



## Legislation Text

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**File #:** 17-1091, **Version:** 1

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**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter D. Lear, CPA, CGMA, Interim City Manager

**TITLE:** DMP-16-237, King Plastics Development Master Plan (an expansion to the existing building and a plan for a future mixed-use area for the remainder of the undeveloped parcel located at the north-east corner of Toledo Blade Boulevard and Price Boulevard (Quasi-Judicial))

### **Recommended Action**

Approve with conditions Petition No.DMP-16-237, King Plastics Master Development Plan with modifications/waivers.

### **Background Information**

Peter Van Buskirk on behalf of JSD Limited Partnership/Price and Toledo, LLC requests the review and approval of a Development Master Plan DMP-16-237 consisting of ±98.25 acres and is located north of Price Boulevard and east of Toledo Blade Boulevard.

Phase one (1) of the development master plan is proposing a 100,800-square foot addition to the existing King Plastics building. The addition will not include any office space and the use will remain the same. The proposed addition will be constructed at the south end of the existing building. The addition will be architecturally compatible to the existing building. A new Stormwater pond will be constructed at the front of the parcel.

Phase two (2) will be a future mixed-use development consisting of commercial uses along the Toledo Blade property line and industrial uses located behind the commercial strip.

The applicant has requested three waivers for this project:

**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.

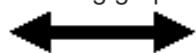
**REQUEST:** The subject property was granted a waiver for pedestrian and vehicular connectivity to the adjacent neighborhood in the previously approved DMP (DCP-09-122-Toledo Crossings) for the +/-56 acres of undeveloped sections of the subject property. The approved DMP was for commercial and light 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](https://www.municode.com/library/fl/north_port/codes/unified_land_development_code?nodeId=CH5COMA) 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:



[<https://api.municode.com/CD/staticCodeContent?productId=14990&fileName=arrow.png>](https://api.municode.com/CD/staticCodeContent?productId=14990&fileName=arrow.png)

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. 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.*

Staff finds the waivers meet the requirements of the Unified Land Development Code (ULDC) and recommends approval

of all three requests.

A neighborhood meeting was held on April 28<sup>th</sup>, 2017 at Bobcat Trail Community Center. The meeting notes recorded ten (10) citizen signatures. Comments concerning noise levels and possible chemical spills into the adjacent waterways were topics of conversation.

The Planning and Zoning Advisory Board at its regularly scheduled meeting of May 18<sup>th</sup>, 2017, voted unanimously four to zero (4-0) to recommend the City Commission approve Petition No. DMP-16-237, King Plastics Development Master Plan.

### **Strategic Plan**

Goals: Alive Activity Centers.

Vision: A Climate for Economic Growth and Community Prosperity, Quality Local Healthcare and Quality of Life Opportunities

### **Financial Impact**

Not applicable

### **Procurement**

Not applicable

Attachments:

1. Staff Report with Exhibits
2. DMP-16-237

**Prepared by:** Mary McNish

**Department Director:** Scott Williams