



NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT

Planning Division

STAFF REPORT

**King Plastics
(DMP-16-237)**

Quasi-judicial

To: Peter Lear, CPA, CGMA, Interim City Manager
Thru: Scott Williams, Neighborhood Development Services Director
Thru: Michele Norton, AICP, Planning Manager
From: Mary McNish, Project Planner
Date: May 19, 2017

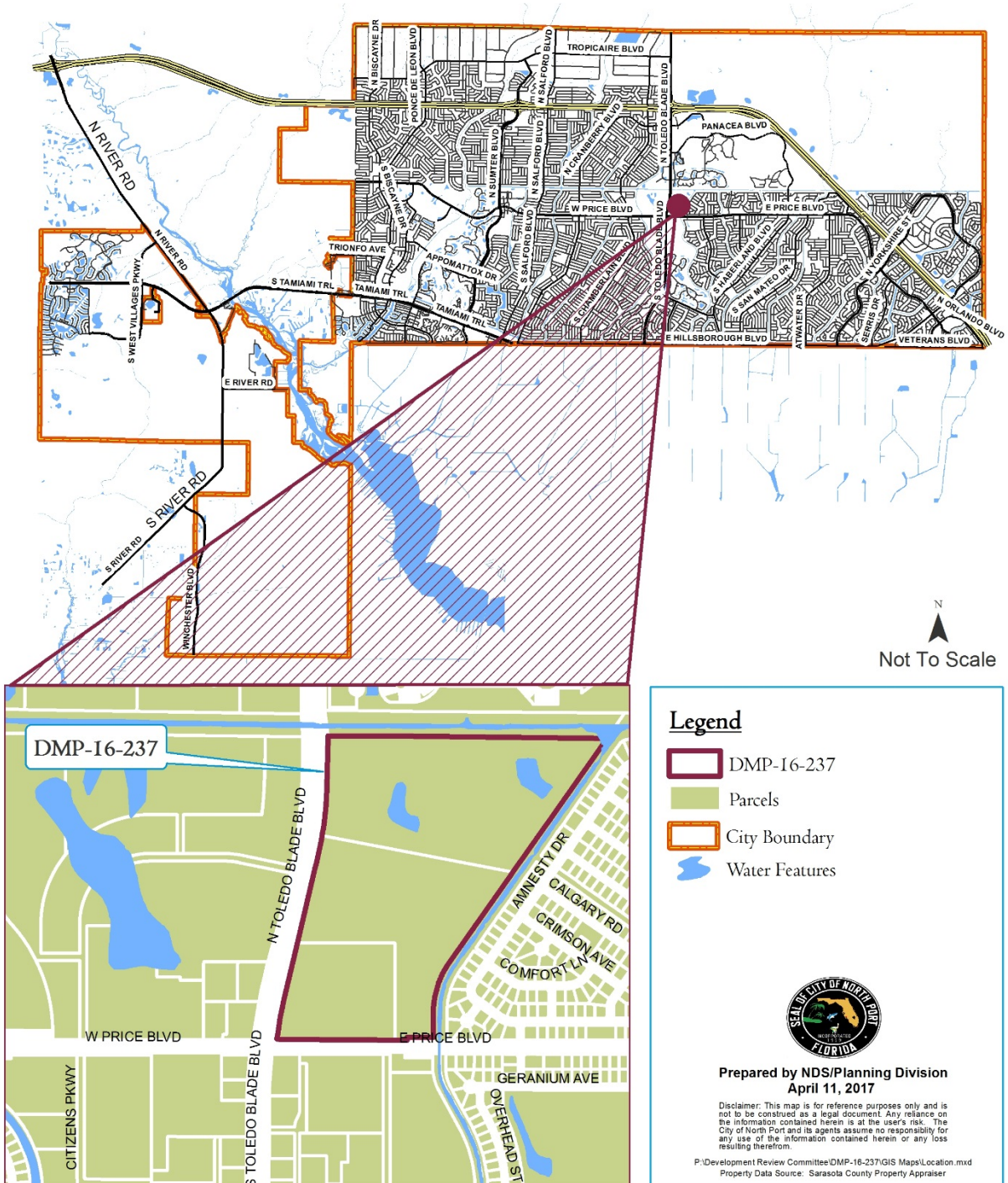
I. GENERAL INFORMATION

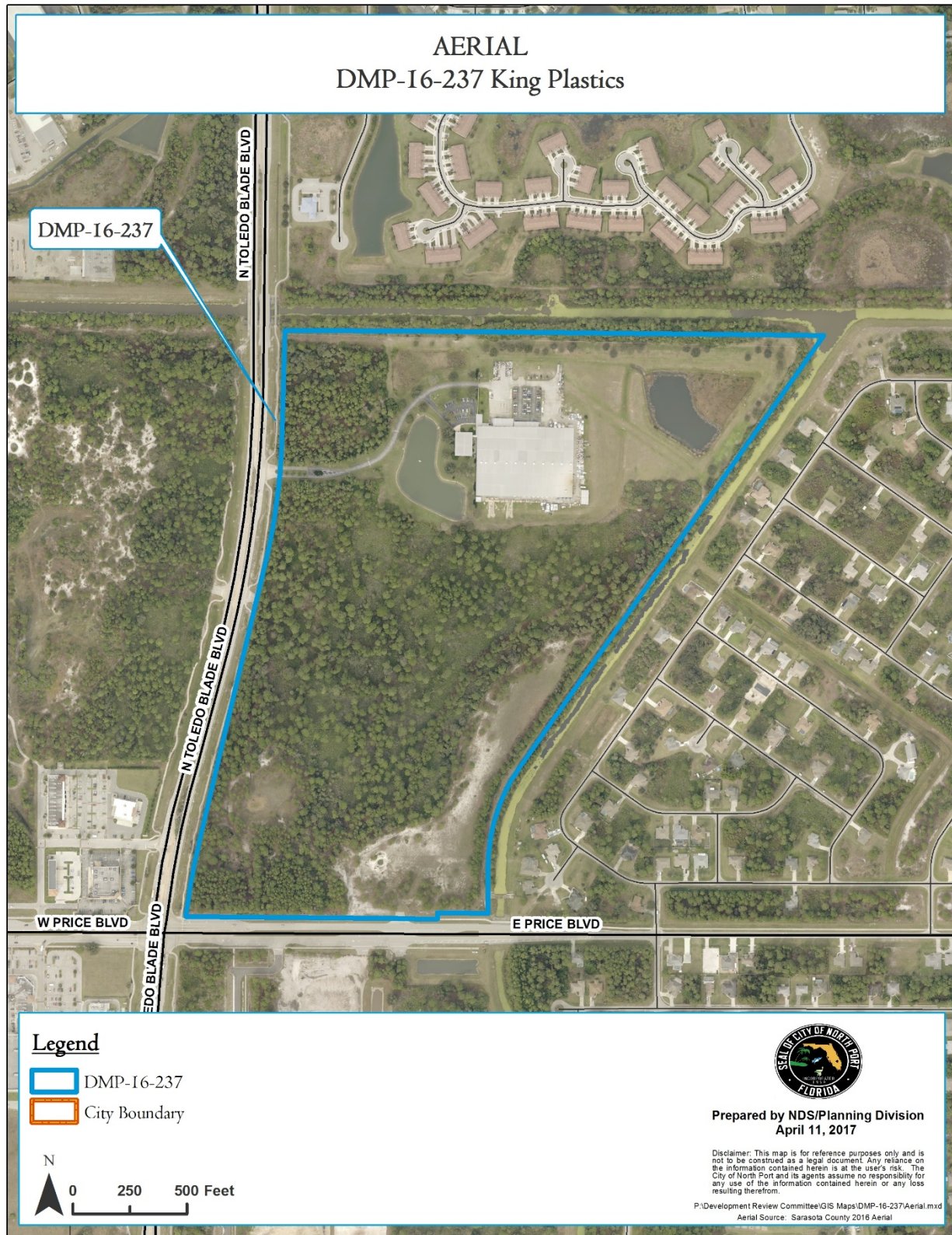
Project: Petition No. DMP-16-237, King Plastics
Request: Approval of a Development Master Plan for the expansion of the existing building and a mixed-use development for the remaining site.
Applicant: Peter T. Van Buskirk **(Exhibit A-1, Affidavit)**
Owner(s): JSD Limited Partnership/Price & Toledo, LLC **(Exhibit A-2, Warranty Deed)**
Location: North of Price Blvd., east of Toledo Blade Blvd.,
Property Size: ± 98.25 acres

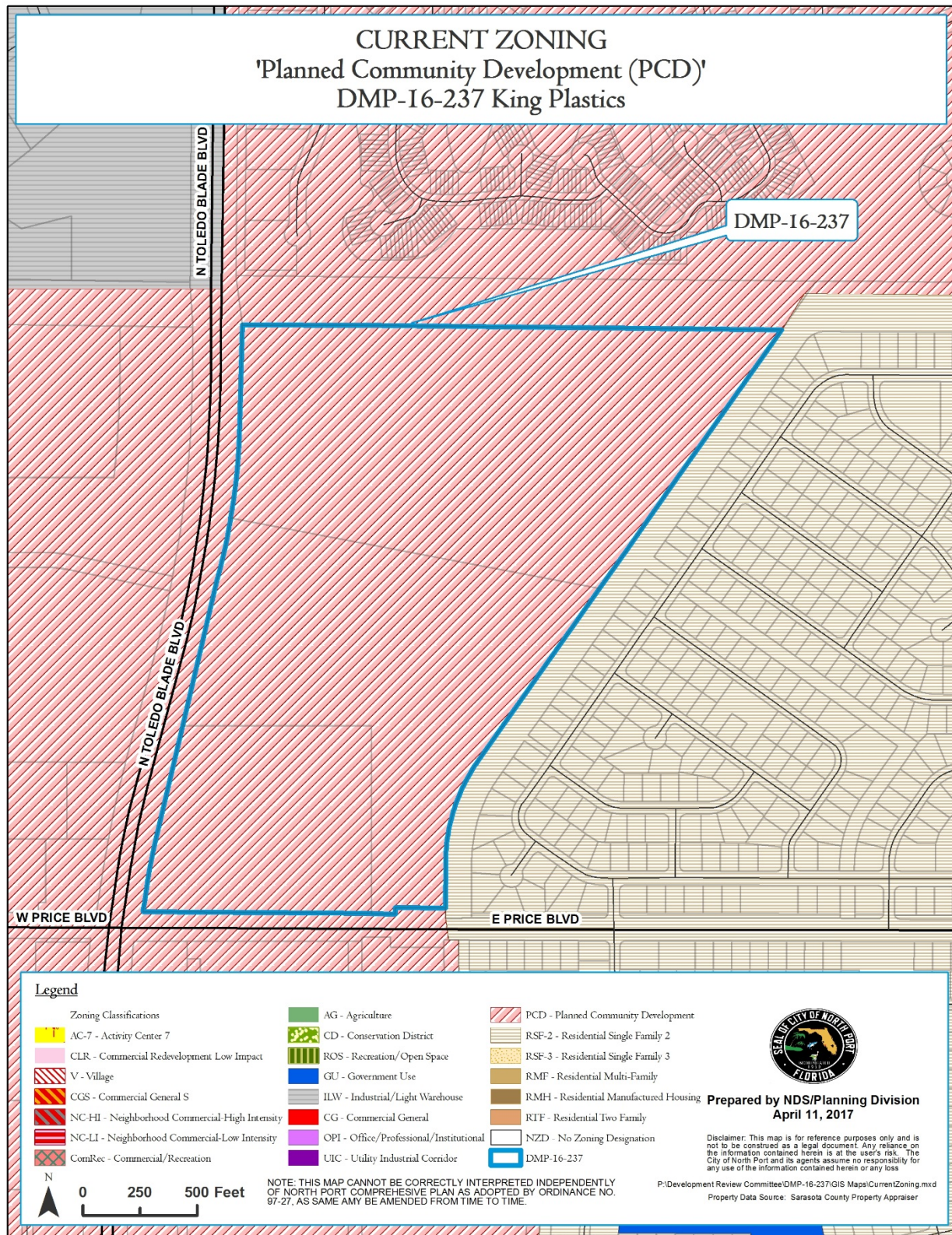
II. BACKGROUND

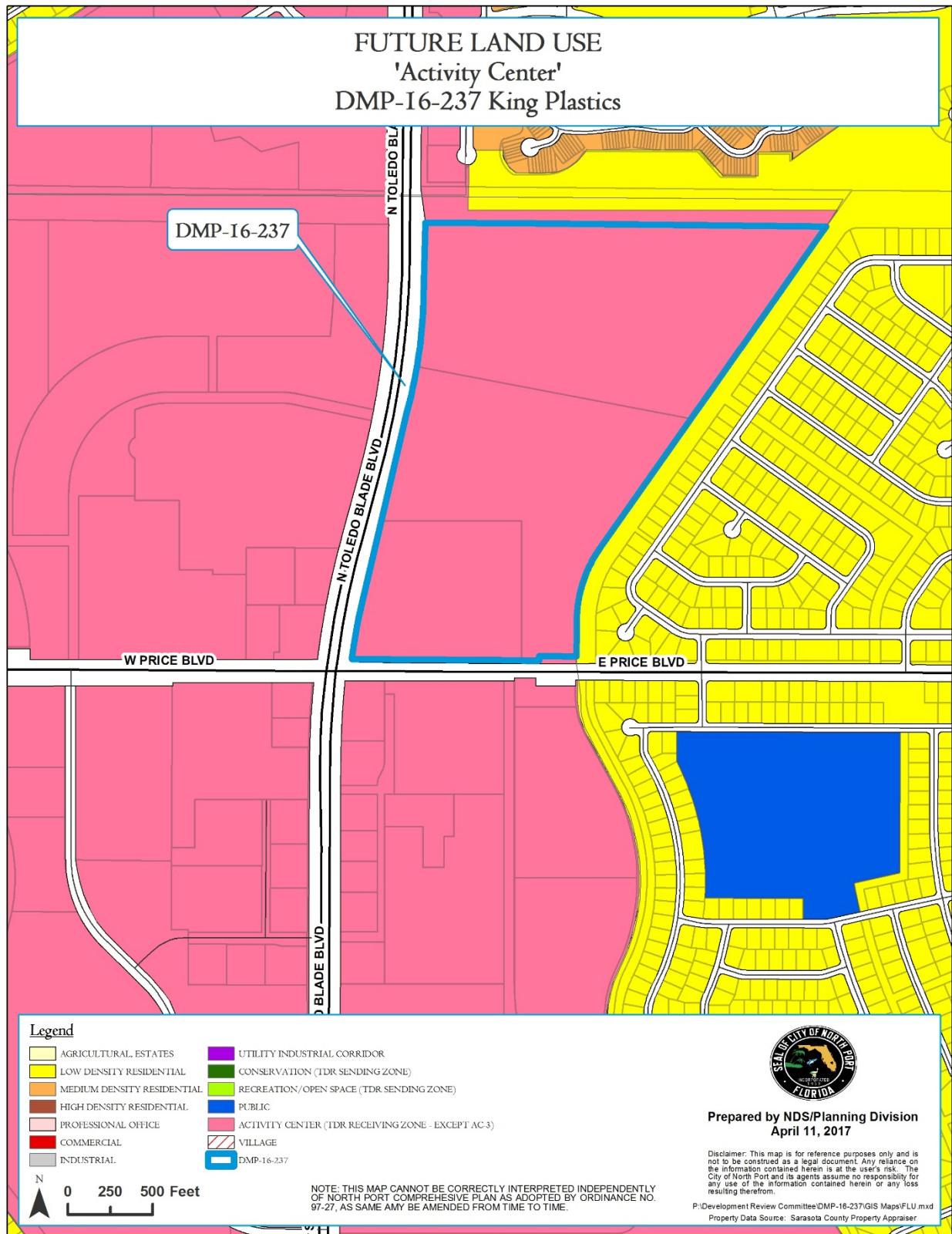
Peter Van Buskirk on behalf of JSD Limited Partnership/Price & Toledo, LLC seeks approval of a Development Master Plan on 98.25 acres consisting of a 100,800-square foot addition to an existing manufacturing building and approve a plan for a future mixed-use area for the remainder of the undeveloped parcel **(Exhibit B)**. The applicant is requesting three waivers as part of the Development Master Plan. The property is zoned Planned Community Development (PCD) and resides within Activity Center 5.

LOCATION MAP City of North Port DMP-16-237 King Plastics









III. STAFF RECOMMENDATION

Staff finds that subject to the approval of waiver requests numbers 1,2 and 3, the King Plastics Development Master Plan meets the requirements for the Unified Land Development Code (ULDC) and the Comprehensive Plan. Staff recommends the City Commission **APPROVE** petition number DMP-16-237.

IV. SITE INFORMATION

Land Use

Adopted Future Land Use Map Designation: Activity Center 5

Adopted Zoning Map Designation: PCD (Planned Community Development)

Existing Land Use(s): Manufacturing and vacant land

Surrounding Land Uses:

| Direction | Existing Land Uses | Future Land Use Map Designation | Zoning Map Designation |
|------------------|--|--|-----------------------------------|
| North | The Towns at Lakeside - Single Family attached | Activity Center 5 | Planned Community Development |
| South | Suncoast Plaza II Vacant & Commercial land | Activity Center 5 | Planned Community Development |
| West | Paradise Shoppes at NP Vacant & Commercial land | Activity Center 5 | Planned Community Development |
| East | Port Charlotte Sub 49 | Low Density Residential | Residential Single Family (RSF-2) |

Services and Facilities

Potable Water or Well: To be provided by North Port Utilities

Sanitary Sewer or Septic: To be provided by North Port Utilities

Transportation: Toledo Blade, Price Blvd and Transit # 28

Environmental

Conservation: The subject property is not located in any recognized City of North Port Conservation Restricted Overlay Zones.

Flood Zone: Zones A-E and X

Fiscal Impact

☐ Not Applicable

☒

No Impact

☐

Fiscal Impact Confirmed

Fiscal Neutrality:

The financial analysis of the project based on a per capita/per employee model using the City's FY 2016/17 operating budget, based on the applicant's submittal of an additional 100,800 square foot industrial addition to the 150,000 approved square feet as part of a Phase 1 development. Future phases of development will include mixed-use commercial activities, but this analysis reflects only Phase 1. The project is fiscally neutral with a yearly net positive surplus starting at over \$150,000 per five-year period and a cumulative \$705,993 positive ad valorem impact. The findings, as illustrated in Figure 1, indicate that the project, as presented will operate at a net operating surplus for the City. In addition, the larger cumulative economic effect both direct and indirect output from the development totals over \$23 million in direct earnings from development, and \$12 million in indirect earnings.

Staff used a conservative approach to annual growth in sales and per annum property value inflation scales to ensure the market is not over-exaggerated for the planning period of this project.

The fiscal analysis was based on project assumptions of a complete CO of the project at one time. Model assumptions include a \$85 per square foot taxable value, a 2% annual growth in sales for the first 10 years and 1% for years 11-30. In addition, staff used a net nonresidential property value escalation rate of 2% for the first 20 years, and 1.5% for years 21-30. The overall findings of the analysis show an overall positive fiscal impact over the 30-year period.

| | | | | | | | |
|--|--------------------|---------------------|----------------------|----------------------|----------------------|----------------------|---------------------|
| CITY OF NORTH PORT, FLORIDA | | | | | | | |
| DEVELOPMENT ECONOMIC AND FISCAL IMPACT MODEL | | | | | | | |
| KING PLASTICS EXPANSION PHASE 1 | | | | | | | |
| SUMMARY OF ECONOMIC AND FISCAL IMPACTS | | | | | | | |
| I. OPERATING REVENUE IMPACT | Years 1 - 5 | Years 6 - 10 | Years 11 - 15 | Years 16 - 20 | Years 21 - 25 | Years 26 - 30 | Years 1 - 30 |
| A. Ad Valorem Taxes | \$158,473 | \$174,967 | \$193,178 | \$213,284 | \$231,997 | \$249,927 | \$1,221,825 |
| B. Other Taxes | \$50,612 | \$50,612 | \$50,612 | \$50,612 | \$50,612 | \$50,612 | \$303,671 |
| C. Permits, Fees, & Special Assessments | \$261,963 | \$261,963 | \$261,963 | \$261,963 | \$261,963 | \$261,963 | \$1,571,775 |
| D. Intergovernmental Revenue | \$62,065 | \$62,065 | \$62,065 | \$62,065 | \$62,065 | \$62,065 | \$372,388 |
| E. Charges for Services | \$270,189 | \$270,189 | \$270,189 | \$270,189 | \$270,189 | \$270,189 | \$1,621,136 |
| F. Fines & Forfeitures | \$1,244 | \$1,244 | \$1,244 | \$1,244 | \$1,244 | \$1,244 | \$7,463 |
| G. Miscellaneous Income | \$11,885 | \$11,885 | \$11,885 | \$11,885 | \$11,885 | \$11,885 | \$71,310 |
| TOTAL OPERATING REVENUE IMPACT | \$816,430 | \$832,924 | \$851,135 | \$871,241 | \$889,954 | \$907,884 | \$5,169,569 |
| II. OPERATING EXPENDITURE IMPACT | Years 1 - 5 | Years 6 - 10 | Years 11 - 15 | Years 16 - 20 | Years 21 - 25 | Years 26 - 30 | Years 1 - 30 |
| General Government | \$267,622 | \$267,622 | \$267,622 | \$267,622 | \$267,622 | \$267,622 | \$1,605,734 |
| Economic Environment | \$2,697 | \$2,697 | \$2,697 | \$2,697 | \$2,697 | \$2,697 | \$16,182 |
| Physical Environment | \$52,721 | \$52,721 | \$52,721 | \$52,721 | \$52,721 | \$52,721 | \$316,323 |
| Human Services | \$1,531 | \$1,531 | \$1,531 | \$1,531 | \$1,531 | \$1,531 | \$9,188 |
| Transportation | \$120,259 | \$120,259 | \$120,259 | \$120,259 | \$120,259 | \$120,259 | \$721,555 |
| Public Safety | \$244,304 | \$244,304 | \$244,304 | \$244,304 | \$244,304 | \$244,304 | \$1,465,823 |
| Culture/Recreation | \$8,814 | \$8,814 | \$8,814 | \$8,814 | \$8,814 | \$8,814 | \$52,883 |
| Capital | \$28,256 | \$28,256 | \$28,256 | \$28,256 | \$28,256 | \$28,256 | \$169,537 |
| Debt & Lease | \$30,408 | \$30,408 | \$30,408 | \$30,408 | \$30,408 | \$30,408 | \$182,448 |
| TOTAL OPERATING EXPENDITURE IMPACT | \$756,612 | \$756,612 | \$756,612 | \$756,612 | \$756,612 | \$756,612 | \$4,539,674 |
| III. NET OPERATING SURPLUS/DEFICIT | Years 1 - 5 | Years 6 - 10 | Years 11 - 15 | Years 16 - 20 | Years 21 - 25 | Years 26 - 30 | Years 1 - 30 |
| | \$59,818 | \$76,312 | \$94,523 | \$114,629 | \$133,342 | \$151,272 | \$629,895 |
| IV. AD VALOREM INCREMENTAL REVENUE | Years 1 - 5 | Years 6 - 10 | Years 11 - 15 | Years 16 - 20 | Years 21 - 25 | Years 26 - 30 | Years 1 - 30 |
| | \$150,549 | \$166,219 | \$183,519 | \$202,620 | \$220,397 | \$237,430 | \$1,160,734 |

V. STAFF ANALYSIS

The parcel is ±98 acres in size. The north property line borders the Snover Waterway with Price Boulevard as the south border. The eastern property line is separated from a residential area by the Twin Lakes Waterway. Toledo Blade Boulevard runs along the western property line. Currently there are 34 acres in use on the northern most section of the parcel for an existing manufacturing business that plans to expand on the south side of the building. The remainder of the parcel is undeveloped.

The Development Master Plan will be developed in phases with the first phase being a 100,800-square foot addition to the existing 127,669 square foot manufacturing building. The one-story addition will be for industrial use only and will not include any office use. The proposed addition will require an increase in parking spaces and water service. A new storm water pond will be constructed in front of the existing building.

Phase II is a future mixed use development consisting of retail, commercial and industrial uses. The applicant plans to separate the vacant land into 43 acres of light industrial use and 21 acres of commercial use. The commercial/retail use will be located along the west side of the parcel that borders Toledo Blade Boulevard. The light industrial area will be located behind the retail area. The Comprehensive Plan requires Citizens Parkway to connect to all four quadrants of Activity Center 5. The applicant plans to continue the road through the industrial side of the development.

A traffic study was done by Kimley-Horn and Associates based on the existing and estimated future population (**Exhibit C**). The long-term analysis (23-years) estimates an annual growth of 3.86% on Toledo Blade and less than 1% on Price Boulevard. Toledo Blade is estimated to exceed capacity for future build out conditions. The proposed addition is anticipated to increase vehicular truck trips from 9 trucks in existing conditions

to 16 trucks in future total conditions. The increase in employee traffic is estimated at 62 people in 2017 up to 87 people in 2032.

The proposed addition will continue to use the existing access from Toledo Blade with no alterations. Phase II plans to construct two new access points to the project from Price Boulevard and another on Toledo Blade Boulevard. Both access points will connect to Citizens Parkway.

Chapter 55-35 A. (3) (a) of the ULDC requires Activity Center 5 to loop Citizens Parkway to all four quadrants of AC-5 which is to be constructed by the developer. Street lights within the right-of-way of Citizens Parkway shall be provided by Florida Power and Light in coordination with the developer. The street light design is dictated by the Urban Design Standard Pattern Book (UDSPB). The developer shall also install the landscaping within or abutting the right-of-way of Citizens Parkway and maintenance shall be the responsibility of the property owners association of Activity Center 5. The property owners association shall enter into an agreement(s) with the City to address these requirements (ULDC 53-35 A.(3)(b)(ii)).

Water is available from a 10" water main on Price Boulevard. A master lift station will be provided for Phase II of this Development Master Plan.

Earth Balance performed a field review of the property in early 2017 (**Exhibit D**). The majority of the site is comprised of upland or developed habitat. No protected species or their habitats were identified on site. No gopher tortoises or their burrows were identified likely due to the dense plant litter and overgrowth of vegetation. The parcels are not listed on the Florida scrub jay habitat list nor within the protection zone of any known active bald eagle's nest. A wetland jurisdictional determination should be performed by SWFWMD and USACE prior to development in these areas.

REQUEST FOR MODIFICATIONS/WAIVERS FROM THE UNIFIED LAND DEVELOPMENT CODE

WAIVER #1- Chapter 55 Activity Centers Design Regulations, Section 35.A.(3)(d):

CODE: Direct transportation linkages to surrounding residential neighborhoods shall be provided. The landowners and/or developers may eliminate individual direct connections to surrounding residential neighborhoods if the landowners and/or developers can demonstrate that these connections are not feasible, as part of the DCP approval. Determining the feasibility of a direct connection must be based upon:

- (i) The ability to build the connection including environmental features, site constraints and compatibility at the locations determined by City staff or;
- (ii) Community concerns as determined by the City Commission.

REQUEST: The subject property was granted a waiver for pedestrian and vehicular connectivity to the adjacent neighborhood in the previously approved DMP (DCP-09-122-Toledo Crossings) for the +/-56 acres of undeveloped sections of the subject property. The approved DMP was for commercial and light industrial uses, consistent with this DMP submittal. A waiver is again being requested for pedestrian and vehicular connectivity to the east-adjacent neighborhood based on the incompatibility of the two adjacent land uses (specifically residential and light industrial).

Staff Response: Section 55-35 A.(3)(d) provides for the elimination of these connections if the developer can demonstrate these connections are not feasible as part of the DMP approval. Staff would support this waiver based upon the provisions of this section: *The ability to build the connection including environmental features, site constraints and compatibility at the locations determined by City staff.*

WAIVER #2-Chapter 53-3(M) Zoning Regulations-General Requirements.

CODE: M. Connectivity. All developments or redevelopment projects within Activity Centers 2, 3, 4, [5](#) and 6 or any future activity center or commercial zoning district, shall be connected to the adjacent neighborhoods with a two (2) lane vehicular bridge with sidewalks on both sides as approved by the City Manager or designee as shown on the following graphics as:



The arrows are to show approximate placement only. Placement of bridges and connection points shall require City approval.

- (1) If the access point to the adjacent neighborhoods are not controlled by the City, the developer may purchase an appropriate lot as approved by the City for the purpose of the function of connectivity.

REQUEST: The subject property was granted a waiver for pedestrian and vehicular connectivity to the adjacent neighborhood in the previously approved DMP (DCP-09-122-Toledo Crossings) for the +/-56 acres of undeveloped sections of the subject property. A waiver is again being requested for the sections of this code.

Staff response: Because of the existing topical conditions and the proposed Stormwater lakes, the property is not capable of meeting the above requirements. A two-lane vehicular bridge with sidewalks on both sides in that location would not be feasible due to the existing constructed homes on the western border of the neighborhood. Staff supports this waiver.

WAIVER #3- Article V-Midway (Activity Center #5) Section 55-35A.(6)

CODE: Architectural and landscaping. Midway (AC #5) shall be planned and designed to provide a consistent, coherent architectural and landscaping theme. This requirement shall apply to landscaping, lighting, pavement treatments, signage and architectural/building design. In order to ensure a consistent and coherent theme within each quadrant, the applicable property owners association shall enter into an agreement with the City to establish a Pattern Book that addresses the general design for the quadrant or quadrant(s) including the architectural/building design, design of streets, street furniture, lighting, landscaping, design, interconnectivity between parcels and buildings and signage. Until such time as the Pattern Book is approved, the architectural and site design standards incorporated into the approvals of Publix Shopping Center (DCP-05-125) shall apply to any development proposal within Midway, (AC #5). Projects that have received MAS or Final Subdivision Plan approval

prior to the effective date of Ordinance 07-44 are exempt from these architectural and site design standards.

REQUEST: Architectural design standards for the commercial /retail development will be consistent with those architectural design standards with in AC#5. However, a deviation from that standard is being requested for the industrial uses. Typically, buildings supporting industrial uses tend to be much larger and built for specific purposes. Many industrial buildings are designed to be utilitarian. They utilize larger overhead doors for delivery and storage and most times do not have a storefront that can make use of and conform to a given architectural standard such as Mediterranean or Florida Cracker. None of the industrial land areas front the Toledo Blade corridor. All building design within the industrial areas shall use the current King Plastics building design as a guide for an architectural standard.

Staff Response: The existing King Plastics building was constructed prior to these architectural requirements and is exempt from the architectural standards: *(Projects that have received MAS or Final Subdivision Plan approval prior to the effective date of Ordinance 07-44 are exempt from these architectural and site design standards)*. The proposed addition will be constructed to be architecturally compatible to the existing building (**EXHIBIT E**). Future industrial buildings will be constructed in similar building design and color. However, design of streets, street furniture, lighting, landscaping, and site design standards shall still apply to that section of development. Staff supports the request for this waiver for architectural design standards for industrial buildings.

Relevant Policies from the City's Comprehensive Plan:

Future Land Use Policy for Activity Center #5:

GOAL 2: To promote an intensive mixture of employment, goods and services, and residential uses in Activity Centers; to promote a wide variety of residential and employment alternatives; to achieve the highest standards of quality in the urban environment; and to provide a balanced and healthy tax base.

Policy 2.5.1: AC#5(Price Blvd./Toledo Blade Blvd.) - This Activity Center shall be established to provide for commercial uses, residential densities, motels and industrial uses.

Policy 2.5.2: AC#5 - This Activity Center is characterized by automobile dependent uses due to the close proximity to I-75 and location at the intersection of north/south and east/west roads.

Policy 2.5.3: AC#5 - This area will serve the entire City with a mixture of land uses.

Policy 2.5.4: AC#5- Encourage connectivity to surrounding neighborhoods and school facilities.

Policy 2.5.5: AC#5 - Require multi-modal means of transportation throughout this corridor as well as pedestrian level features in order to enhance safety and stimulate social activity.

Policy 2.5.6: AC#5 - Complete a pattern book which will provide design guidelines within AC 5. This book shall illustrate pedestrian features such as sidewalks, street trees, lighting,

and benches. A particular theme would be in place that would be used in choices of colors and public art.

VI. REVIEW PROCESS

DMP-16-237 was reviewed and approved by the North Port Staff Development Review Committee on April 4th, 2017 with the following comments:

Landscape- A Type C landscape buffer is required for this project. It is also subject to the requirements for property located along waterways and Parks.

Infrastructure- A Traffic Impact Statement for pass-by trip percentage and trip distribution from site to City roads is required at the DMP and MAS stages of development.

Stormwater and Environment- In the later MAS (Major Site and Development) plan, a formal wetland will need to be mitigated. There is a footprint of the 100-year 1-day floodplain over the building expansion area based on the 5/22/12 Big Slough Watershed model. This model has been adopted by SWFWMD governing board and will be used for SWFWMD requirements for floodplain impact and compensation analysis, any floodplain impacts shown by the proposed development in the later MAS submittal, will need to be compensated.

Utilities-For the existing King Plastics site itself and the building expansion, please provide the Utility Department with floor plans and plumbing risers so meter sizes and capacity fees can be calculated.

For Phase II:

1. Before FDEP permits will be signed, North Port Utilities requires the following:
 - a. Four complete sets of DEP permit applications (water and sewer) and four sets of construction plans both sets of items shall be signed and sealed by the engineer of record.
 - b. One engineer certified (sealed) estimate for the cost of utility construction.
 - c. A check for the Utility Construction Inspection Fee. The fee shall be 6.5% of the utility construction costs for projects \$0 to \$2 million, plus 2.5% of utility construction cost over \$2 million. The minimum fee is \$250.00.
2. Prior to commencement of utility site construction, three copies of shop Drawings plus any copies required by the applicant shall be submitted to the Utility Department for review and approval.
3. Irrigation systems shall be designed and constructed to meet reuse standards.
4. Provide the Utility Department with floor plans and plumbing risers for each individual unit so meter sizes and capacity fees can be calculated. Meter and Capacity fees shall be paid prior to issuance of the building permit.
5. Prior to utility site construction the Development Order, Department of Environmental Protection Permit and Department of Health Permit shall be posted at the project site and provided at the preconstruction meeting.
6. A developer agreement shall be negotiated with the utility department and approved by the Utility Director and City Staff prior to DEP or DOH permits being signed and released.

Planning- Please note the following uses in Activity Center 5 are prohibited even though they are permitted in the Light Industrial (ILW) zone district, including but not limited to:

- Bulk storage
- Machinery sales and service
- Parking and storage of construction equipment
- Warehousing and storage
- Mini storage facilities

VII. PUBLIC NOTICE

A neighborhood meeting was held on April 28, 2017 at 5:30 pm in this location. Courtesy notices were mailed to property owners within 1,320 feet of the subject property (**Exhibit F**). The meeting recorded signatures of ten guests (**Exhibit G**). The meeting notes addressed concerns of possible chemicals being dumped into the waterway and a high noise level from the existing building (**Exhibit H**). The number of trees to be cut down were questioned as well as the height of the existing silos.

VIII. PLANNING & ZONING ADVISORY BOARD RECOMMENDATION

The Planning and Advisory Board (PZAB) at their regularly scheduled meeting of May 18th, 2017, recommend that the City Commission approve Petition number DMP-16-237 with the waivers, with a unanimous 4-0 vote after discussion which included the following:

- A PZAB member asked if the commercial uses were allowed with the existing industrial use. The mixed-use zoning was explained to allow this DMP multiple uses in compliance with the intent of Activity Center 5 and the PCD zone district.
- The neighborhood meeting notes mentioned a citizen complaint regarding the noise level from the existing King Plastics building. Mr. King, the owner and applicant, spoke in defense to say he was meeting with the complainant that evening to sit on his porch and observe the noise level. Mr. King is willing to make adjustments if the need is founded.

IX. PUBLIC HEARING SCHEDULE

**Planning and Zoning Advisory Board
Public Hearing**

May 18, 2017
9:00 AM or as soon thereafter

**City Commission
Public Hearing**

June 13, 2017
1:00 PM or as soon thereafter

AFFIDAVIT

I (the undersigned), Jeffrey King being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

Sworn and subscribed before me this 14th day of March, 2017

[Signature]
Signature of Applicant or Authorized Agent

Jeffrey King, Managing Partner
Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 14th day of March, 2017, by

Jeffrey King who is personally known to me or has produced
[Signature] as identification, and who
did/did not take an oath.

[Signature]
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), Jeffrey King, property owner(s),
hereby authorize Peter T. Van Buskirk, P.E., AICP to act as Agent/Applicant on our behalf
to apply for this petition on the property described as (legal description) (see attached property description)

[Signature]
Signature of Owner

3/14/2017
Date

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 14th day of March, 2017, by

Jeffrey King who is personally known to me or has produced
[Signature] as identification, and who did
not take an oath.

[Signature]
Signature - Notary Public

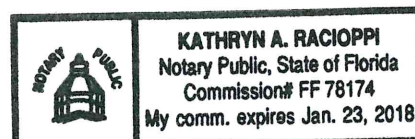




Exhibit A-2

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000104640 2 PGS
2000 AUG 16 10:14 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
HARMSTRONG Receipt#065228

This Document Prepared By and Return to:
DAVID E. OLMSTED
OLMSTED & WILSON, P.A.
18501 Murdock Circle, Suite 101
Port Charlotte, FL 33948

Doc Stamp-Deed: 0.70

Parcel ID Number:
Grantee #1 TIN
Grantee #2 TIN

Warranty Deed

This Indenture, Made this 11th day of August, 2000 AD, Between
DAVID E. OLMSTED, individually as a single person, and as Trustee of
JSD Trust
of the County of Charlotte, State of Florida, grantor, and
J.S.D. LIMITED PARTNERSHIP, a Delaware Limited Partnership

whose address is P. O. Box 1475, Venice, FL 34284-1475

of the County of Sarasota, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lymg and being in the County of Sarasota State of Florida to wit.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to easements, restrictions and reservations of record, and
taxes for the current and subsequent years.

This is a conveyance under the provisions of Rule 12B-4.013(33)(e),
F.A.C. and is not subject to documentary stamp tax. The Grantee in
this conveyance from the Trustee is the owner of a 100% beneficial
ownership interest as a trust beneficiary.

THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever

In Witness Whereof, the grantor has hereunto set

hand and seal the day and year first above written

Signed, sealed and delivered in our presence:

Printed Name: Jan A. Kulp
Witness

DAVID E. OLMSTED, individually and
as Trustee of said Trust
P O Address 18501 Murdock Circle, Suite 101
Port Charlotte, FL 33948

Printed Name: Ida Jaye Spencer
Witness

STATE OF Florida
COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 11th day of August, 2000 by
DAVID E. OLMSTED, individually and as Trustee of JSD TRUST

who is personally known to me



IDA JAYE SPENCER
COMMISSION # CC 640581
EXPIRES JUN 25 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

Printed Name:
Notary Public

Page 15 of 40 Commission Expires

EXHIBIT 'A' TO DEED FROM OLMSTED to JSD

A PORTION OF SECTION 24, TOWNSHIP 39 SOUTH, RANGE 21 EAST AND A PORTION OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF THE FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 1 AND 1A THROUGH 1TT, PUBLIC RECORDS OF SAID SARASOTA COUNTY, FLORIDA, WITH SAID CORNER BEING THE INTERSECTION OF THE CENTER LINE OF PRICE BLVD (O.R. 1939, PAGE 699) WITH THE WEST LINE OF THE TWIN LAKES WATERWAY AS PLATTED IN SAID FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION; THENCE N 00°00'19"E, ALONG THE WEST LINE OF SAID WATERWAY A DISTANCE OF 95.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID PRICE BLVD AND THE POINT OF BEGINNING, THENCE WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 221.00 FEET, THENCE S 00°00'19"W, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 45.00 FEET, THENCE WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 135.04 FEET; THENCE NORTH, A DISTANCE OF 840.00 FEET; THENCE WEST, A DISTANCE OF 800.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOLEDO BLADE BLVD. (STATE ROAD #39, 200 FEET WIDE), THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOLEDO BLADE BLVD. THE FOLLOWING 3 COURSES, N 15°14'29"E., A DISTANCE OF 240.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 5100.00 FEET, A CENTRAL ANGLE OF 15°04'48", A CHORD BEARING OF N 07°42'05"E AND A CHORD LENGTH OF 1338.43 FEET, THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 1342.30 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 00°09'41"E, A DISTANCE OF 175.71 FEET TO A POINT ON THE SOUTH LINE OF THE SNOVER WATERWAY (225 FEET WIDE, O.R. 2357, PAGE 382); THENCE S.89°53'01"E, ALONG THE SOUTH LINE OF SAID SNOVER WATERWAY A DISTANCE OF 2369.38 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE AFORESAID TWIN LAKES WATERWAY AS PLATTED IN SAID FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION; THENCE ALONG THE WESTERLY LINE OF SAID TWIN LAKES WATERWAY THE FOLLOWING 3 COURSES, S.34°59'50"W., A DISTANCE OF 2298.84 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 762.50 FEET, A CENTRAL ANGLE OF 34°59'31", A CHORD BEARING OF S.17°30'04"W AND A CHORD LENGTH OF 458.47 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 465.68 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 00°00'19"W., A DISTANCE OF 203.70 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 80.884 ACRES, MORE OR LESS.

4 fedex
McDonald

This instrument prepared by,
record and return to:

PASTRNAK LAW FIRM, P.C.
313 W. 3rd Street
Davenport, IA 52801

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2013084403 4 PGS

2013 JUN 17 11:00 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

JOLSON Receipt#1633362

Doc Stamp-Deed: 7,700.00



2013084403

Parcel Identification No. 1117-00-1010

STATUTORY WARRANTY DEED

THIS INDENTURE, made this 14th day of June, 2013, between **THIRD AND MAIN PROPERTIES, L.C., an Iowa limited liability company, as to an undivided Seventy Five Percent (75%) interest, and CYNTHIA S. SCHALK, as Successor Trustee of the Stephen L. Schalk 2011 Estate Trust, as to an undivided Twenty Five Percent (25%) interest**, whose address is 2000 E. 50th Court, Davenport, IA 52807 (together the "Grantors"), to **PRICE AND TOLEDO LLC, a Florida limited liability company**, whose address is 1100 North Toledo Blade Boulevard, North Port, FL 34288 (the "Grantee").

WITNESSETH:

That Grantors, for and in consideration of the sum of One and 00/100 Dollars (\$1.00) and other valuable consideration to Grantors in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee and Grantee's heirs, successors and assigns forever, the following described land in fee simple absolute situated in Sarasota County, Florida (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

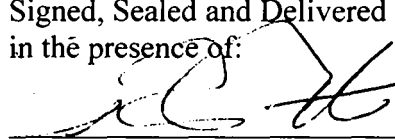
Grantors do hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to (i) taxes and assessments for the year 2013 and subsequent years and taxes or special assessments which are not shown as existing liens by the public records, (ii) all conditions, reservations, restrictions, easements, covenants and limitations of record, if any, without, by this reference intending to reimpose the same, and (iii) all laws, ordinances, restrictions, prohibitions, regulations and other requirements imposed by governmental

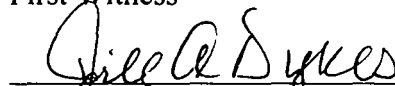
authorities.

IN WITNESS WHEREOF, Grantors have executed this Statutory Warranty Deed as of the date written above.


Signed, Sealed and Delivered
in the presence of:


Print Name: Thomas J. Pastnak


First Witness


Print Name: Jill A. Dykes

Second Witness


Print Name: Thomas J. Pastnak

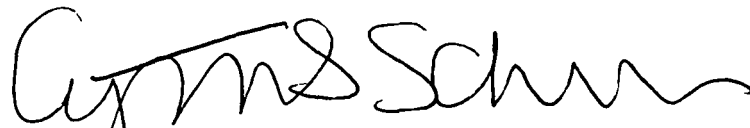
First Witness


Print Name: Jill A. Dykes

Second Witness

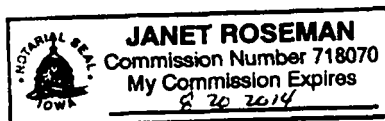
THIRD AND MAIN PROPERTIES, L.C.
an Iowa limited liability company

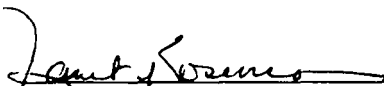
By: 
CYNTHIA S. SCHALK, Manager


CYNTHIA S. SCHALK, as Successor Trustee
of the Stephen L. Schalk 2011 Estate Trust

STATE OF IOWA)
)ss.
COUNTY OF SCOTT)

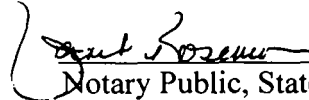
On this 6 day of June, 2013, before me a notary in and for said county and state, personally appeared CYNTHIA S. SCHALK, to me personally known, who being by me duly sworn did say that the person is the **Manager** of said limited liability company; that said instrument was signed on behalf of the said limited liability company by the authority of its members and the said **Manager** acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.




Notary Public

STATE OF IOWA)
) ss
COUNTY OF SCOTT)

This instrument was acknowledged before me on this 6 day of June, 2013, by CYNTHIA S. SCHALK, as Successor Trustee of the Stephen L. Schalk 2011 Estate Trust dated May 24, 2011, and who being by me duly sworn did state that said Trust is duly executed and in existence, that she is the Successor Trustee of said Trust and under no disability; that any transfer by the Successor Trustee is effective and rightful; that she knows of no facts or legal claims which might impair the validity of the Trust or any transfer, and that the instrument was signed on behalf of the Trust by authority thereunder, and CYNTHIA S. SCHALK acknowledged the execution of the instrument to be the voluntary act and deed of the Trust, by it and by her voluntarily executed.



Notary Public, State of Iowa
Print name: Janet Roseman
Commission No.: 718070
My commission expires: 8-20-2014

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SARASOTA, STATE OF FL, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 24, TOWNSHIP 39 SOUTH, RANGE 21 EAST AND A PORTION OF SECTION 19, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 1 AND 1A THROUGH 1TT, PUBLIC RECORDS OF SAID SARASOTA COUNTY, FLORIDA, WITH SAID CORNER BEING THE INTERSECTION OF THE CENTER LINE OF PRICE BLVD. (O.R. 1939, PAGE 699) WITH THE WEST LINE OF THE TWIN LAKES WATERWAY AS PLATTED IN SAID FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION; THENCE N.00°00'19"E., ALONG THE WEST LINE OF SAID WATERWAY A DISTANCE OF 95.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID PRICE BLVD.; THENCE WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 221.00 FEET, THENCE S.00°00'19"W., ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 45.00 FEET; THENCE WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 135.04 FEET; TO THE POINT OF BEGINNING; THENCE NORTH, A DISTANCE OF 840.00 FEET; THENCE WEST, A DISTANCE OF 800.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOLEDO BLADE BLVD. (STATE ROAD #39, 200 FEET WIDE); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOLEDO BLADE BLVD. THE FOLLOWING 2 COURSES; S 15°14'29"W., A DISTANCE OF 164.01 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 4900.00 FEET, A CENTRAL ANGLE OF 08°07'58", A CHORD BEARING OF S.11°10'30"W. AND A CHORD LENGTH OF 694.94 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 695.52 FEET TO THE END OF SAID CURVE, ON THE NORTH RIGHT-OF-WAY LINE OF AFORESAID PRICE BLVD.; THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 977.80 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY TAKEN BY THE ROAD AND DRAINAGE DISTRICT OF THE CITY OF NORTH PORT IN STIPULATED ORDER OF TAKING RECORDED IN INSTRUMENT NO. 2008048708, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION, PER PLAT THEREOF RECORDED IN PLAT BOOK 21, PAGES 1 AND 1A THROUGH 1TT, PUBLIC RECORDS OF SAID SARASOTA COUNTY, FLORIDA, WITH SAID CORNER BEING THE INTERSECTION OF THE CENTER LINE OF PRICE BLVD. (O.R. 1939, PAGE 699) WITH THE WEST LINE OF THE TWIN LAKES WATERWAY AS PLATTED IN SAID FORTY-NINTH ADDITION TO PORT CHARLOTTE SUBDIVISION; THENCE WEST ALONG THE CENTER LINE OF SAID PRICE BOULEVARD A DISTANCE OF 356.04 FEET; THENCE NORTH A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PRICE BOULEVARD AND THE POINT OF BEGINNING; THENCE WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF PRICE BOULEVARD, A DISTANCE OF 977.80 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF TOLEDO BLADE BOULEVARD (OLD STATE ROAD NO. 39, 200' WIDE), ALSO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 4900.00 FEET, A CENTRAL ANGLE OF 00°12'44", A CHORD BEARING OF N. 07°13'03" E., AND A CHORD LENGTH OF 18.14 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE EASTERLY RIGHT-OF-WAY OF SAID TOLEDO BLADE BOULEVARD, AN ARC LENGTH OF 18.14 FEET; THENCE EAST A DISTANCE OF 975.52 FEET; THENCE SOUTH A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING.

Exhibit "A"

Exhibit B

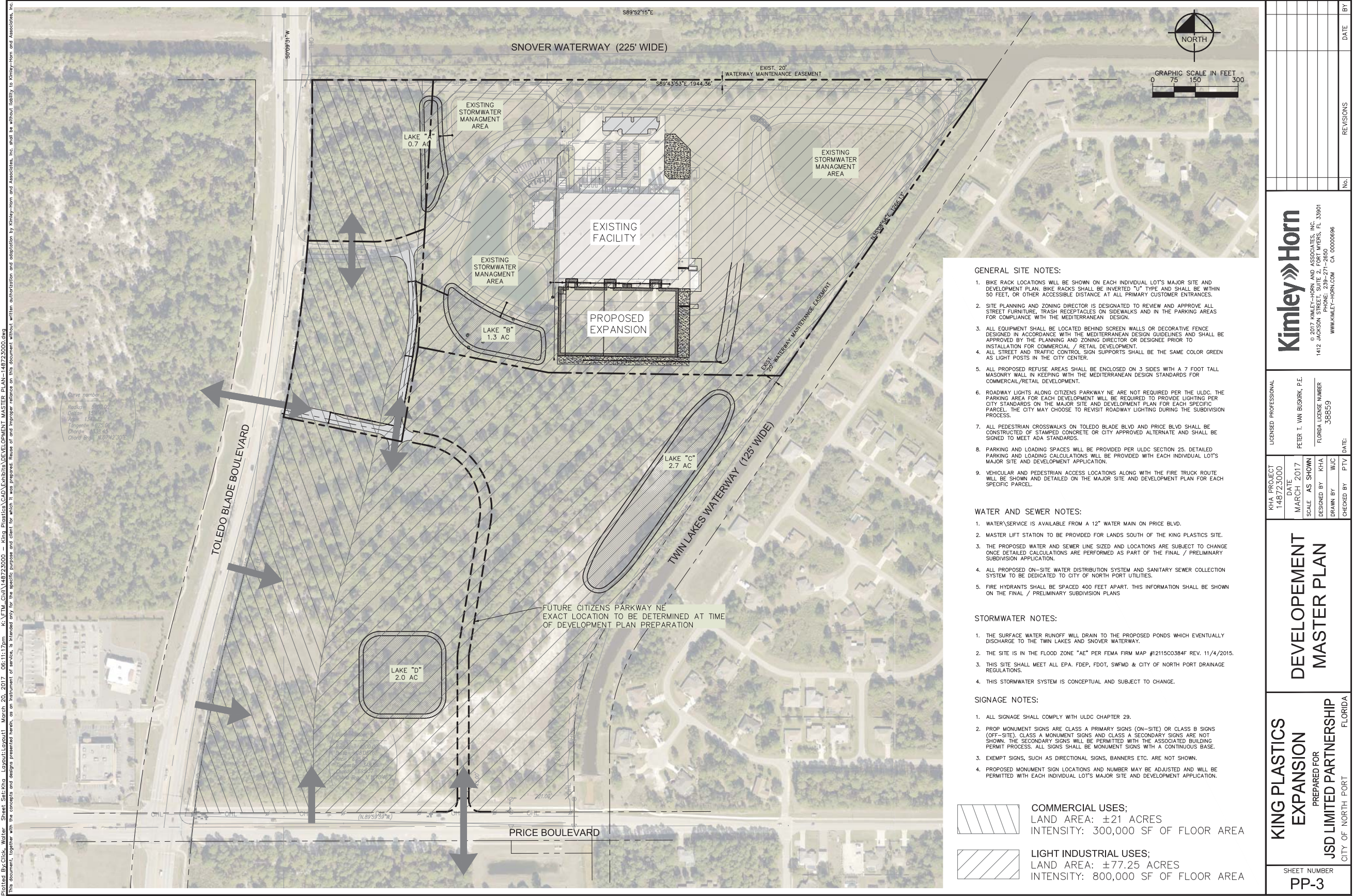


Exhibit C

TRAFFIC IMPACT ANALYSIS

King Plastics Development

City of North Port, FL

Prepared for:

City of North Port Public Works Department

Prepared by:

Kimley-Horn and Associates, Inc.

March 2017

©Kimley-Horn and Associates, Inc. 2017

TRAFFIC IMPACT ANALYSIS

King Plastics Development

City of North Port, FL

Prepared for:

City of North Port Public Works Department

Prepared by:

Kimley-Horn and Associates, Inc.

March 2017

©Kimley-Horn and Associates, Inc. 2017



Contents

| | | |
|-----|-------------------------------------|---|
| 1.0 | INTRODUCTION | 1 |
| 2.0 | DEVELOPMENT TRAFFIC | 2 |
| | Trip Generation..... | 2 |
| 3.0 | FUTURE CONDITIONS ANALYSIS | 3 |
| | Site Access | 3 |
| | Future Year Traffic Conditions..... | 3 |

Figures

| | |
|----------------------------------|---|
| Figure 1: Project Location | 1 |
|----------------------------------|---|

Tables

| | |
|--|---|
| Table 1: Trip Generation | 2 |
| Table 2: 2040 Roadway Segment Analysis | 3 |

Appendices

| | | |
|------------|---|------------------------------|
| Appendix A | – | Site Plan |
| Appendix B | – | Employee and Truck Estimates |

1.0 INTRODUCTION

Kimley-Horn has been retained to perform a traffic analysis in support of a Development Master Plan (DMP) for the proposed development in North Port, Florida. in the City of North Port, Florida. The property is bounded by Toledo Blade Blvd to the west, Price Blvd to the south, the Twin Lakes Waterway to the east, and the Snover Waterway to the north. The King Plastics facility is accessed from Toledo Blade Boulevard, and there is an additional, existing driveway on Toledo Blade Boulevard that is intended to connect to the planned Citizens Parkway Loop.

Although the DMP encompasses the entire 96 acres, approximately 34 acres is currently utilized by the King Plastics facility. The King Plastics facility currently has plans to expand their manufacturing capabilities (Phase 1), with the remaining 61 acres (Phase 2) available for future development. The project location is shown in **Figure 1** below.

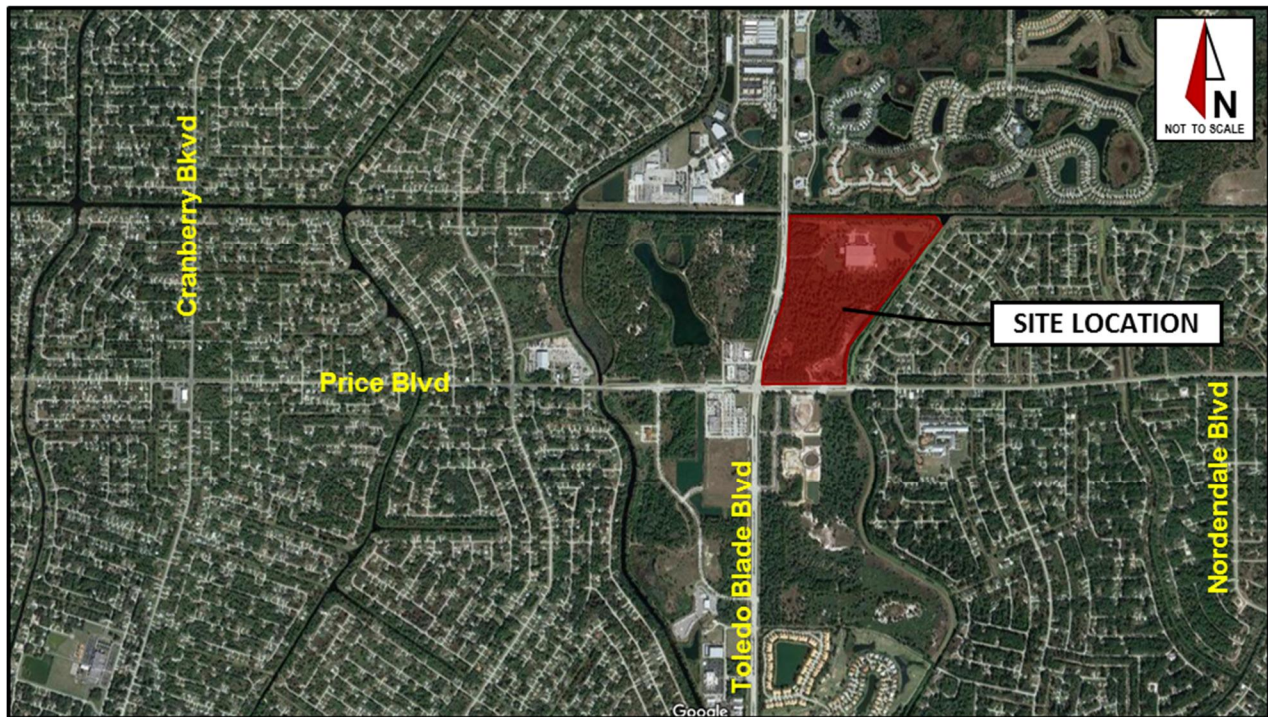


Figure 1: Project Location

The proposed development will consist of approximately 75 acres of light industrial development (34 acres included in the expansion of the King Plastics Facility) and 21 acres of commercial development. Access to the site will be provided via entrances along Toledo Blade Boulevard and Price Boulevard. The conceptual site plan is included in **Appendix A**.

2.0 DEVELOPMENT TRAFFIC

The proposed development is anticipated to consist of a maximum development potential of approximately 800,000 square feet of light industrial uses and 300,000 square feet of commercial uses. Because a large portion of the light industrial uses are included as part of the King Plastics facility, this area was detailed separately in the trip generation section outlined below. The remaining undeveloped light industrial areas consist of approximately 427,000 square feet.

TRIP GENERATION

Trip generation for the proposed King Plastics facility expansion was based upon employment information provided by the client (**Attachment A**). Current and future (estimated) total daily employee counts have been used to analyze the additional trip generation potential from the proposed expansion. Trip generation for the remaining portion of the development was calculated using the 9th Edition of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. The anticipated trip generation was calculated using the rates and equations for Warehousing, Land Use Code (LUC) 150, and Shopping Center, LUC 820.

Pass-by rates for the retail uses were determined by utilizing the 3rd Edition of the ITE *Trip Generation Handbook*. Pass-by trips were determined by applying a 34% reduction to the net new external trips.

Daily, AM Peak Hour, and PM Peak Hour trip generation is provided in **Table 1** below. As shown in the table, the entire 95 acre development is anticipated to generate 10,018 daily net external trips, 330 net external trips during the AM Peak Hour (228 in and 102 out), and 884 net external trips during the PM Peak Hour (391 in and 492 out). The expansion of the manufacturing facility is anticipated to generate 44 daily trips, 12 AM Peak Hour trips and 12 PM Peak Hour trips. In addition, truck trips are anticipated to increase slightly, from 9 trucks in existing conditions, to 16 total trucks in future total conditions. Employee and truck traffic estimates are provided in **Attachment B**.

Table 1: Trip Generation

| Description | LUC | Size | Units | Daily | | | AM Peak Hour | | | PM Peak Hour | | |
|-----------------------------------|-----|------|-------|--------|-------|-------|--------------|-----|-----|--------------|-----|-----|
| | | | | Total | In | Out | Total | In | Out | Total | In | Out |
| Existing Manufacturing Facility | 140 | 62 | EMP | 354 | 177 | 177 | 36 | 26 | 10 | 40 | 18 | 22 |
| Proposed Manufacturing Facility | | 87 | | 398 | 199 | 199 | 48 | 35 | 13 | 53 | 23 | 30 |
| External Trips | | | | 44 | 22 | 22 | 12 | 9 | 3 | 12 | 5 | 7 |
| Warehousing | 150 | 427 | KSF | 1,520 | 760 | 760 | 128 | 101 | 27 | 137 | 34 | 103 |
| Shopping Center | 820 | 300 | KSF | 12,810 | 6,405 | 6,405 | 288 | 179 | 109 | 1,113 | 534 | 579 |
| Total Trips | | | | 14,330 | 7,165 | 7,165 | 416 | 280 | 136 | 1,250 | 568 | 682 |
| | | | | | | | | | | | | |
| Pass-by-Traffic (Shopping Center) | | | 34% | 4,355 | 2,178 | 2,178 | 98 | 61 | 37 | 378 | 182 | 197 |
| | | | | | | | | | | | | |
| Net New External Trips | | | | 10,018 | 5,009 | 5,009 | 330 | 228 | 102 | 884 | 391 | 492 |

3.0 FUTURE CONDITIONS ANALYSIS

SITE ACCESS

The currently existing King Plastics manufacturing facility utilizes a ¾ driveway (right-in/left-in/right-out) along Toledo Blade Boulevard. The proposed expansion will use the same entrance with no anticipated modifications to the driveway.

Development of the remaining undeveloped portion of the property is anticipated to utilize one existing full access driveway on Toledo Blade Boulevard and one existing full access driveway on Price Boulevard. Both access points are expected to connect the planned Citizens Parkway Loop which will provide future connectivity between all four quadrants of the Toledo Blade Boulevard & Price Boulevard intersection.

FUTURE YEAR TRAFFIC CONDITIONS

The proposed developed was analyzed for long term (2040) future background conditions. A review of the historic traffic data from FDOT determined that historic annual growth rate for Price Boulevard and Toledo Blade Boulevard. Under 2040 future year conditions, Price Boulevard experiences less than 1% annual growth, while Toledo Blade Boulevard experiences 3.86% annual growth. These growth rates were applied to existing traffic volumes to develop future background traffic volumes.

A generalized roadway analysis was performed for 2040 future conditions. **Table 2** below shows the roadway segment analysis for 2040 future background and buildout conditions.

Table 2: 2040 Roadway Segment Analysis

| | | | | | | | Future Background Conditions | | | | Future Buildout Conditions | | | |
|---------------------------------------|-----------|--------------|---------------------|--------------|---------------|-------------|------------------------------|-------------|-------------------------|-------------|----------------------------|-------|----------------------------|-------------|
| Roadway Segment | No. Lanes | Posted Speed | Daily Serv. Vol [1] | LOS Std. [2] | 2015 AADT [3] | Exceeds SV? | 2015 AADT [3] | Growth Rate | 2040 Daily Bkgrd Volume | Exceeds SV? | Project Trips | | 2040 Daily Buildout Volume | Exceeds SV? |
| | | | | | | | | | | | NB/EB | SB/WB | | |
| Price Boulevard [4] | | | | | | | | | | | | | | |
| Chamberlain Blvd to Toledo Blade Blvd | 4 | 45 | 37,810 | D | 13,500 | No | 13,500 | 1.00% | 16,972 | No | 196 | 246 | 17,414 | No |
| Toledo Blade Blvd to Purdue St | 4 | 45 | 37,810 | D | 13,500 | No | 13,500 | 1.00% | 16,972 | No | 246 | 196 | 17,414 | No |
| Toledo Blade Boulevard | | | | | | | | | | | | | | |
| Hillsborough Blvd to Price Blvd | 4 | 45 | 37,810 | D | 16,800 | No | 16,800 | 3.86% | 40,144 | Yes | 196 | 246 | 40,586 | Yes |
| Price Blvd to I-75 | 4 | 45 | 37,810 | D | 16,800 | No | 16,800 | 3.86% | 40,144 | Yes | 246 | 196 | 40,586 | Yes |

[1] Source: FDOT 2013 QLOS Handbook

[2] Source: City of North Port Comprehensive Plan

[3] Source: FTI 2015

[4] Assumed future widening from 2 lanes to 4 lanes.

As shown in the table, Price Boulevard is anticipated to operate acceptable in 2040 future background and future buildout conditions. Toledo Blade Boulevard is anticipated to exceed capacity in 2040 future background conditions, prior to the addition of the project. It should be noted that the Sarasota-Manatee Long Range Transportation Plan identifies this segment of Toledo Blade Boulevard with a volume-to-capacity ratio greater than 1.0 in 2040 future conditions.

Vehicular Activity Daily - Peak Levels

| | <u>2017 - Today</u> | <u>2018</u> | <u>2021</u> | <u>2023</u> | <u>2026</u> | <u>2029</u> | <u>2032 - Capacity</u> |
|---|---------------------|-------------|-------------|-------------|-------------|-------------|------------------------|
| People, Office 8:00 am - 5:00 pm | 26 | 26 | 28 | 30 | 31 | 33 | 34 |
| People, Manufacturing 6:30 am - 7:30 pm (1st Shift) | 36 | 39 | 42 | 44 | 47 | 49 | 53 |
| Total People: | 62 | 65 | 70 | 74 | 78 | 82 | 87 |
| | | | | | | | |
| Full Truck Loads | 2 | 3 | 3 | 4 | 4 | 5 | 5 |
| UPS / FEDEX | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| LTL Loads | 4 | 4 | 5 | 5 | 6 | 6 | 6 |
| KPC Bulk Truck Loads | 2 | 2 | 3 | 3 | 3 | 4 | 4 |
| Total Truck Loads: | 9 | 10 | 12 | 13 | 14 | 16 | 16 |



February 23, 2017

Mr. Peter Van Buskirk, P.E.
1412 Jackson Street, Suite 2
Ft Myers, Florida 33901
Transmitted via electronic mail

RE: King Plastic Corporation
Property ID 1117001000/1117001100/1117001010
Preliminary Environmental Assessment

Dear Mr. Van Buskirk:

On February 3, 2017, an EarthBalance® biologist performed a field review of the above-referenced property. The purpose of the field review was to identify habitat occurring on the site, and to perform a protected species survey identifying threatened and endangered species or their habitat. Based on Sarasota County property appraiser's data (<http://www.sc-pa.com/map-property-search/>), the site is comprised of three parcels and totals approximately 98.4 acres.

The following methods were employed to assess the parcels:

- Field inspection of the site for evidence of protected species or their habitat;
- Review of recent and historic aerial photographs;
- Review of available permit information through the Southwest Florida Water Management District (SWFWMD) Water Management Information System (WMIS);
- Research of the Florida Natural Areas Inventory (FNAI) for documented occurrence and potential occurrence of protected wildlife species on or near the site (<http://lotmaps.freac.fsu.edu/bio05/index.html>);
- Review of the Florida Fish and Wildlife Conservation Commission (FWC) Bald Eagle Nest Locator Site; (<https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx#search>); and
- Review of the Natural Resources Conservation Service (NRCS) web soil survey for Sarasota County (<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>)

LAND USE

The SWFWMD classifies land use based on the Florida Department of Transportation's Florida Land Use, Covers, and Forms Classification System (FLUCCS) (1999). The site is comprised of several upland, man-made habitats, and drained wetland habitat. The attached **FLUCCS Map** shows the land uses identified on the site.

Industrial (FLUCCS 150)

25.46 acres of the site comprises the existing plant and associated areas including the mowed and maintained areas.

Woodland Pastures (FLUCCS 213)

Approximately 48.72 acres of the site are woodland pasture habitat. This habitat type is comprised of a canopy dominated by slash pine (*Pinus elliottii*). Scattered laurel oak (*Quercus laurifolia*), live oak (*Quercus virginiana*), and cabbage palm (*Sabal palmetto*) also occur. The understory is largely comprised of saw palmetto (*Serenoa repens*). Other species observed included wax myrtle (*Myrica cerifera*), winged sumac (*Rhus copallinum*), gallberry (*Ilex glabra*), beautyberry (*Callicarpa americana*), grapevine (*Vitis rotundifolia*), fetterbush (*Lyonia lucida*), running oak (*Quercus pumila*), poison ivy (*Toxicodendron radicans*), pennyroyal (*Piloblephis rigida*), and shiny blueberry (*Vaccinium myrsinites*). The exotic Brazilian pepper (*Schinus terebinthifolia*) was also observed throughout this habitat. Cattle were observed in this habitat.

Pine Flatwood (FLUCCS 411)

This habitat type is comprised of a canopy of slash pine, laurel oak, and live oak. Slash pines are the dominant canopy tree. The understory is largely comprised of saw palmetto (*Serenoa repens*). Other species observed included wax myrtle, gallberry, beautyberry, grapevine, poison ivy, pennyroyal, and shiny blueberry. The exotics Brazilian pepper and caeserweed (*Urena lobata*) were also observed on site. Cattle are excluded from this habitat type.

Live Oak (FLUCCS 427)

This habitat occurs in the northeastern corner of the property and comprises approximately 5.35 acres. The canopy of this habitat is dominated by live oak. Slash pine and cabbage palm are minor components of the canopy.

The groundcover is sparse in areas and is comprised of saw palmetto, beautyberry, dog fennel (*Eupatorium capillifolium*), grapevine, and blackberry (*Rubus* sp.). The exotics cogon grass (*Imperata cylindrical*) and Brazilian pepper are found within this habitat. Cattle are excluded from this habitat type.

Reservoirs less than 10 acres (FLUCCS 534)

Approximately 4.94 acres of the site is comprised of the stormwater management system associated with the plant and the developed area of the site.

WETLANDS

Wet Prairies (FLUCCS 643)

An estimated 2.98 acres of the site are classified as wet prairie habitat. Based on a review of historic aerials, a review of state-wide habitat mapping, and a review of the soil survey of Sarasota County these areas have been classified as wet prairie wetland habitat. Species observed within this habitat includes maidencane (*Panicum hemitomon*), pennywort (*Hydrocotyle umbellata*), Bahia grass (*Paspalum notatum*), chalky bluestem (*Andropogon virginicus* L var. *glaucus*), St. John's wort (*Hypericum fasciculatum*), and yellow-eyed grass (*Xyris* sp.). The easternmost wetland, closest to the Twin Lakes Waterway, contains slash pine and cabbage palm. The areas are underlain by wetland soils. Vegetation in both features is grazed by cattle.

Both areas have lost much of their wetland characteristics due to surrounding development and changes to their historic drainage basins. In In 2009 a formal determination of wetlands and other surface waters was issued by the SWFWMD. The SWFWMD determined that no wetlands or other surface waters were present on the site. The formal determination expired in 2014. Similarly the wetland boundary of the westernmost wetland was verified by the US Army Corps of Engineers (USACE) in March 1999. At that time the wetland area totaled 0.40 acres. That verification is also expired as it was only valid for 5 years.

Wetlands are identified through three parameters, dominance of wetland vegetation, presence of wetland soils, and signs of hydrology. The cursory review of the areas, indicated that the westernmost area (closest to Toledo Blade Boulevard) contains wetland vegetation but may only contain signs of hydrology in a small area. The three indicators of wetland habitat were observed in smaller parts of the easternmost area. Algal matting, a hydrologic indicator denoting standing water, was observed in the north and south of the easternmost area. A dominance of wetland plant species were also observed in these areas.

The formal determination was issued during a period of prolonged drought. Conversely, the last few years the area has experienced average or above average rainfall in both the wet and dry seasons. It is likely that the expression of wetland characteristics observed is a result of the increased rainfall.

Protected Species

No protected species or their habitats were identified on site. In particular, a 100% survey of the proposed expansion area was performed to identify the presence of the gopher tortoise (*Gopherus polyphemus*) in accordance with the Florida Fish and Wildlife Conservation Commission's (FWC) survey protocols (Gopher Tortoise Permitting Guidelines revised January 2017) for this species. A 15% survey was performed throughout the remainder of the site.



No gopher tortoises or their burrows were identified on site likely due to dense plant litter (predominantly pine needles) and overgrowth of vegetation. One broken tortoise shell was observed near the westernmost wet prairie area. No burrows were located near the shell. The parcels are not listed on the City of North Port's known Florida scrub jay (*Aphelocoma coerulescens*) habitat list. Therefore no further consultation with regulatory agencies for this species is required for development of the site.

The site is not within the protection zone of any known active bald eagle's (*Haliaeetus leucocephalus*) nest. A review of the FWC's eagle nest locator website indicates that the nearest documented nest to the site is located on the north side of Interstate 75. Therefore, no further consultation with regulatory agencies for this species is required for development of the site.

Recommendations

The majority of the site is comprised of upland or developed habitats. Protected species or their habitats were not observed during the field survey.

A cursory review of wetland jurisdictional habitat was conducted in conjunction with the field survey. Three wetland areas were identified during the survey. Both wetland areas are drained and do not express wetland characteristics to their historic edge. A wetland jurisdictional determination should be performed on the site prior to development in these areas. Because the formal determination has expired and conditions have changed on the site, a formal (or informal) wetland determination, by both the SWFWMD and the USACE should be performed prior to development, to quantify the amount of wetland habitat on site.

Should you have any questions or concerns pertaining to our findings, please contact me at 941-426-7878 or via email at rmendieta@earthbalance.com.

Sincerely,
EarthBalance®

A handwritten signature in black ink, appearing to read "R. Mendieta".

Ramon Mendieta
Biologist

Enc: FLUCCS Map
Cc: file 16665.1

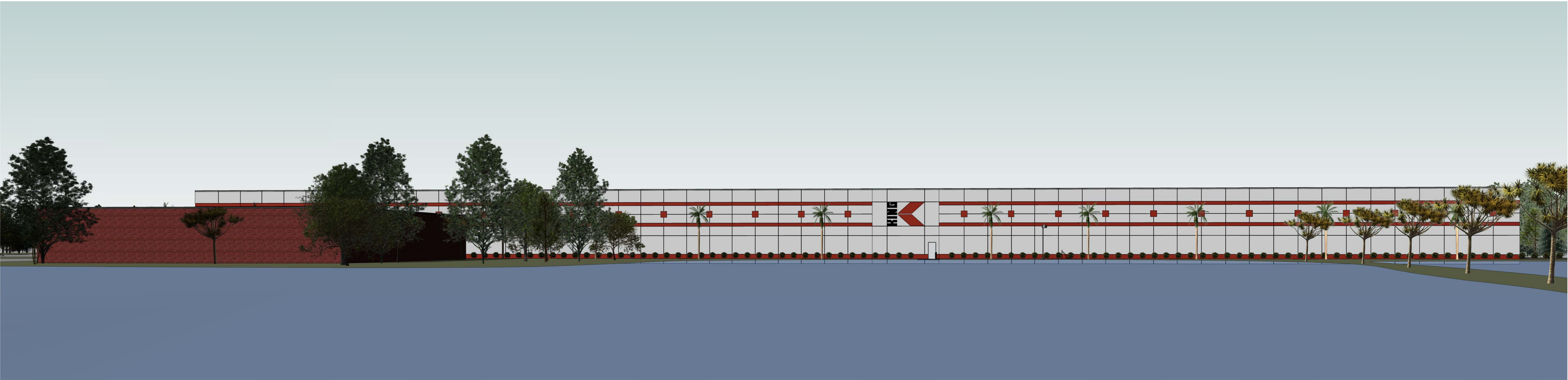


DATE: 2/22/2017
 FILE: FLUCCS Map 20170208
 PROJECT: 16665.1
 AERIAL: 2015 USDA FSA ESRI
 PROJECTION: 83SPW0902FT
 SCALE : 1: 4,800
 METADATA: Upon request
 GIS: 2017 EarthBalance®/ gsprehn



KING PLASTICS CORPORATION
 ENVIRONMENTAL ASSESSMENT
 FLUCCS MAP
 Page 33 of 40

EarthBalance®
 Corporate Offices
 2570 Commerce Parkway
 North Port, FL 34289
 (941) 426-7878
 www.earthbalance.com
 Central Florida Offices
 2343 West Clay Street
 Kissimmee, FL 34741
 (407) 518-5592
 www.earthbalance.com



**MANUFACTURING FACILITY
EXPANSION**
KING PLASTICS CORPORATION
1100 N. TOLEDO BLADE BLVD
NORTH PORT, FLORIDA 34288

FRONT ELEVATIONS

GBA
GLICK BOEHM ARCHITECTURE

ARCHITECTURE PLANNING INTERIOR DESIGN
493 King Street, Suite 100 Charleston, South Carolina 29403
T:843.577.6377 F:843.722.1768 www.glickboehm.com

Exhibit F

CITY MANAGER'S OFFICE

APR 20 2017

CITY OF NORTH PORT

Norton

Neighborhood Workshop

For: Toledo Crossing Development Master Plan, Northeast quadrant of Toledo Blade Boulevard and Price Boulevard. Project is bounded by the Snover Waterway to the North and Twin Lakes, City of North Port, Sarasota County, Florida

Date: Thursday, April 27, 2017

Time: 5:30 – 7:00 p.m.

Place: Bobcat Trail Community Center, 1352 Bobcat Trail, North Port, FL 34288.

Contact: Theresa Redmond, 239-271-2661

A neighborhood workshop will be held to discuss a request for the proposed Development Master Plane for the project called "Toledo Crossing." The neighborhood workshop will provide graphics and allow for questions regarding the applicant's intent to request approval for a mixed-use development consistent with the City of North Port's Activity Center #5 land use designation and implementing Planned Development zoning district.

The subject property consists of 98 acres located at the northeast corner of Toledo Blade Blvd and Price Blvd in North Port, Florida. The property is bounded by Toledo Blade Blvd to the west, Price Blvd to the south, the Twin Lakes Waterway to the east, and the Snover Waterway to the north. The property is located within Activity Center #5 and is currently zoned PCD. The northern portion of the property is occupied by an existing manufacturing facility, King Plastics, which has been active since 2001. The remainder of the property is vacant. The vacant portion of the property received approval of Development Concept Plan in January 2011 for a mixed-use development containing Commercial General, Neighborhood Commercial, and Office Professional uses (DCP 09-122). The Development Master Plan approved with the DCP expired January 31, 2015.

The owner of King Plastics is planning an expansion to the current facility of approximately 100,000 square feet of floor area. The expansion will increase the manufacturing area of the facility but will not include increases in any of the office use. It is anticipated that this expansion will require additional paved parking and a minor expansion of the water service for fire protection.

This expansion plans will require that a Development Master Plan be submitted and approved for the proposed improvements. It is anticipated that the Development Master Plan request will include all of the 98 acres and propose a mix of uses including commercial, retail, and light industrial.

Modifications will also be requested to certain, but limited, land development regulations as described below:

REQUIREMENT: Sec 55-35.A.(3)(d) – Direct transportation linkages to surrounding residential neighborhoods shall be provided. The landowners and/or developers may eliminate individual direct connections to surrounding residential neighborhoods if the landowners and/or developers can demonstrate that these connections are not feasible, as part of the DCP approval. Determining the feasibility of a direct connection must be based upon:

- a. The ability to build the connection including environmental features, site constraints and compatibility at the locations determined by City staff or;
- b. Community concerns as determined by the City Commission.

REQUEST: The subject property was granted a waiver for pedestrian and vehicular connectivity to the adjacent neighborhood in the previously approved DMP (DCP-09-122 – Toledo Crossings) for the +/- 56 acres of undeveloped sections of the subject property. The approved DMP was for commercial and light industrial uses, consistent with this DMP submittal. A waiver is again being requested for pedestrian and vehicular connectivity to the east-adjacent neighborhood based on the incompatibility of the two adjacent land uses (specifically, residential and light industrial).

REQUIREMENT: Sec 55-9 – Public art is required in all Activity Centers. Public art shall be regulated and placed in accordance to the specifications in Chapter 59 of these regulations and shall adhere to the goals and vision of the City. Public art shall be approved by City Staff and/or City Commission.

REQUEST: Public art shall be provided as part of pedestrian amenities in southern half of the quadrant. Public art waiver is requested for the industrial portions of the subject property.

REQUIREMENT: Sec 55-35.A.(6) – [...] In order to ensure a consistent and coherent theme within each quadrant, the applicable property owners association shall enter into an agreement with the City to establish a Pattern Book that addresses the general design for the quadrant or quadrant(s) including the architectural/building design, design of streets, street furniture, lighting, landscaping, design, interconnectivity between parcels and buildings and signage. Until such time as the Pattern Book is approved, the architectural and site design standards incorporated into the approvals of Publix Shopping Center (DCP-05-125) shall apply to any development proposal within Midway, (AC #5).

REQUEST: Architectural design standards for the commercial/retail development will be consistent with those architectural design standards within AC #5. However, a deviation from that standard is being requested for the industrial uses. Typically, buildings supporting industrial uses tend to be larger and built for specific purposes. Many industrial buildings are designed to be utilitarian. They utilize larger overhead doors for delivery and storage and most times do not have a storefront that can make use of and conform to a given architectural standard such as Mediterranean or Florida Cracker. None of the industrial land areas front Toledo Blade Boulevard, therefore the building architecture for those uses will not be visible from the Toledo Blade corridor. All building design within the industrial areas shall use the current King Plastics building design as a guide for an architectural standard.

This is not a public hearing. The purpose of the workshop is for the applicant to inform the neighboring residents of the nature of the proposed development, master concept plan, to solicit suggestions / questions, and to explain the concept plan which will be binding.



Job _____ Subject _____ Sheet No. _____ of _____
Designed by _____ Date _____ Checked by _____ Date _____

SIGN IN SHEET

4/27/17

TOLEDO

DEVELOPMENT MASTER PLAN

NEIGHBORHOOD MEETING

NAME

ADDRESS

- | | NAME | ADDRESS |
|-----|----------------------------|---------------------|
| 1. | PAUL + SENA TORRES | 1055 Prowess CT |
| 2. | Donna + Thomas Rea | 2310 Amnesty DR. |
| 3. | RANDY WELKIE | CITY OF NORTH PORT |
| 4. | Jeff + Holly Vollenhals | 230 Amnesty Dr. |
| 5. | GREG CULY | 1274 OVERHEAD ST. |
| 6. | Hidenori + Henriette Inabe | 2034 Amnesty Dr. NP |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |
| 15. | | |
| 16. | | |
| 17. | | |
| 18. | | |
| 19. | | |
| 20. | | |
| 21. | | |
| 22. | | |
| 23. | | |
| 24. | | |
| 25. | | |
| 26. | | |
| 27. | | |
| 28. | | |
| 29. | | |
| 30. | | |
| 31. | | |
| 32. | | |
| 33. | | |
| 34. | | |

Jeff + Holly Vollenhals 941-429-7605

Exhibit H



Meeting Notes

Project Name: King Plastics
Meeting Date: Thursday, April 27, 2017
Meeting Time: 5:30 – 7:00 p.m.
Meeting Location: Bobcat Trail Community Center
1352 Bobcat Trail
North Port, FL 34288

RE: *Toledo Crossing Development Master Plan, Northeast quadrant of Toledo Blade Boulevard and Price Boulevard. Project is bounded by the Snover Waterway to the North and Twin Lakes, City of North Port, Sarasota County, Florida. Kimley-Horn Project Number 148723000.*

A neighborhood workshop was held to discuss a request for the proposed Development Master Plan for the project called “Toledo Crossing.” The neighborhood workshop presented the request, provided graphics of the Development Master Plan and color building elevations. After the presentation participants were allowed to ask questions regarding the applicant’s intent to request approval for a mixed-use development consistent with the City of North Port’s Activity Center #5 land use designation and implementing Planned Development zoning district.

The meeting commenced at 5: 30 pm on April 28th 2017.

Peter Van Buskirk of Kimley-Horn spoke about the purpose of the neighborhood workshop. He briefly explained the process of the development master plan and what was being proposed during the process. He said that an anticipated planning board meeting being held on May 18th and mentioned that both the planning board and commission meetings were public meetings.

Jeff King, the owner/ applicant, responded to questions about what types of products are manufactured and the basic process. Pamphlets of the finished products were passed around.

Peter then said that even though the neighborhood workshop was not specifically for the proposed King Plastic building expansion, questions could be answered regarding the proposed building.

It was stated that the request included a waiver for architectural guidelines for the industrial uses. The request stated that the for retail uses along the Toledo Blade corridor, the pattern book would be adhered to. It was also discussed that in the light industrial area, the Mediterranean Architectural Standards be waived.

Questions:

- Will the water that is used in the manufacturing process be discharged to adjacent lakes or waterways?
 - The manufacturing facility uses a closed cooling system meaning that the water used during the manufacturing process is not released into the environment. It was also mentioned that the steam coming from the cooling towers did not release any chemicals

or by-products into the air due to this system. It was also noted that all of the lakes on-site were exclusively for stormwater runoff.

- How far away will you build away from the waterway?
 - The land development code currently states that the buildings must be at least 25' from the waterway. The current building and expansion is well over 100' from the waterway.
 - Will you be building along the temporary road east of the site along the waterway?
 - This area has a utility easement across it, therefore we will not be building on the roadway.
 - The current noise level at a resident's house seems to be high due to the noise bouncing off of his house. Will the proposed expansion create a higher noise level?
 - The proposed expansion of King Plastics will include moving equipment that makes increased noise levels inside. There will also be walls blocking the silos that are currently there. This should reduce the noise levels coming from the current operation.
 - One resident asked about the current time frame for the development.
 - At this time the only development that is being proposed on-site is the expansion to the King Plastics manufacturing facility. There are no other projects planned currently.
 - Will you cut down all the trees?
 - The only clearing at this time will be for the building expansion. The only trees that will be cut are the ones necessary for the construction.
 - Clarification: will you cut down all the trees immediately.
 - Land clearing will be performed as the land is developed. The land will not be cleared until a use has been identified for the land and it is being developed.
 - Across the street, a transit station was proposed. Will you be able to build a transit station on this site?
 - That is not an anticipated use.
 - There was a comment on the height of the silos towered over the current trees. The question also asked about the building height.
 - Jeff King (owner) stated that the silos were standard sized silos, however, should they need to add any in the future he could look into if there was a shorter wider model.
 - A resident suggested painting it green or blue in order to ease the eye sore.
 - It was asked if there would be more silos as a result of the building expansion.
 - It was stated that more silos would eventually be required.
- That was the end of questions.