



## Legislation Text

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**File #:** ORD. NO. 2019-07, **Version:** 1

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

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

**SUBJECT:** Ordinance 2019-07, Amendment to the City of North Port Comprehensive Plan and Future Land Use Map, Amending the Future Land Use of  $\pm$  207.5 acres from 'Recreation Open Space' to 'Activity Center' and adding policies to create the Central Parc Activity Center (AC #9)

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### **Recommended Action**

Approve and continue Ordinance 2019-07 to second reading on a date to be determined following the transmission of the Comprehensive Plan Amendment to the State Department of Economic Opportunity for review.

*Recommended action for second reading:* Approve Ordinance 2019-07.

### **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 agenda item is for the **Comprehensive Plan Amendment** to change the land use of  $\pm$  207.5 acres within the City of North Port. The property currently has a Future Land Use of Recreation Open Space, with a note of Commercial Recreation. The applicant is proposing a Future Land Use of 'Activity Center.' The amendment also adds policies that serve to create the Central Parc Activity Center (AC #9) and provides density caps at 500 dwelling units within the low-density residential component and 100 dwelling units within the mixed-use component.

The City Attorney has reviewed and approved Ordinance 2019-07 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(b) of the Charter of the City of North Port, and Chapter 1 Article II, Section 1-12 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 a 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 2019-07 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:

Commission heard this item 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. 2019-07, to second reading on a date to be determined with the amendments as dictated by staff, to be determined following the transmission of the Comprehensive Plan Amendments to the State Department of Economic Opportunity for review.*

The motion carried by a 4-1 vote with Vice-Mayor McDowell dissenting for reasons stated.

The scrivener's errors in the ordinance were corrected, and the amendment was transmitted to the Florida Department of Economic Opportunity and other required State agencies. The complete comments are provided as Attachment 4, and the following summarizes the comments received from the agencies:

- Florida Department of Economic Opportunity: No comment.
- Sarasota County: The amendments do not conflict with the goals, objectives, and policies of the Sarasota County Comprehensive Plan or its implementation.
- South West Florida Water Management District: SWFWMD provided technical assistance comments in relation to the regional water supply. They requested that a potable water analysis be provided per Chapter 163.3177(60)(a)8.a., F.S. The applicant has provided this and it is provided as Attachment 5. They also identified that the site is located within the Southern Water Use Caution Area and encouraged the use of conservation measures within the proposed development.
- Florida Department of Transportation: FDOT provided technical assistance comments that relate to the additional trips that will be generated from the project. They requested that the City coordinate with FDOT during the 2045 Long-Range Transportation plan update to assess the need and feasibility of roadway widening along US 41 to six lanes. They also recommended that there be a stronger focus on multimodal transportation options, including sidewalks, modern roundabouts, and a commitment to bicycle and pedestrian safety.

### **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 2019-07 for Second Reading
2. Ordinance 2019-07
3. Central Parc Powerpoint
4. PZAB Draft Minutes
5. Staff Report, Central Parc at North Port
6. Kimley Horn Traffic Impact Study
7. SDR Pre-Application Comments
8. SDR Formal Comments
9. SDR Resubmittal Comments
10. SDR 2<sup>nd</sup> Resubmittal Comments
11. SDR 2<sup>nd</sup> Resubmittal Comments REVISED
12. SDR Resubmittal Comments 01-31-2019
13. Springs at North Port Formal Comments
14. Charlotte Golf Partners LTD - Mediated Settlement Agreement
15. Kimley Horn Powerpoint
16. Letter from Chief Titus
17. Agency Review Comments for Second Reading
18. Potable Water Analysis for Second Reading

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