some hazardous materials.



Thank You

Questions & Comments?

WARM MINERAL SPRINGS PRESENTATION

CITY OF NORTH PORT (FL) CITY COMMISSION MEETING

**Expert Report
Hank Fishkind, Ph.D.
Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive, Suite 107
Orlando, FL 32817
(P) 407-382-3256
www.fishkindls.com**

July 10, 2023

Assignment

WMS Development Group, LLC (“Client”) has proposed a public-private-partnership (P3) to the City of North Port (“City”) to redevelop Warm Mineral Springs. The City has accepted the proposal and is conducting the balance of the competitive process.

The Client retained Fishkind Litigation Services (“FLS”) to conduct an economic analysis of the consistency of the proposed redevelopment plan with certain aspects of the City’s land use regulations.

Fishkind Litigation Services (FLS) will analyze the plan to determine its general intensity of development with focus on open space, floor area ratio (FAR), and other metrics of intensity.

FLS provides a broad range of economic analyses and consulting services. The firm’s non-litigation work focuses on real estate development, consulting and financing.

Qualifications to Provide Expert Analysis

I have a Ph.D. in economics with specialties in econometrics and urban and regional economics

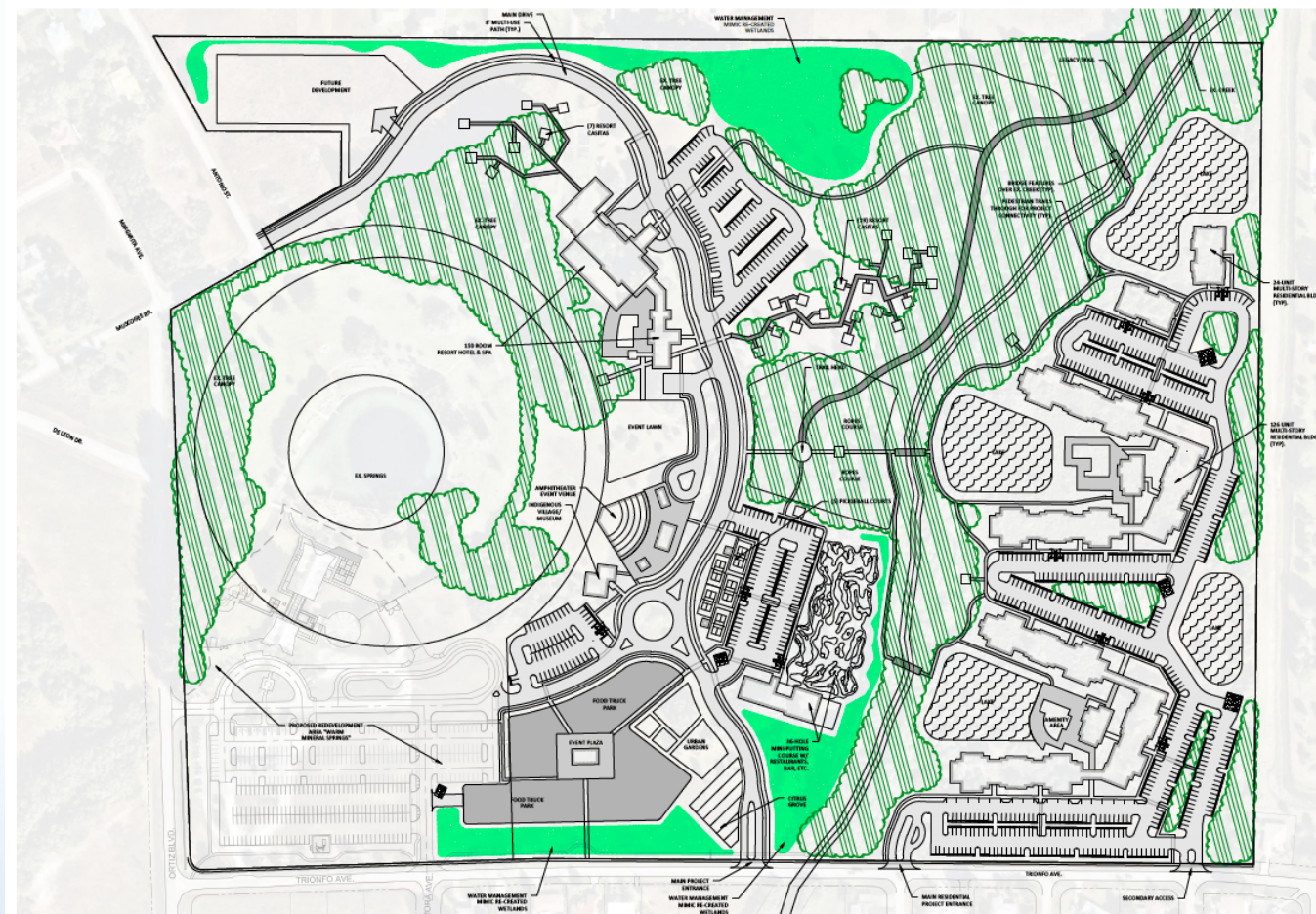
I have 40+ years of real estate experience as a consultant, developer, and founding board member of two publicly traded real estate development companies

I am currently engaged as the Owner's Representative in four, large-scale, development projects underway in Florida

Exhibit #1 provides my resume

Contemplated Development Mix

Concept Plan



- NOTES:**
1. CONCEPTUAL SITE PLAN ONLY. PLAN SUBJECT TO CHANGE UPON RECEIPT OF SURVEY AND TOPOGRAPHIC INFORMATION.
 2. ALL IMPROVEMENTS SUBJECT TO MUNICIPALITY REVIEW.
 3. WATER MANAGEMENT AREAS ARE CONCEPTUAL AND CALCULATIONS WILL BE PREPARED UPON FINAL SITE PLAN.

ensite
 2401 FIRST STREET, SUITE 201
 FORT MYERS, FLORIDA, 33901
 PH: (239)-228-0024
 EB-28244 CA-L26000374

WMS DEVELOPMENT GROUP, LLC
 1617 HENDRY ST., STE 406
 FORT MYERS
 FLORIDA 33901
CONSULTING ARCHITECTS

WARM MINERAL SPRINGS
 MASTER PLAN
 WARM MINERAL SPRINGS
PROJECT NAME AND LOCATION

DATE	REVISION	DESCRIPTION

DATE: 05-15-22
 PROJECT NO.: 1484-04
 FILE NO.: 1484-04 CON.dwg
 SCALE: AS SHOWN

MASTER
 REDEVELOPMENT
 PLAN
 SHEET 1011

C-01

Concept Plan

- Concept Plan remains fluid as the developer and the City work to establish the appropriate development parameters
- Currently, the City's Comprehensive Plan and Future Land Use provisions must be tailored to accommodate the unique redevelopment opportunity associated with the restoration and revival of Warm Mineral Springs

Concept Plan

- In order to balance the critical open space objectives of the City and its constituents along with the inherent economic feasibility of the project, the Developer is eager to work with the City to establish the appropriate level of developmental density/intensity
- As currently contemplated, the Developer envisions a hotel and spa resort (~150 rooms), two to three multi-family buildings, the restoration of the various historical sites and an abundance of open space and walking trails

Contemplated Development Mix

WARM MINERAL SPRINGS | CONTEMPLATED DEVELOPMENT PLAN

FLOOR AREA RATIO (FAR) COMPUTATION

EAST SITE (multi-family ⁽¹⁾)		WEST SITE (resort and rec)		COMBINED	
Total Acres	22.47	Total Acres	37.97	Total Acres	60.44
Total Building(s) Area (sqft)	481,524	Total Building(s) Area (sqft)	123,593	Total Building(s) Area (sqft)	605,117
Lot Area (sqft)	978,793	Lot Area (sqft)	1,653,973	Lot Area (sqft)	2,632,766
FAR	0.49	FAR	0.07	FAR	0.23

⁽¹⁾ Assumes the residential buildings are up to 4 floors

OPEN SPACE ASSESSMENT

EAST SITE (multi-family)		WEST SITE (resort and rec)		COMBINED	
Open Space Acres	11.37	Open Space Acres	21.46	Open Space Acres	32.83
Lakes Acres	3.09	Stormwater / Recreated Wetlands Acres	4.23	Lakes, Stormwater, etc.	7.32
Open Space (%)	50.6%	Open Space (%)	56.5%	Open Space (%)	54.3%
Lakes (%)	13.8%	Stormwater / Recreated Wetlands (%)	11.1%	Lakes, Stormwater, etc. (%)	12.1%
Total Open Area	64.4%	Total Open Area	67.7%	Total Open Area	66.4%

IMPERVIOUS AREA (sidewalks, pavement)

EAST SITE (multi-family)		WEST SITE (resort and rec)		COMBINED	
Acres	5.09	Acres	10.27	Acres	15.36
% Basis	22.7%	% Basis	27.0%	% Basis	25.4%

Low Density Residential Development

Low Intensity / Density Development

- FLS surveyed an array of Cities and Counties throughout Florida, to ascertain examples of low density single family residential development provisions
- The Developer envisions roughly 270 multi-family units, which equates to roughly 4.3 dwelling units per acre
- The contemplated 4.3 units per acre constitutes low intensity development
- Further reinforced by the vast amount of open space, north of 60%, proposed by the Developer to maintain the unique characteristics of the site and the overall project

SURVEYED CITIES IN FLORIDA				
Jurisdiction	Description	Designation	Density (DU /Acre)	FAR
Winter Park	Low Density Residential	RSF-2	3.5	
Bonita Springs	Suburban Density Residential		3	
Estero	Village Neighborhood 1		1-4	
Ft. Myers	Estate	RS-E	1.5	
	Low Density Multi-Family	RM-12	12	
Naples	Low Density Residential		0 - 6	
Bradenton	R-1 Single Family	R-1	6	
Palmetto	Residential-4	RES-4	4	
Clearwater	Residential Low	RL	5	0.4
Dunedin	Residential Low	RL	5	0.4
Gulfport	Residential Low	RL	5	
Plant City	Residential-4	R-4	4	
Temple Terrace	Residential-4	R-4	4	
Longwood	Low Density Residential	LDR	0 - 4	
Oviedo	Low Density Residential	LDR	0 - 3.5	0.4
Winter Springs	Low Density Residential		0 - 3.5	

Low Intensity / Density Development

- Similarly, FLS survey of some of the largest Counties in the state of Florida further demonstrate the various jurisdictions view of low density residential development
- By way of example, the adjacent “Residential Classification” characterizes a given municipalities view of low-density residential

SURVEYED COUNTIES IN FLORIDA		
Jurisdiction	Description	Density (DU /Acre)
Orange County	Low Density	4 du/ac
Seminole County	Low Density	4 du/ac
Indian River County	Low Density - 1	3 du/ac
	Low Density - 2	6 du/ac
Charlotte County	Low Density	5 du/ac
Pinellas County	Residential Low	5 du/ac
Nassau County	Low Density	2 du/ac
Sarasota County	RSF-2	4.3 du/ac
Duval County	Low Density	5 du/ac

RESIDENTIAL CLASSIFICATION



Purpose

It is the purpose of this category to depict those areas of the County that are now developed, or appropriate to be developed, in a low-density residential manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with the low-density, non-intensive qualities and natural resource characteristics of such areas.

Use Characteristics

Those uses appropriate to and consistent with this category include:

- › Primary Uses – Residential
- › Secondary Uses – Residential Equivalent, *Institutional; *Transportation/Utility, *Ancillary Nonresidential; Recreation/Open Space

Locational Characteristics

This category is generally appropriate to locations between major employment centers and community and regional shopping centers; in areas where use and development characteristics are low-density residential in nature, in areas serving as a transition between more suburban and more urban residential areas; and in areas within the 100-year floodplain (where preservation, open space, or recreation/open space are not feasible).

Standards

Shall include the following:

- › Residential Use – Shall not exceed five (5) dwelling units per acre.
- › Residential Equivalent Use – Shall not exceed an equivalent of 3.0 beds per permitted dwelling unit at 5 dwelling units per acre.
- › Nonresidential Use – Shall not exceed a floor area ratio (FAR) of .40, nor an impervious surface ratio (ISR) of .65.
- › *See ‘Additional Standards’ section of these Category Descriptions and Rules for the identified uses that have acreage thresholds.

Concluding Remarks

Key Takeaways

- The Developer remains eager to work with the City Commission, City staff and all other key constituents
- The vision to restore and revitalize Warm Mineral Springs is a courageous undertaking that requires a balance of environmental sensibility, site preservation and economic prudence
- A key hallmark of the contemplated development plan is the vast amount of open space envisioned
- By virtually all key intensity metrics, the contemplated project ought to be considered a low density residential development initiative
- Upon project completion, the City's P3 initiative with the Developer would achieve key stated goals (primarily re-opening WMS) and meaningful fiscal and economic impacts that would benefit the City

Exhibit #1 Resume



SELECT CLIENT LIST

Akerman
Bell Roper
Bostman Ricci
Burr Forman
Coleman Yovanovitch
Conrad Scherer
de la Pate & Gilbert
Fulmer Lenoy Albee
Fisher Bushner
Foley Lander
Ganter
Hill Ward Henderson
Holland & Knight
Morgan & Morgan
Nabors Gblin
Pendas Law
Smolker Bartlett
Tobin Reyes
Weiss Handler Comwell
AEGION
Beacon Collier
BP
Cemex/CSR/Rinker
City of Miami
Colonial Properties Trust
Collier Enterprises
Falcone Group
Fannie Mae
Florida Power Corporation
Forest City Enterprises
FPL
King Ranch
Kibson & Partners
Lennar
Major Central FL Attraction Co.
Mosaic
Newland Communities
Perry Capital
Rayonier
Starwood Land Ventures
State of Florida
State of Pennsylvania
St. Joe
U.S. Department of Justice
The Villages
Waste Management, Inc.

Henry H. Fishkind, Ph.D.

President

hankf@fishkindlls.com

PROFESSIONAL SYNOPSIS

With over 40 years of experience in economic analysis and forecasting, Dr. Henry Fishkind is widely regarded as one of Florida's premier economists and financial advisors. Dr. Fishkind's career began in the public sector where he worked as an economist and associate professor at the University of Florida. In 1980, Dr. Fishkind became the associate director for programs at the University of Florida's Bureau of Economic and Business Research. During his tenure at the university, Dr. Fishkind served from 1979-1981 on the governor's economic advisory board. He began his career as a private sector consultant when he became president of M.G. Lewis Econometrics in Winter Park, Florida. In 1988, Dr. Fishkind formed Fishkind & Associates, Inc. as a full service economic and financial consulting firm. In 2019, Dr. Fishkind sold the financial advisory, consulting, and real estate advisory portions of his business while keeping the expert witness portion, Fishkind Litigation Services, Inc.

From 2001-2003 Dr. Fishkind was a member of Governor Bush's Council of Economic Advisors, and also served on the board of directors of Engle Homes, Summit Properties, and ABT Funds until the companies were sold. Today, Dr. Fishkind is President of Fishkind Litigation Services and Chief Operating Officer of ~~Olympus-Orlando~~ Holdings, LLC.

AREAS OF EXPERTISE

Expert Witness
Economic Analysis
Econometric Modeling
Project Finance & Feasibility
Privacy & Intellectual Property
Fiscal Impact Analysis
Real Estate Economics

PROFESSIONAL EXPERIENCE

President, Fishkind & Associates, Inc./Fishkind Litigation Services, Inc.	1988 - Present
Chief Operating Officer, Olympus-Orlando Holdings	2022- Present
Chairman, FLSAFE	2008 - 2011
Managing Partner, Woodbridge Vintage Chips	1994 - 2007
President, M.G. Lewis Econometrics, Inc.	1984 - 1987
Associate Director for Programs, Bureau of Economics & Business Research, University of Florida	1980 - 1983
Economist/Associate Professor, University of Florida	1975 - 1983

EDUCATION

Indiana University, Doctor of Philosophy, Economics, 1975
Syracuse University, BA, Economics, 1971

Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive, Suite 107, Orlando, FL 32817
407.382.3256





July 3, 2023

WMS Development LLC
c/o Ashley Bloom

Reference: **WARM MINERAL SPRINGS
SARASOTA COUNTY, FLORIDA**

Mr. Bloom,

Pursuant to your request, we have prepared a summary of the potential environmental issues and likely remedies associated with the development of the Warm Mineral Springs project located within the City of North Port. We have not yet initiated our field inspection for the parcels. Therefore, the conclusion and recommendations provided herein are based on the findings of the Threatened and Endangered Species Survey report provided by Pritchett Steinbeck Group (PSG) and our combined experience of more than 50 years as environmental consultants working in Southwest Florida.

INTRODUCTION

The PSG report contains a comprehensive account of all state and federally protected plant, bird, reptile, amphibian, and mammal species which could reasonably be expected to be found in the overall geographic area as well as a summary of the species observed on the parcel as well as non-listed species found utilizing the parcel. For the purposes of this analysis, we will only address protected species which were directly observed and those which would potentially require additional coordination and/or permitting with either the United States Fish and Wildlife Service (USFWS) or Florida Fish and Wildlife Conservation Commission (FWC).

ROTECTED SPECIES DIRECTLY OBSERVED

Wood Stork - The wood stork is listed as threatened by the USFWS. PSG stated that one wood stork was observed flying over the property. Based on the habitat descriptions provided by PSG, other than the actual springs themselves, the site lacks any habitat that would be classified as Suitable Foraging Habitat (SFH) by the USFWS. When evaluating the potential impact to this species, USFWS guidelines require that that any impacts to SFH be offset by providing compensatory habitats with a prey biomass greater than or equal to the biomass being impacted by a development. The nearest documented wood stork nesting colony is approximately 2 miles to the southwest of the parcel. As it appears that the site lacks any habitats that would meet the criteria to be classified as SFH and considering that the species was only observed flying over the site (not foraging onsite), it is unlikely that a SFH analysis would be required and the USFWS determination, based on the wood stork evaluation key, would qualify as a “No Effect” ruling for the species.

Gopher Tortoise – The gopher tortoise is listed as Threatened by the FWC. Gopher tortoise burrows which meet the criteria to be classified as “potentially occupied (PO)” are afforded protection by the FWC and Florida statute. Other than in unique situations, this protection requires that PO burrows be afforded a 25 foot undisturbed radius to ensure that development does not incidentally impact the burrow or resident tortoise. FWC requires that a relocation permit be obtained and excavation must be conducted for any burrow located within 25 feet of proposed development. Projects with ten or fewer burrows impacted will qualify for a Gopher

Tortoise 10 or Fewer Relocation Permit from FWC while projects which impact more than 10 burrows are required to obtain a Gopher Tortoise Conservation Permit. While the guidelines and process for both permits are similar, the Conservation Permit typically requires that tortoises be relocated to an offsite permitted recipient site while 10 or Fewer Permits potentially have the option to relocate the tortoises to a relatively small onsite preserve area.

Based on the information provided by PSG, gopher tortoise burrows were primarily observed within the Shrub and Brushland and Hardwood/Conifer, Mixed habitats. These habitats comprise approximately 66% of the parcel. PSG stated that 1 gopher tortoise and over 100 burrows were observed. Approximately 20 of these burrows were classified as “potentially abandoned” by PSG. Not every potentially occupied burrow will contain a tortoise. We have excavated well over 20,000 gopher tortoise burrows and estimate that an occupancy rate of 40-50% is typical for these habitats in Southwest Florida. Assuming that the site contains approximately 80 potentially occupied burrows, it is reasonable to expect that there are approximately 40 gopher tortoises present.

Protected Plants – The PSG report identifies several State listed plant species that were either observed or anticipated to occur on the parcel. Under current regulations, no permits or compensatory measures are required to address protected plant species.

PROTECTED SPECIES NOT OBSERVED

Although not observed, the project is listed within the consultation area of the following federally listed species:

Florida Scrub Jay – The project is located within the USFWS Florida scrub jay consultation area. However, the PSG report states that the site lacks suitable habitat for the species. Additionally, extensive countywide surveys for the species have been conducted to identify parcels which either contain suitable scrub jay habitat or are within the buffer area for known scrub jay families. Based on the most recent information (November 2021), the subject parcel is not listed as a scrub jay review lot. Therefore, in accordance with USFWS guidelines, no permitting or additional coordination relative to the species would be required prior to development.

Florida Bonneted Bat – The parcel is located within the USFWS Florida bonneted bat consultation area. Additional species-specific surveys and/or mitigation may be required during the federal permitting process.

CONCLUSIONS

Wood Stork – Although no review for this species is likely, the creation of stormwater ponds and associated littoral zones will create suitable foraging habitat and result in an overall increase in prey biomass as the site currently lacks any habitat for the species.

Gopher Tortoise – Based on preliminary site plans, it appears that more than half of the burrows identified in the PSG report are located within areas proposed as preservation and can remain. A relocation permit from FWC will be required for any potentially occupied gopher tortoise burrows located within 25 feet of the proposed development. FWC requires that a 100% gopher tortoise burrow survey be conducted prior to excavation. Therefore, the actual number of burrows to be excavated cannot be determined until the 100% survey is complete.

Protected Plant Species – While there are no state or federal permits required for impacts to these species, the proposed preserve areas will allow for many of these species to remain onsite. Additionally, there is no prohibition on relocating these species onsite so there is an opportunity to remove individual specimens from the development area and relocate them to onsite preserves. The majority of the protected plants anticipated to be onsite are ground orchids and epiphytes which transplant very successfully.

The information provided herein relies heavily on the accuracy and voracity of the report provided by PSG. A protected species assessment in accordance with USFWS and FWC guidelines will be conducted to definitively determine the permitting and coordination requirements relative to state and federally protected species prior to development of the site.

Sincerely,

Ian Vincent and Associates

Ian M. Vincent

Ian M. Vincent
Principal Ecologist