



Pocatella Avenue Multi-Family Special Exception

Petition No: SPX-23-139

Resolution Number: 2023-R-52

Presented by: The Planning & Zoning Division

Overview

Applicant: Joseph Holt

Property Owner: Zia Butt

Agents: Kelley Klepper, AICP & Peter Van Buskirk, AICP (Kimley-Horn)

Request: Consideration of a Special Exception to allow for a Multi-Family Residential Use in the Office, Professional, Institutional (OPI) Zoning District.

Proposed development: Multi-family residential use development with a maximum of 175 dwelling units, leasing office, fitness center/office, pool, and a 2 - story office building comprising 10,000 square feet.

Location: Located off of Pocatella Avenue and S Sumter Blvd (PID 1001-16-0001)

Overview

Multi-Family is not specifically permitted nor prohibited in the OPI zoning district.

ULDC Section 53-92, “any use not explicitly permitted and not expressly prohibited in the OPI zoning district may file for a special exception in accordance with Article XXII of Chapter 53...”

Use must contribute to intent of the zoning district as stated in the Comprehensive Plan and ULDC.



Staff Development Review Summary

DS- Building Arborist	No Objection ¹
DS-Building Structural	No Objection
Finance	No Objection
Fire/Rescue	Meets Requirements with Conditions ²
DS-Planning and Zoning	No Objection
Parks and Recreation	No Objection
Public Works/P&Z Environmental	Meets Requirements with Conditions ³
Public Works Engineering	No Objection
Public Works Stormwater	No Objection
Public Works Solid Waste	No Objection ⁴
Utilities	No Objection



Comprehensive Plan Data and Analysis





Comprehensive Plan Chapter 2 Future Land Use

Future Land Use Goal 1: Ensure that the character and location of land uses maximize the potential for economic benefit and the enjoyment of natural and man-made resources by citizens while minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

The development is consistent with the Comprehensive Plan's Future Land Use Goal 1.






Comprehensive Plan Future Land Use Policy 1.1: Professional Office

These lands are designated for professional and business offices, institutional, cultural, residential and associated uses (0.95 FAR, 15DU/acre excluding bonuses, incentives or transfer of development rights. As a guideline, the residential use should not exceed 50% of the floor area).

Guidelines are recommendations that guide for best practices, while regulations are binding rules that must be obeyed.

The proposed development is consistent with Chapter 2, Future Land Use Element Policy 1.1, of the City of North Port's Comprehensive Plan.



**Comprehensive Plan
Chapter 3,
Transportation
Element Goals,
Objectives, and
Policies**

Policy 4.4: Provide adequate access management controls to limit the proliferation of commercial and residential driveways along arterial and collector roadways.

The proposed development meets the Comprehensive Plan Transportation Element Goals, Objectives, and Policies, Policy 4.4.





Comprehensive Plan Chapter 8, Housing Element Goals, Objectives, and Policies

Goal 1: To promote the preservation and development of high-quality, balanced, and diverse housing options for persons of all income levels throughout the City of North Port.

Objective 1: To provide a variety of housing types and affordability levels.

Policy 1.3: To construct housing alternatives to the single-family detached dwelling unit.






Comprehensive Plan Chapter 8, Housing Element Goals, Objectives, and Policies

Policy 1.9: Housing should be located within areas where supporting infrastructure is available or planned including public transit, schools, parks, emergency services, hurricane shelters and utilities.

Policy 6.1: Ensure a compatible relationship between new housing and circulation patterns and encourage pedestrian and bicycle interconnectivity and transit-friendly communities.






Comprehensive Plan Chapter 8, Housing Element Goals, Objectives, and Policies

Housing Element Objective 7: Increase housing options and community livability by establishing mixed-use development and design standards through which residential dwelling units, commercial and office uses are intermixed with public amenities and aesthetics.

Housing Element Policy 7.1: Promote transit supportive mixed use residential development in close proximity to services.

The proposed development is consistent with Chapter 8, Goal 1, Objective 1, and Policies 1.3, 1.7, 1.9, 6.1, Objective 7, and Policy 7.1 of the Comprehensive Plan.






**Comprehensive Plan
Chapter 11,
Economic
Development
Element Goals,
Objectives, and
Policies**

Goal 5: Achieve an economically stable community with a superior quality of life.

Policy 5.1.1: Housing options that support the workforce by planning for development near employment and transportation centers.

Policy 5.1.2: Expand housing options that support the local workforce.






**Comprehensive Plan
Chapter 11,
Economic
Development
Element Goals,
Objectives, and
Policies**

Policy 5.1.3: Promote policies and activities that support the quality of life of our targeted workforce.

Policy 5.1.5: Attract young professionals.

The development is consistent with Chapter 11, Goal 5, and Policies 5.1.1, 5.1.2, 5.1.3, and 5.1.5 of the Comprehensive Plan.



Special Exception Findings:

ULDC Section 53-259. Findings. A. states, “Before any special exception shall be approved, the Planning and Zoning Advisory Board and City Commission shall determine that:

The granting of the special exception will not adversely affect the public interest, health, safety, and general welfare;

That the specific requirements in the Schedule of District Regulations (Part 2) governing the individual special exception, if any, have been met by the petitioner; and the following standards have been met.

Special Exception Findings:

The proposed use is consistent with the City's Comprehensive Plan and the intent of the zoning district.

The density of the proposed use is consistent with the intended future land use.

Is not detrimental to the health, safety, welfare, morals, order, comfort, convenience, appearance or prosperity of the neighborhood or adjacent uses; and shall be an economic benefit to the economy.

Special Exception Findings:

The intensity of the use is harmonious with the character of the neighborhood.

The height and orientation of the proposed structure(s) are compatible.

The subject parcel shall be adequate in shape and size to accommodate the proposed use.

Special Exception Findings:

Adequately screened and buffered to effectively separate traffic, light, and noise.

The loading and/or refuse areas shall not impose negative impacts.

Signage shall be in compliance with Chapter 29.

Special Exception Findings:

Exterior lighting shall be harmonious.

Ingress and Egress shall not adversely affect traffic flow or safety.

Access and circulation are adequate for fire and emergency.

Shall not adversely affect traffic flow, safety, or control on surrounding roadway.

Special Exception Findings:

Potable water and wastewater systems are available. City provided a willingness to serve letter.

The location, type and availability of proposed wastewater systems shall be adequate for the proposed use and compatible with drainage conditions in the area and neighboring uses.

The use shall not cause or intensify flooding.

Legal Review

The background of the slide features a pair of scales of justice, rendered in a light, semi-transparent blue color. The scales are positioned centrally, with the pans hanging from a horizontal beam. The overall aesthetic is clean and professional, typical of a legal or official document.

The accompanying Resolution No. 2023-R-52 has been reviewed by the City Attorney as to form and correctness.

Notice of Public Hearings per Sec. 53-258 of the ULDC

The owner of the property and agent of record were notified by mail on August 29, 2023, and October 6, 2023.



The petition was advertised in a newspaper of general circulation within the City of North Port on September 5, 2023, and October 31, 2023.



The property owners within 1,320 feet of the subject property were notified by postcard on August 14, 2023, and October 31, 2023.

Staff Recommendation

The Planning & Zoning Division recommends approval of Resolution No. 2023-R-52, Petition SPX-23-139, a special exception to allow a multi-family residential use in the Office, Professional, Institutional (OPI) Zoning District



Questions?