

August 31, 2026

Lori Barnes, AICP, CPM
Deputy Director, Development Services Department
City of North Port
4970 City Hall Blvd.
North Port, FL 34286

RE: Response to Comments – Deep Park Data Center
CONFIDENTIAL-EXEMPT FROM PUBLIC RECORDS F.S. 288.075

Dear Ms. Barnes,

We are in receipt of your letter dated August 12, 2026 in which questions and additional information was requested on the above-referenced project. The following are your comments, followed by our responses in **bold**.

APPLICATION COMMENTS:

1. Page 2: List previous applications filed in connection with the property: PRE-23-153, PZVL-25-04332, PEXT-26-01560, PEXT-26-00716, and PVAC-24-00745. Revise commentary regarding the “approved” PMCP because the PMCP was a voluntary master concept plan and did not result in issuance of an approval; the application was found to meet requirements with conditions. This issue is noted in two places on page 2.

RESPONSE: The previous applications have been added to Page 2 of the revised narrative. The references to an “approved” Master Concept Plan have been removed.

2. Page 2: Clarify the project information/description of request regarding the proposed data center and approximately 123,200 square feet of office space. The remaining application documents appear to reflect that office space is incidental to the data center and not a separate independent use. Update the application or narrative if appropriate.

RESPONSE: The narrative has been updated to reflect the clarification that the office space is subordinate and incidental to the principal use.

3. Page 2: Provide acreages for upland, wetland, and water in the area of subject property fields.

RESPONSE: The existing acreages of upland (± 106.30 acres), wetlands (± 4.34 acres), and water (± 1.47 acres) areas have been added to the cover sheet and project narrative.

4. Page 2: Reconcile proposed building square footage. The application and construction plan state 965,290 square feet, while the narrative states approximately 896,000 square feet, including approximately 123,200 square feet of office space. Update the application, construction plan, or narrative as appropriate.

RESPONSE: The construction plan has been updated to reflect the correct building area of 896,000 square feet.

NARRATIVE COMMENTS:

1. Remove references to “approved” master concept plan.

RESPONSE: The references to an “approved” Master Concept Plan have been removed.

2. Revise the narrative or application as appropriate based on related comments 1.a through 1.d.

RESPONSE: These comments have been addressed as outlined above.

3. Page 2, Site Design: Staff cannot locate a reference to an electrical substation within the master concept plan. Provide the document name and page number where the electrical substation and/or method of power is located or revise the statement in the narrative.

RESPONSE: The referenced electrical substation is subordinate and accessory to the principal use. It will be developed at a later date under separate cover as described in the enclosed narrative.

4. Page 2, Site Design: Clarify wetland area because environmental report totals appear to equal 4.34 acres versus 4.64 acres.

RESPONSE: The environmental report, narrative, and construction plan have been revised to show ± 4.34 acres of existing wetlands.

5. Page 2, Site Design: Clarify the front setback requirement in the narrative and construction plan. The maximum front setback for AC-6 in Table 3.3.1.2 and Section 4.4.3.J cannot be enforced until October 1, 2027, unless the Florida Legislature amends or repeals the preemption legislation. The front setback requirement defaults to the former ULDC provisions for PCD zoning, which require a minimum setback of 25 feet for light industrial uses and 0 feet for office/professional uses under Sec. 53-109.

RESPONSE: The front setback has been updated to a minimum of 25 feet on the construction plan and references have been removed from the narrative.

6. Page 2, Site Design: Clarify the code section used for the parking standard in the narrative and construction plan. ULDC Sec. 4.10.3, Off-street vehicular parking requirements, does not include “industrial” use at the quoted standard. Consider reducing unnecessary impervious surface area, if possible, by establishing alternative parking standards under ULDC Sec. 4.10.3.B.(1) for unlisted uses.

RESPONSE: The parking requirement is based on the "Major Utility Facility" use as reflected in the revised narrative and site plan. Please see the narrative for additional details.

AUTHORIZATION FORM DOCUMENT COMMENTS:

1. Owner Affidavit, Line 2: Revise to state that the owner desires SITE DEVELOPMENT AND INFRASTRUCTURE PLAN approval.

RESPONSE: The revised owner's affidavit is enclosed.

2. Owner Affidavit, Line 3: Revise agent/applicant information to Trenton Strackbein, P.E./Kimley-Horn and Associates.

RESPONSE: The revised owner's affidavit is enclosed.

3. Agent/Applicant Affidavit: The affidavit needs to be signed by the agent designated by the owner.

RESPONSE: The revised agent's affidavit is enclosed.

4. Agent/Applicant Affidavit: Revise the "Before me personally appeared..." line to identify Trenton Strackbein, P.E.

RESPONSE: The revised agent's affidavit is enclosed.

5. Agent/Applicant Affidavit, Line 2: Revise to state that the agent/applicant desires SITE DEVELOPMENT AND INFRASTRUCTURE PLAN approval.

RESPONSE: The revised agent's affidavit is enclosed.

OWNERSHIP DOCUMENTATION COMMENTS:

1. Provide ownership documentation showing Avshalom Peretz is authorized to sign on behalf of North Port Holdings 300 LLC. ULDC Sec. 2.3.2.BB requires ownership documentation, including articles of corporation/organization, when a corporation or LLC is applicable.

RESPONSE: The Articles of Organization are enclosed. The enclosed Sunbiz page and 2026 LLC Annual Report show Avshalom Peretz as an authorized signer.

BOUNDARY SURVEY COMMENTS:

1. Sheet 1: Revise the survey to reflect only the land area subject to the submitted application, consisting of three tracts. Address surveyor's report note 2, update the title search because it is more than six months old, update note 10 to reflect current zoning, correct the vicinity map, correct the title block acreage to align with the construction plans, and correct the title block identification of the set as As-Built. The boundary survey must meet ULDC Sec. 2.3.2.HH.

RESPONSE: The boundary survey has been updated to include only the portions included in the application as requested. A revised title is in progress. We respectfully request that the project be allowed to move beyond sufficiency.

2. Sheet 2: Update title commitment conditions to include only those applicable to the property subject to the site development and infrastructure plan application and construction plans, consisting of three tracts.

RESPONSE: See above response.

3. Sheets 3-20: Remove all properties not included in the site development and infrastructure plan application and construction plans.

RESPONSE: See above responses.

TOPOGRAPHIC SURVEY COMMENTS:

1. Provide a topographic survey meeting ULDC Sec. 2.3.2.II. The submitted survey appears to be used for dual purpose with tree test plot locations; place the tree test plot survey within the tree removal and protection plan. The topographic survey must show land contours at one-half foot intervals in NAVD88 vertical datum unless the site is an outparcel on a master stormwater system previously designed in NGVD29, and the vertical datum must be noted.

RESPONSE: The revised topographic and tree test plot surveys are enclosed. The tree test plot areas are also noted on Sheet TM-02 of the previously provided landscaping plan.

CERTIFICATE OR CONCURRENCY STATEMENT COMMENTS:

1. Water: Provide demand projections, including equivalent residential use calculations, average daily flow, maximum daily demand, and peak hour flow rates. Provide details on industrial processes. Provide fire flow requirements, including peak fire flow rates and duration needed for public safety infrastructure.

RESPONSE: Utility calculations demonstrating concurrency are provided with the resubmittal.

2. Fire concurrency analysis is required under NFPA 1, Chapter 15, "Fire Department Service Delivery Concurrency Evaluation." The concurrency evaluation is required prior to the Development Agreement and before Development Order issuance.

RESPONSE: Fire flow considerations are provided in the utility calculations provided with the resubmittal.

PHASING PLAN COMMENTS:

1. Provide a phasing plan specifically describing phasing of the data center project as it relates to the electric substation and onsite package wastewater treatment plant. ULDC Sec. 2.3.2.DD requires a master phasing plan and narrative describing stages numbered in sequence, separate development permits for phased projects, and details of anticipated construction timelines when infrastructure or common area construction transcends phase boundaries.

RESPONSE: A phasing plan has been provided as requested within the Construction Plan document.

CONSTRUCTION PLAN COMMENTS:

1. Sheet 1, Site Data Table: Show building area in square feet.

RESPONSE: The proposed building area has been revised to 896,000 square feet.

2. Sheet 1, Site Data Table: Clarify front building setback consistent with comment 2.e.

RESPONSE: The front setback has been updated to a minimum of 25 feet on the construction plan and references have been removed from the narrative.

3. Sheet 1, Site Data Table: Required street frontage and minimum building frontage under Table 3.3.1.2 and Sec. 4.3.3.J(2) cannot be enforced until October 1, 2027, unless the Florida Legislature amends or repeals the preemption legislation.

RESPONSE: The references to street frontage and minimum building frontage have been removed.

4. Sheet 1, Site Data Table: Clarify parking consistent with comment 2.f.

RESPONSE: The parking requirement is based on the "Major Utility Facility" use as reflected in the revised narrative and site plan. Please see the narrative for additional details.

5. Sheet 1, Site Data Table: Incorporate any site data changes into intensity, impervious surface, open space, and parking calculations, unless submitting a statement for those required submittals indicating "see site data table on sheet 1 of the construction plans."

RESPONSE: This has been verified as requested.

6. Sheet 2: Revise plan view to include only the three tracts subject to this application.

RESPONSE: We are unsure what sheet this refers to but we have included only the subject parcels. The overall aerial map should include areas beyond the subject property to provide appropriate context for the project.

7. Sheet 2: Revise survey notes/legal description to include only the three tracts subject to this application.

RESPONSE: This has been revised as requested.

Thank you for your attention to this matter.