



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft Planning & Zoning Advisory Board

Thursday, March 17, 2022

9:00 AM

City Commission Chambers

1. CALL TO ORDER

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

2. ROLL CALL

Present: 8 - James Sawyer, Vice Chair Nita Hester, Jerry Nicastro, Kenneth Maturo, Carolann Palm-Abramoff, Phillip Ludos, Melanee C. Packard and Jose Irizarry

Absent: 1 - John Metzger

Also Present

Assistant City Attorney Margaret T. Roberts, Planner III Sherry Willette-Grondin, Planner III Carl Bengé, Planner I Sam Hudson, and Recording Secretary Susan Hale.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Hester.

4. PUBLIC COMMENT

There was no public comment.

New Board Members were introduced.

5. APPROVAL OF MINUTES

- A. [22-2299](#) Approval of Minutes for the February 3, 2022 Planning and Zoning Advisory Board Meeting.

A motion was made by Board Member Nicastro, seconded by Board Member Maturo, to approve the Minutes as presented. The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Palm-Abramoff, Board Member Ludos and Alternate I Packard

Absent: 2 - Board Member Metzger and Alternate II Irizarry

A motion was made by Vice Chair Hester, seconded by Board Member Nicastro, to reorder the agenda to move Item No. 22-2388 after the Public Hearing and before General Business. The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Palm-Abramoff, Board Member Ludos and Alternate I Packard

Absent: 2 - Board Member Metzger and Alternate II Irizarry

7. PUBLIC HEARING**A. [VDC-21-318](#) Ordinance 2022-07, Village I Village District Pattern Plan (QUASI-JUDICIAL)**

Chair Sawyer introduced the item.

Ms. Hale swore in all those wishing to provide testimony.

Board Members reported having no ex parte communications.

Kelly Klepper, representing Kimley Horn and Associates, being duly sworn, provided an overview including a map, parcel boundaries, community workshops, amenity center, number of dwelling units, environmental resource preservation, concept rendering, commercial mixed-use components, and compliance with the Village District Patten Plan (VDPP) index and pattern plan.

Mr. Bengé, being duly sworn, provided staff's report including a map, number of dwelling units, commercial/office space, site layout, development standards table, staff review for consistency with the approved West Villages Pattern Plan (WVPP), the Unified Land Development Code (ULDC) and the Comprehensive Plan, City Attorney review, and legal advertisement pursuant to State and local regulations.

There were no aggrieved or adversely affected persons.

There were no rebuttals from the Applicant or Staff

There was no public comment.

Discussion ensued regarding development of Wellen Park relating to urban sprawl, employment-based components, 200-square-feet for structure types being based on Florida's Building Code, and small units being planned for mother-in-law suites.

Ms. Willette-Grondin, being duly sworn, addressed small-unit density and guest houses not being included in the Wellen Park zoning district.

Mr. Klepper spoke to Floor Area Ratios (FAR) standards being applied to the parcel and the areas being averaged-out over Wellen Park.

Mr. Bengé spoke to monitoring the development to ensure compliance with FARs.

Mr. Klepper explained fire department apparatus access points, the development meeting building standards for "habitable space", majority of local streets not being divided, meeting speed limit standards, a correction of scrivener's errors in transportation project deficiency, and directional signage being consistent with other areas in Wellen Park.

Mr. Bengé stated he will return and report on parking requirements being based on number of employees.

Discussion ensued regarding accessory apartments not being in the definitions.

John Luczynski, Senior Vice President Wellen Park and being duly sworn, defined multi-modal paths referenced in the project's boundary paths.

Mr. Bengé spoke to transit stops and a transit tracking chart.

Mr. Luczynski spoke to adding bus stops as needed.

It was requested that Staff include the recommendation to Commission that the bus stop requirements be consistent with future requirements.

Mr. Klepper spoke to neighborhood centers and the ability of neighborhood commercial to include niche amenities.

Mr. Bengé addressed ULDC standards for commercial units within mixed-use areas.

Mr. Luczynski spoke to commercial possibilities for Wellen Park's mixed-use neighborhoods.

Mr. Klepper clarified parking standards/entitlements in the West Villages Improvement District (WVID) Pattern Book.

Mr. Luczynski addressed the Pattern Book meeting and exceeding minimum standards, accessory apartments in Wellen Park, a homeowners' association being the next step creating specific guidelines, and accessory apartments an exception.

Mr. Klepper spoke to wildlife preserves, oversight agencies, and provided hurricane shelters.

Mr. Luczynski spoke to the roadway network within Wellen Park being built to a higher standard and unlikelihood that builder will sell remaining vacant lots.

There were no closing arguments from the Staff or Applicant.

Chair Sawyer closed the public hearing and requested a motion.

A motion was made by Vice Chair Hester, seconded by Board Member Maturo, to recommend approval to the City Commission of Ordinance No. 2022-07, Petition No. VDC-21-318 as presented and find that, based on competent substantial evidence, the Village District Pattern Plan meets the standards of the City of North Port's Comprehensive Plan, and Section 53-214 of the Unified Land Development Code (ULDC). The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Palm-Abramoff, Board Member Ludos and Alternate I Packard

Absent: 1 - Alternate II Irizarry

B. [VDC-21-319](#) Ordinance 2022-08, Village K Village District Pattern Plan (QUASI-JUDICIAL)

Chair Sawyer introduced the item.

Those wishing to provide testimony were previously sworn under Item No. VDC-21-318.

Board Members reported having no ex parte communications.

Board Member Palm-Abramoff left the meeting at 10:00 a.m. and Board Member Irizarry took her place at the dais.

Kelly Klepper representing Kimley-Horn and Associates, being duly sworn, provided an overview of the petition including property size, number of dwelling units, bordering neighbors, mixed-use residential proposed dwelling units, access to Manasota Beach Road and West Villages Parkway, development standards with respect to density, mixed-us residential examples, City's Comprehensive Plan and Village District Pattern Plan (VDPP) requirements, and community workshops.

John Luczynski, Senior Vice President Wellen Park being duly sworn, spoke to westerly portion of Village K near the lake, size of lots, possible proposed custom neighborhood, trail butting through the north and south lakes, designated a high school, and Manasota Beach Road construction.

Mr. Binge, being duly sworn, provided staff's report including boundaries, proposed layout, number of dwelling units, commercial and office space, conceptual site layout, Development Standards Table for the Village K, compliance with Unified Land Development Code (ULDC) modifications in agreement with other surrounding villages, consistency with the approved West Villages Pattern Book, the ULDC and the Comprehensive Plan, City Attorney review, and legal advertisements pursuant to State and local regulations.

There were no aggrieved or adversely affected parties.

There were no rebuttals from the Applicant or Staff

There was no public comment.

Mr. Klepper spoke to anticipating less than 80,000 square feet for mixed use models.

My Luczynski explained having Floor Area Ratios (FAR) flexibility for a greater square-footage development.

Mr. Benge stated commercial and office are classified the same.

Mr. Klepper spoke to having sufficient acreage to support a large development due to a land use equivalency trade-off matrix, and 75,000 square-feet as a baseline being consistent with City Code.

Mr. Luczynski stated he is willing to do an 80/20 split, and spoke to Sarasota County's control of the intersection of Manasota Beach Road and River Road, and future plans for River Road.

There were no closing arguments from the Staff or Applicant.

Chair Sawyer closed the public hearing and requested a motion.

A motion was made by Vice Chair Hester, seconded by Board Member Nicastro, to recommend approval to the City Commission of Ordinance No. 2022-08, Petition VDC-21-319 as presented and find that, based on competent substantial evidence, the Village District Pattern Plan meets the standards of the City of North Port's Comprehensive Plan, and Section 53-214 of the Unified Land Development Code (ULDC). The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Ludos, Alternate I Packard and Alternate II Irizarry

Absent: 1 - Board Member Palm-Abramoff

C. [PLF-21-348](#) Plat, Wellen Park Golf and Country Club Phase 1A (QUASI-JUDICIAL)

Chair Sawyer introduced the item.

Those wishing to provide testimony were previously sworn under Item No. VDC-21-318..

Board Members reported having no ex parte communications.

Ty Gremaux, representing Lennar Homes being duly sworn, provided an overview, including number of single-family lots, infrastructure tracts, and stormwater pond and wetland preservation areas.

Mr. Hudson, being duly sworn, provided Staff's report including site acreages, location of property, Staff review and approval number of number of lots, golf course, roadways, stormwater, utility tracts and easements, and City Surveyor review for compliance with Florida Statutes.

There were no aggrieved or adversely affected persons.

There was no rebuttal from the Applicant or Staff.

There was no public comment.

Mr. Gremaux spoke to the Village District Pattern Plan being approved and the residential lots following the requirements of Village J Pattern Plan.

There were no closing arguments from the Staff or Applicant.

Chair Sawyer closed the public hearing and requested a motion.

A motion was made by Vice Chair Hester, seconded by Board Member Maturo, to recommend approval to the City Commission of Petition PLF-21-348 as presented and find that, based on competent substantial evidence, the plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177. The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Ludos, Alternate I Packard and Alternate II Irizarry

Absent: 1 - Board Member Palm-Abramoff

D. [PLF-21-370](#) Plat, Antigua at Wellen Park (QUASI-JUDICIAL)

Chair Sawyer introduced the item.

Those wishing to provide testimony were previously sworn under Item No. VDC-21-318.

Board Members reported having no ex parte communications.

John Luczynski, Senior Vice President Wellen Park, being duly sworn, noted the number of tracts previously approved, acreage and location of the project, and consistency with the Development Order.

Mr. Hudson, being duly sworn, presented staff's report including site location, property acreage, Staff review and approval of the subdivision plans for Village E, the number of lots, golf course, roadways, stormwater, utility tracts and easements, correcting a scrivener's error in the Staff report, and City Surveyor review and approval.

There were no questions from the Board

There were no closing arguments from the Staff or Applicant.

Chair Sawyer closed the public hearing and requested a motion.

A motion was made by Vice Chair Hester, seconded by Board Member Nicastro, to recommend approval to the City Commission of Petition PLF-21-370 as presented and find that, based on competent substantial evidence, the plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177. The motion carried by the following vote:

Yes: 7 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Ludos, Alternate I Packard and Alternate II Irizarry

Absent: 1 - Board Member Palm-Abramoff

Recess was taken from 10:53 a.m. to 11:03 a.m.

6. PRESENTATION

A. [22-2388](#) Quasi-Judicial Training (Presented by the Office of the City Attorney)

Ms. Roberts provided a presentation including a general overview of typical hearings that impact property rights, proceedings governed by City Code, a quasi-judicial hearing is a process providing due process to the applicant, the bases for appeal to a court system, the Board's counsels responsibility to ensure compliance with the hearing process, the role of the quasi-judicial decision maker, allowable evidence and irreverent evidence, hearsay not being sufficient by itself, requirements for evaluation of evidence to be competent and substantial, consideration of credibility of evidence, procedure process, the Board's consideration of whether the notice from an aggrieved party complies with the Code requirements, inclusion of public comment as part of the public hearing, considerations when making a motion, standards which must be upheld from evidence provided, inclusion of finding of facts in the motion, approval or denial of the application, preliminary plats being quasi-judicial in nature, differing ways to reopen a hearing that has been closed, disclosure of any ex parte communication that is current or may possibly come before the Board in the future, process for aggrieved person filing and aggrieved persons petition with the City Clerk, and providing public comment if the deadline to submit for an aggrieved person is missed.

8. GENERAL BUSINESS

There was a consensus to reorder the Agenda to move Item No. 22-2353 before item No. 22-2348.

B. [22-2353](#) Discussion and Possible Action Regarding PZAB Training

Chair Sawyer introduced the item.

Ms. Willette-Grondin presented an overview of possible training for Board Members and packets provided to new members.

Ms. Barnes addressed the Board's request to receive a training 101 course.

Discussion continued regarding access to the Unified Land Development Code (ULDC) and City Code online.

Ms. Willette-Grondin spoke to the Village District Pattern Plan (VDPP) as an example of a development's progress from beginning to fruition.

Board Member Packard left the meeting at 12:00 p.m.

A motion was made by Vice Chair Hester, seconded by Board Member Maturo, to request a workshop with the Planning and Zoning Staff after a regular meeting for a Planning 101 Training Session. The motion carried by the following vote:

Yes: 6 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Ludos and Alternate II Irizarry

Absent: 2 - Board Member Palm-Abramoff and Alternate I Packard

A. [22-2348](#) Discussion and Possible Action Regarding the Planning and Zoning Advisory Board (PZAB) 2021 Annual Report to City Commission

Chair Sawyer introduced the item.

Ms. Willette-Grondin provided an overview of last year's Report to the Commission.

Discussion ensued regarding submitting the Report in a letter to the Commission, adding overview of the Comprehensive Plan, training on goals, objectives, and policies related to the Unified Land Development Code (ULDC), review the Commission's development goals, review Planning Staff's tools used to determine approval status, review the Board duties and options for carrying out those duties and propose amendments, more training on Robert's Rules of Order, review the City's Strategic Plan, continue to have training opportunities for the board, and to forward the Board's Annual Review to the City Commission by letter.

A motion was made by Vice Chair Hester, seconded by Board Member Maturo, to use the same goals as in 2021 for the Annual Report to the Commission, to add to this year's goals "to continue to have training opportunities for the Board and Staff to include, but not limited to, training overview of the Comprehensive Plan, training on goals, objectives and policies, an overview of the Unified Land Development Code (ULDC), review of the planning Staff tools used to determine approval status as the North Port Fiscal Analysis Model (NPFAM), review of development goals from the Commission, review City's Strategic Plan with City Staff, review of Board duties, and to identify areas for amending governing documents." The motion carried by the following vote:

Yes: 6 - Chair Sawyer, Vice Chair Hester, Board Member Nicastro, Board Member Maturo, Board Member Ludos and Alternate II Irizarry

Absent: 2 - Board Member Palm-Abramoff and Alternate I Packard

9. PUBLIC COMMENT

There was no public comment.

10. ADJOURNMENT

Chair Sawyer adjourned the meeting at 12:18 p.m.

By: _____
James Sawyer, Chair

Minutes approved on the ___ day of _____, 2022.