



Legislation Text

File #: ORD. NO. 2019-09, **Version:** 1

TO: Honorable Mayor & Members of the North Port Commission

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

SUBJECT: Ordinance 2019-09, Amendment to the City of North Port Unified Land Development Code to provide land development regulations for the Central Parc Activity Center (AC #9) (QUASI-JUDICIAL)

Recommended Action

Approve and continue Ordinance 2019-09 for second reading to a date to be determined.

Recommended action for second reading: Approve Ordinance 2019-09.

General Information

Mark Gerenger, Managing Partner, on behalf of Sabal Trace Development Partners, LLC, property owner, formally submitted to the City of North Port four petitions for a \pm 207.5 acre property including a Comprehensive Plan Amendment, Rezone, Text Amendment, and Development Master Plan. The subject property is located between North Port Boulevard and Sumter Boulevard, north of Greenwood Avenue and south of Appomattox Drive. This property was formerly the Sabal Trace golf course, which ceased operations in 2015. The property is bordered on the north, east, and west by single-family zoning, with densities varying on the east (4 units per acre) and west (10 units per acre). On the south, east, and west sides the property is bordered by residential multifamily zoning, with condominiums and townhomes on either side. On the southern edge, the property has direct access along Greenwood Avenue and fronts the Cocoplum waterway.

This petition requests an **amendment to the City of North Port Unified Land Development Code (ULDC)** to create regulations for Activity Center 9, Central Parc. This includes permitted & prohibited uses, an amendment to the Urban Design Standards Pattern Book for mixed-use development, & adoption of the Central Parc Pattern Plan for residential development. The text amendment is implemented through Ordinance 2019-09.

The City Attorney has reviewed and approved Ordinance 2019-09 as to form and correctness.

The petition was advertised in a newspaper of general circulation within the City of North Port on April 3, 2019, pursuant to the provisions of Section 166.041(3) (a), Florida Statutes and Section 7.01(c) of the Charter of the City of North Port, and Chapter 1 Article II, Section 1-12(C)(1) of the City's Unified Land Development Code (ULDC) as amended.

The Planning & Zoning Advisory Board heard this item at their regularly scheduled meeting on April 18, 2019. Questions were asked regarding the following items:

- The ratio of single-family detached homes to paired villas.
 - Answer: Uncertain at this time, would likely be a 60/40 split in either direction.
- The intended height of single-family structures.
 - Answer: There may be two-story homes, likely 25-30 feet. Overlook from adjacent properties shouldn't be too bad considering the 70 foot buffer. Villas will not be two story.
- The number of units intended for the property.
 - Answer: It could be less than 500, but could not be more without a Comprehensive Plan Amendment.
- The finality of the project development standards and plan being presented.

- Answer: The property development regulations, such as setbacks, buffers, lot size, and density are being set into the Comprehensive Plan and Unified Land Development Code. These cannot be changed without amendments to those documents. The DMP is valid for 2 years.
- Reclaimed water on the site.
 - Answer: The existing storage tank will be replaced with a new reclaimed lake.
- Concerns about increased traffic.
 - Answer: There are improvements to the transportation system required as part of the approval of the process. The bridge will help with this.
 - The bridge is desired by the developer. They are willing to design and construct, and are seeking through a separate application for a Development Agreement to discuss impact fee credits for the work.
 - Staff supports the bridge as the preferred option for traffic improvement.
- The buffer being done prior to main construction of the site.
 - Answer: The applicant committed that they would be willing to construct the buffer for each phase before beginning other site work but would not want to construct the entire buffer up front to avoid disturbing portions of the site unnecessarily.
 - *Staff has added a condition of approval to reflect this commitment.*
- The types of trees that would be in the buffer.
 - Answer: Could be black olives or oaks, would be determined at a later phase.
- The types of commercial uses in the mixed-use area; how uses were proposed.
 - Answer: No end users are currently under contract, the most promising appears to be an Assisted Living Facility. Other uses evaluated include medical/office uses. Uses were proposed by the applicant and refined by staff.
- Arsenic remediation on the site.
 - Answer: The issue has been known since the sale of the property. Required FDEP permits will be in place prior to approval of infrastructure plan. The City requested that the applicant start the process earlier to gauge status of the site.
- Lift stations having backup power.
 - Answer: A lift station will be provided and must have an emergency generator or pump.
- Emergency access to the site.
 - Answer: There are three points of access to the site. Two are full-access, the third is only for emergency purposes. It takes over the old route to the maintenance shed and proposes no improvements at the entrance other than a gate to ensure it is not traversed by anyone other than emergency personnel.

The Planning and Zoning Board voted unanimously to recommend approval of Ordinance 2019-09 to the City Commission.

There have been some minimal modifications to the staff report between PZAB and first reading after discussion with the City Attorney. These modifications are only to Section VIII. - Conditions and Safeguards, and to Section IX. - Recommended Action.

It is important to note that the staff report for the Central Parc development is combined to include all associated petitions (CPAL-18-060, REZ-18-070, TXT-18-179, DMP-18-071). The staff report is the same on all files.

Added for second reading:

This item was heard by the City Commission at a special meeting on May 2, 2019.

A motion was made by Commissioner Carusone, seconded by Commissioner Luke, to approve and continue Ordinance No. 2019-09 for second reading to include a minimum 8-foot wall in areas of mixed-use commercial.

The motion passed unanimously. The provisions regarding the wall are proposed by the developer and staff to be handled through a condition on the Development Master Plan (DMP-18-071). The related Development Master Plan was also heard at the special meeting on May 2, 2019.

*A motion was made by Commissioner Carusone, seconded by Commissioner Luke, to continue the Central Parc at North Port Development Master Plan with the following conditions: those listed by staff; **the condition of formulating a decisive plan of the multi-family development within the mixed-use area**; the timing of turn lanes; the requirement of the bridge as proposed; and also to include all of the textual amendments as noted by staff, to a time to be determined.*

Staff met with the applicant to discuss the form of the multi-family development within the mixed-use area. The applicant proposed to limit the form of the buildings to a townhome-style, either stacked or non-stacked townhomes. The language in Ordinance 2019-09 has been amended to reflect this, found on line 108. The remainder of the items are addressed within the Development Master Plan conditions.

Strategic Plan

Stimulate diverse economic development opportunities and advocate for the creation of additional commerce parks.

Develop and implement policies that promote neighborhood revitalization and redevelopment.

Financial Impact

N/A

Procurement

N/A

Attachments:

1. Ordinance 2019-09 for Second Reading
2. Ordinance 2019-09
3. Staff Report, Central Parc at North Port
4. Central Parc Presentation
5. Letter from Applicant for Second Reading
6. PZAB Draft Minutes

Prepared by: Nicole Galehouse, AICP, Planning Division Manager

Department Director: Frank Miles, MPA, Director, Neighborhood Development Services