



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Planning & Zoning Advisory Board

Thursday, September 7, 2023

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Chair Hester called the meeting to order at 9:00 a.m.

2. ROLL CALL

Present: 6 - Chair Nita Hester, Board Member Ludos, Board Member Irizarry, Board Member Patricoski, Board Member Waugh and Board Member Baer

Absent: 1 - Vice Chair Kenneth Maturo

ALSO PRESENT:

Development Services Director Alaina Ray, Assistant City Attorney Margaret Roberts, Acting Staff Liaison Lori Barnes, Planner III Carl Bengé, Assistant City Clerk Adrian Jimenez, and Recording Secretary Matthew Powell

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Phillip Ludos.

4. PUBLIC COMMENT

There was no public comment.

5. PUBLIC HEARING

A. [ORD. NO. 2023-25](#)

An Ordinance of the City of North Port, Florida, Amending the Future Land Use from Agricultural, Estates to Industrial for a +/- 55.02 Acre Area and to High Density Residential for a +/- 262.34 Acre Area Generally Located North of Interstate 75 and East of Toledo Blade Boulevard; Amending the City of North Port Comprehensive Plan Chapter 2, Future Land Use Map 2-7; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI JUDICIAL)

Chair Hester announced the item and stated this is a quasi-judicial hearing.

Mr. Powell swore in those wishing to provide testimony.

Chair Hester called for disclosure of ex-parte communications.

Board Member Patricoski disclosed visiting the site and conducting hydrological studies.

Board Member Waugh and Board Member Ludos disclosed visiting the site.

Chair Hester, Board Member Irizarry, and Board Member Baer disclosed no ex-parte communications.

Mr. Powell noted aggrieved party Carolyn Price.

Jeffery Boone, Boone Law Firm, and Kenrick Gallander, RWA Engineering, both being duly sworn, provided a presentation including overview, location, project team, property, aerial view, Comprehensive Plan map amendment request, future land use map and element, light industrial land uses, mixed-residential land uses, consistency with the Comprehensive Plan and Unified Land Development Code (ULDC), transportation element, conservation and coastal zone management element, Development Master Plan (DMP), compliance with Florida Statutes, housing types, and requested approval.

James White, Weiss Serota Helfman Cole and Bierman, and Mr. Bengé, both being duly sworn, provided a presentation including consistency with the Comprehensive Plan and ULDC, nonresidential percentage, overview, applicant, property owner, request, location, history, aerial view, large-scale amendment, future land use map, and compliance with Florida Statutes.

Carolyn Price, aggrieved party, being duly sworn, spoke to impact on local residents, employment opportunities, light industrial land uses, wildlife impact, creek preservation, traffic impact, roadway limitations, and zoning determination.

Mr. Boone provided a rebuttal regarding location determination, Petition review process, DMP process, wetland preservation, Southwest Florida Water Management District (SWFWMD) permit process, rezoning process, traffic impact requirements, and zoning determination.

Mr. Bengé provided a rebuttal regarding Petition review process, light industrial land uses, and traffic impact requirements.

Ms. Price provided a rebuttal regarding buffer requirements and impact on local church.

Recess was taken from 9:35 a.m. to 9:41 a.m.

Chair Hester spoke to a discrepancy between the public notice provided versus the Agenda relating to the proposed acreage.

Mr. Boone, Mr. Bengé, and Ms. Price stated no objection to proceeding.

Public comment:

Craig Beal: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Susan Balmer: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Pam Tokarz: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Discussion took place regarding access points, development process and current status, compliance with future land use and the Comprehensive Plan, light industrial land uses and definition, employment opportunities, wetland preservation, stormwater retention ponds, neighborhood quadrant plan input, utility requirements, residential versus

nonresidential, and housing type diversity requirements.

Ms. Price provided a closing argument regarding zoning determination, impact on local residents, utility requirements, cost of living versus income, and alternative locations.

Mr. Bengé provided a closing argument regarding zoning of surrounding areas and annexation intent.

Mr. Boone provided a closing argument regarding neighborhood meeting, employment opportunities, access points, zoning of surrounding areas, developments of regional impacts (DRI), buffers, roadway development, and requested approval.

Chair Hester closed the public hearing and requested a motion.

Discussion continued regarding Board role and consistency with the Comprehensive Plan, ULDC, and Florida Statutes.

A motion was made by Board Member Ludos, seconded by Board Member Waugh, to recommend approval to the City Commission of Ordinance No. 2023-25, and find that, based on competent substantial evidence, the amendment is consistent with the standards and intent of the City of North Port Comprehensive Plan and Florida Statutes.

Discussion continued regarding Petition review process.

The motion carried on the following vote with Board Member Patricoski dissenting due to concerns regarding the proposed Petition being out of character for the area:

Yes: 5 - Chair Hester, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

No: 1 - Board Member Patricoski

Absent: 1 - Vice Chair Maturo

Recess was taken from 10:47 a.m. to 10:57 a.m.

- B.** [REZ-22-237](#) Consideration of Petition REZ-22-237 (Ordinance No. 2023-26) Toledo Blade 320, to Rezone ± 55.02 Acres Located East of Toledo Blade Boulevard Approximately 1 Mile North of I-75 in Section 6, Township 39 South, Range 22 East of Sarasota County. (QUASI-JUDICIAL)

Chair Hester announced the item and stated this is a quasi-judicial hearing.

Mr. Powell swore in those wishing to provide testimony.

Chair Hester called for disclosure of ex-parte communications.

Board Member Patricoski disclosed visiting the site and conducting hydrological studies.

Board Member Waugh and Board Member Ludos disclosed visiting the site.

Chair Hester, Board Member Irizarry, and Board Member Baer disclosed no ex-parte communications.

Mr. Powell noted aggrieved party Carolyn Price.

Jeffery Boone, Boone Law Firm, and Kenrick Gallander, RWA Engineering, both being duly sworn, provided a presentation including rezoning request, aerial overview, industrial/light warehouse, no zoning designation, consistency with the Comprehensive Plan and Unified Land Development Code (ULDC), economic development element, opportunities and benefits, Development Master Plan (DMP) process, and requested approval.

Mr. Bengé, being duly sworn, provided a presentation including timeline, overview, applicant, property owner, request, location, history, aerial view, funding, employment opportunities, future land use map, compliance with Florida Statutes and the Comprehensive Plan, and requested approval.

Carolyn Price, aggrieved party, being duly sworn, spoke to building size, location, impact on local residents, wildlife impact, and land preservation.

Mr. Boone provided a rebuttal regarding wetland preservation and traffic impact.

Mr. Bengé provided a rebuttal regarding environmental and traffic impact.

Ms. Price provided a rebuttal regarding traffic and wildlife impact, noise concerns, and wetland preservation.

Public comment:

Craig Beal: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Kim Peeler: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Susan Balmer: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Pam Tokarz: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Jennifer Nicol: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Carolyn Price: being duly sworn, expressed opposition to proposed Petition and expressed concern for impact on local residents.

Discussion took place regarding Board role, consistency with the Comprehensive Plan and ULDC, neighborhood determination and character, public safety services provided, traffic impact, concurrency review process, DMP process, and residential versus nonresidential.

Ms. Price provided a closing argument regarding light industrial land uses, buffering, traffic impact, and property value impact.

Mr. Bengé provided a closing argument regarding industrial park versus plant, light industrial definition, wetland mitigation process, North Port Gardens design, and neighborhood meeting requirements.

Mr. Boone provided a closing argument regarding consistency with the Comprehensive Plan and ULDC, zoning regulations, wetland preservation, light industrial land uses, building specifications, and DMP process.

Chair Hester closed the public hearing and requested a motion.

A motion was made by Board Member Baer, seconded by Board Member Ludos, to recommend approval of Ordinance No. 2023-26 contingent upon approval of Petition No. CPAL-22-247 by City Commission, and find that, based on the competent substantial evidence, the rezoning will not adversely affect the public interest, health, safety and general welfare; and that the specific requirements in the City of North Port Comprehensive Plan if amended, and the standards listed in Section 1-33.E(1) of the Unified Land Development Code (ULDC) have been met.

Discussion continued regarding neighborhood meeting process, impact on local residents, exceeding minimum requirements, commercial development, light industrial definition, and access points.

The motion carried on the following vote with Board Member Patricoski and Board Member Waugh dissenting due to concerns of adverse impact to public interest, health, safety and general welfare and the proposed Petition being out of character for the area:

Yes: 4 - Chair Hester, Board Member Ludos, Board Member Irizarry and Board Member Baer

No: 2 - Board Member Patricoski and Board Member Waugh

Absent: 1 - Vice Chair Maturo

C. [CPAL-23-103](#) Consideration of Petition No. CPAL-23-103, Comprehensive Plan Amendment to Adopt and Update the 10-Year Water Supply Facilities Plan

Chair Hester announced the item.

Board Member Baer left the meeting at 12:10 p.m.

Ms. Barnes introduced the item.

There was no public comment.

Discussion took place regarding water reclamation requirements, irrigation capacity, water consumption rates, timeline, and the Big Slough study.

Chair Hester requested a motion.

A motion was made by Board Member Waugh, seconded by Board Member Irizarry, to recommend approval to the City Commission of Ordinance No. 2023-27, and find that, based on competent substantial evidence, the amendment is consistent with the standards and intent of the City of North Port Comprehensive Plan and Florida Statutes. The motion carried on the following vote:

Yes: 5 - Chair Hester, Board Member Ludos, Board Member Irizarry, Board Member Patricoski and Board Member Waugh

Not Present: 1 - Board Member Baer

Absent: 1 - Vice Chair Maturo

6. FUTURE AGENDA ITEMS

Discussion took place regarding Warm Mineral Springs updates and Board role.

7. PUBLIC COMMENT

Craig Beal: expressed opposition to Petition Nos. CPAL-22-247 and REZ-22-237 and expressed concern for impact on local residents.

Susan Balmer: expressed opposition to Petition Nos. CPAL-22-247 and REZ-22-237 and expressed concern for impact on local residents.

8. ADJOURNMENT

Chair Hester adjourned the meeting at 12:31 p.m.

By: _____
Nita Hester, Chair