



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes City Commission Regular Meeting

### **CITY COMMISSIONERS**

*Alice White, Mayor*

*Phil Stokes, Vice Mayor*

*Pete Emrich, Commissioner*

*Barbara Langdon, Commissioner*

*Debbie McDowell, Commissioner*

### **APPOINTED OFFICIALS**

*Jerome Fletcher, City Manager*

*Amber L. Slayton, City Attorney*

*Heather Faust, City Clerk*

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Tuesday, January 9, 2024

10:00 AM

City Commission Chambers

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### **CALL TO ORDER**

Mayor White called the meeting to order at 10:00 a.m.

### **ROLL CALL**

**Present:** 5 - Commissioner Pete Emrich, Commissioner Debbie McDowell, Mayor Alice White, Vice Mayor Philip Stokes and Commissioner Barbara Langdon

### **ALSO PRESENT:**

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Faust, Assistant City Clerk Matthew Powell, Deputy Police Chief Chris Morales, Deputy Fire Chief Nicholas Herlihy, Public Works Director Chuck Speake, Assistant Director of Development Services Lori Barnes, Planner III Carl Benge, Stormwater Manager Elizabeth Wong, Facilities Manager Kimberly Humphrey, Assistant Parks and Recreation Director Trish Sturgess, Engineer II Anthony Friedman, and City Engineer Danny Quick

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by City Attorney Amber Slayton.

### **1. APPROVAL OF AGENDA**

Mayor White requested a motion.

***A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve the agenda as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

### **2. PUBLIC COMMENT:**

Mayor White spoke to public comment decorum.

Ms. Faust read the following eComments into the record:  
Judith Leach: expressed opposition to Item No. DMP-23-055.  
Patricia Shepherd: expressed opposition to rezoning.

In person public comments:  
Laura Mueller: expressed opposition to Item No. DMP-22-256.  
Carol Stropoli: expressed opposition to Item No. DMP-22-256.  
Dan Carnrite: expressed concern regarding signage repair.  
Chris Johnson: spoke to Hurricane Ian recovery efforts.  
Jackie Wheeler: spoke to Hurricane Ian recovery efforts.

### **3. ANNOUNCEMENTS**

#### **A. [24-0050](#) Current Vacancies for Advisory Boards and Committees**

Mayor White announced the item and called on the City Clerk to read the announcements.

Ms. Faust read the announcements into the record.

### **4. CONSENT AGENDA:**

Mayor White announced the item and queried the City Manager regarding items pulled from the consent agenda for discussion.

There was no public comment.

Mayor White requested a motion.

***A motion was made by Commissioner Langdon, seconded by Vice Chair Stokes, to approve the consent agenda as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

#### **A. [23-0684](#) Award Request for Proposals (RFP) No. 2023-32 for Professional Services for City Fees, Rates, Methodologies and Assessments Through Agreement No. 2023-32.001 with Govrates, Inc.; Agreement No. 2023-32.002 with Stearns, Conrad and Schmidt, Consulting Engineers, Inc.; Agreement No. 2023-32.003 with Stantec Consulting Services Inc.; and Agreement No. 2023-32.004 with Willdan Financial Services, Inc. and Authorizing the City Manager or Designee to Approve Work Assignments and Future Renewals as Needed, Consistent With the Approved Budget For Said Contracts.**

***This item was approved on the consent agenda.***

#### **B. [23-1105](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Purchase Order With Ajax Building Company for Temporary Fencing at Warm Mineral Springs Park Under Purchase Order No. 049621 in an Amount Not to Exceed \$24,196.00.**

***This item was approved on the consent agenda.***

- C. [23-1107](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Purchase Order With Williams Scotsman, Inc. for Temporary Buildings at Warm Mineral Springs Park Under Purchase Order No. 049821 in an Amount Not to Exceed \$115,000.
- This item was approved on the consent agenda.*
- D. [23-1552](#) Approve Contract No. 2023-34 With Jay's Fencing, LLC, on an As-Needed Basis; Authorizing the City Manager or Designee to Approve Subsequent Work Assignments up to \$100,000 As-Needed, Consistent With Approved Budget and Future Renewals; and Approve Work Assignments 1 and 2 for the Combined Total of \$198,287.00.
- This item was approved on the consent agenda.*
- E. [23-1676](#) Award Request for Bid (RFB) No. 2024-08 for the Purchase of Calcium Chloride for the City's Water Treatment Plant to Tetra Technologies, Inc. for an Estimated Annual Amount of \$130,500.00 and Authorize the City Manager to Approve Renewals in Accordance with the Terms and Conditions in the Solicitation.
- This item was approved on the consent agenda.*
- F. [23-1696](#) Approve the Acceptance of the Community Grant From the Walmart Foundation in the Amount of \$3,500 to be Used for Shop With a Cop and Home for the Holidays Programs.
- This item was approved on the consent agenda.*
- G. [23-1701](#) Approve Work Assignment No. 2024-07 with Black and Veatch Corporation to Complete the North Port Water Supply Evaluation for the Amount of \$349,480.00.
- This item was approved on the consent agenda.*
- H. [24-0001](#) Approve the Interagency User Agreement by and between the Sarasota County Sheriff's Office and the City of North Port, Florida on Behalf of the North Port Police Department for Criminal Justice Information Exchange and Use for Windows in Government Systems (WinGS).
- This item was approved on the consent agenda.*
- I. [24-0002](#) Approve the Interagency User Agreement by and between the Sarasota County Sheriff's Office and the City of North Port, Florida on Behalf of the North Port Police Department for Criminal Justice Information Exchange and Use of Florida Crime Information Center and National Crime Information Center (FCIC/NCIC) During a System Failure or Center Evacuation.
- This item was approved on the consent agenda.*

- J. [24-0003](#) Approve the Memorandum of Understanding by and between the Sarasota County Sheriff's Office and the City of North Port, Florida on Behalf of the North Port Police Department for Investigations into Employee Criminal Activity, Use of Deadly Force, and In-Custody Deaths.  
*This item was approved on the consent agenda.*
- K. [24-0004](#) Approve the Memorandum of Understanding by and between the Sarasota County Sheriff's Office and the City of North Port, Florida on Behalf of the North Port Police Department for the Appointment of Deputy Sheriffs.  
*This item was approved on the consent agenda.*
- L. [24-0005](#) Approve the November 28, 2023 Commission Regular Meeting Minutes, the December 4, 2023 Commission Workshop Meeting Minutes, and the December 12, 2023 Commission Regular Meeting Minutes.  
*This item was approved on the consent agenda.*
- M. [24-0032](#) Approve Memorandum of Understanding Between the City of North Port and the Southwest Florida Police Benevolent Association, Inc., (PBA).  
*This item was approved on the consent agenda.*

## **5. PUBLIC HEARINGS:**

### **PETITION:**

- A. [CC](#)  
[PLF-23-167](#) Consideration of Petition No. PLF-23-167, Central Parc at North Port Phase 1 Plat (QUASI-JUDICIAL)
- Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.
- Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.
- Mayor White called for disclosure of ex-parte communications.
- Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.
- Commissioner McDowell disclosed email received from citizen.
- Ms. Faust stated there were no aggrieved parties.
- Peter Van Buskirk, Kimley-Horn, being duly sworn, spoke to overview, approval process, compliance with subdivision plans, and Federal Emergency Management Agency (FEMA) flood zones.
- Ms. Barnes, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, residential lots, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

The Applicant provided a rebuttal regarding scrivener's errors and corrections.

There was no rebuttal by Staff.

There was no public comment.

Commission questions and discussion took place regarding bridge location and construction timeline and arsenic concerns.

There were no closing arguments by Staff or the Applicant.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve the Central Parc Phase 1 Plat, Petition No. PLF-23-167, and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**B.** [CC](#)  
[DMP-23-081](#) Consideration of Petition No. DMP-23-081, Fellowship Replat (Tommy's Carwash US-41) Development Master Plan (QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed emails sent and received from staff requesting and receiving documents.

Ms. Faust stated there were no aggrieved parties.

Zachary Komninos, Bowman Consulting, being duly sworn, provided a presentation including overview, zoning, location, street view, Development Master Plan (DMP), landscape plan, circulation plan, elevations, modification requests, and requested approval.

Mr. Bengé, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, requested waivers, neighborhood meeting, staff review, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, fiscal impact analysis, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding pedestrian walkway and bike

rack waiver request clarity, trash receptacle placement, ULDC waiver requirement relating to design standards, U. S. Route 41 accessibility, site accessibility, and water bodies.

There were no closing arguments by Staff or the Applicant.

Mayor White closed the public hearing and requested a motion.

Ms. Slayton spoke to motion and verbiage recommendations.

Commission discussion continued regarding modification request clarity and verbiage recommendations to include conditions.

***A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve Petition No. DMP-23-081 with the following modifications and conditions and find that, based on the competent substantial evidence, the Development Master Plan complies with the Unified Land Development Code:***

***Modifications:***

- 1. A modification request from ULDC Sec. 21-8.C, Use of curbs and wheel stops, to remove the wheel stops based on past developments and the potential tripping hazard on their sites. To provide bollards at each vacuum stall abutting any sidewalks.***
- 2. A modification request from ULDC Sec. 37-41.B, Bike paths, bike lanes and bike rack, to remove the requirement to provide a bike path around the stormwater pond.***
- 4. A modification request from UDPP Pg. 29, Planters, to remove the requirements to provide planters for the pro-posed carwash.***
- 5. A modification request from UDPP Pg. 31, Trash receptacles, to change the location of the trash receptacles to allow them at each vacuum stall.***
- 6. A modification request from the UDPP, Pg. 31, walking trails, to not require a walking trail be incorporated within the development.***

***Conditions:***

***Planning and Zoning—***

- 1. The Major Site and Development Plan (MAS) shall incorporate the following elements:***
  - a. (b) Provision of bicycle racks or storage facilities.***
  - b. (c) Coordinate with SCAT in locating bus stops, shelters, etc.***
  - c. (i) Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.***
  - d. (k) Selection of native plants.***
  - e. (l) Planting of native shade trees in all recreation areas, streets, and parking. (p) Wherever, trees are not practical, structural shading shall be provided (i.e., awnings, windsails, overhangs, etc.).***
- 2. A bond will be required prior to approval of the Major Site and Development Plan. Provide an Engineer's Opinion of Probable Cost (EOPC) to Public Works and Utilities for approval.***
- 3. An Urban Design Standards Review (UDSR) must be completed prior to approval of the Major Site and Development Plan. The architectural design shall meet the requirements in the Urban Design Standards Pattern Book for Activity Center 1.***
- 4. Public art shall be provided per ULDC Sec. 55-9 and Sec. 59-2. that complies with Chapter 59.***
- 5. During building permit review the following Energy Conditions must be incorporated –***
  - a. (d) Use of energy-efficient features in window design.***

*b. (e) Use of operable windows and ceiling fans.*

*6. See Water Supply/Wastewater Treatment Condition 5. All non-potable water demand (i.e., irrigation) shall be met using alternate sources such as retention/detention facilities, wells, and treated wastewater effluent.*

*7. Any tree from the median of Panacea Blvd impacted during the construction of the full access points shall be relocated and replanted in the median of Panacea Blvd adjacent to its previous location. If harmed, the tree shall be replaced with a like tree.*

*Stormwater—*

*8. The future detailed design of the stormwater management system must meet all requirements in the City of North Port Unified Land Development Code (ULDC) Stormwater Regulations. Detailed stormwater quality treatment calculations and water quantity attenuation analysis must be provided in the later INF or MAS applications. If the later SDR applications for INF or MAS include hydraulic modeling that shows additional pond footprint will be needed, changes will need to be made to the DMP plans and go through the entire DMP approval process again.*

*The motion carried on the following vote:*

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Recess was taken from 11:01 a.m. to 11:11 a.m.

**C. [CC](#) Consideration of Petition No. DMP-23-055, Solana RV Resort  
[DMP-23-055](#) Development Master Plan (QUASI-JUDICIAL)**

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Ms. Slayton spoke to quasi-judicial proceedings relating to public comments heard outside of testimony.

Mayor White called for disclosure of ex-parte communications.

Commissioner McDowell disclosed public comments heard outside of testimony, emails received from citizens, email sent to City Manager requesting traffic impact study, conversation regarding public comment process, site visit, and reviewing property appraiser website.

Commissioner Langdon disclosed emails received from citizens and familiarity with area.

Mayor White disclosed conversations with citizens, public comments heard outside of testimony, and familiarity with area.

Vice Chair Stokes disclosed public comments heard outside of testimony, emails received from citizens, attending neighborhood meeting, and conversations with citizens.

Commissioner Emrich disclosed public comments heard outside of testimony, unread emails received from citizens, and conversations with citizens.

Ms. Faust stated there were no aggrieved parties.

Charlie Bailey, Williams Parker Law Firm, Clint Cuffle, WRA Engineering, and Leslie Taylor, Zeman Homes, all being duly sworn, provided a presentation including overview, location, aerial view, neighborhood meeting, Recreational Vehicle (RV) spaces, zoning and future land uses, buffers, modification requests, stormwater drainage and maintenance, site accessibility, and signage.

Commission questions and discussion took place regarding presentation time extension.

Ms. Slayton spoke to time extension recommendations and requirements.

There were no objections to a time extension by Staff or the Applicant.

***A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to extend the presentation time by an additional 5 minutes granting a total of 25 minutes.***

Commission questions and discussion continued regarding motion verbiage to include time extension for all parties.

***Commissioner Langdon withdrew her second.***

***The motion was made restated by Commissioner McDowell, seconded by Commissioner Langdon, to extend the presentation time for all parties by an additional 5 minutes granting a total of 25 minutes. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

The Applicant continued the presentation including access improvements, resorts, amenities, architecture, examples, operations, and requested approval.

Ms. Wong and Mr. Bengé, both being duly sworn, provided a presentation including stormwater maintenance, overview, applicant, property owner, request, location, waiver requests, neighborhood meeting, staff review, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, fiscal impact analysis, and recommendations.

There were no rebuttals by the Applicant or Staff.

Ms. Faust read the following public comment cards into the record:

Gregory Sano: being duly sworn, opposed to Item No. DMP-23-055.

John Bergeron: being duly sworn, opposed to Item No. DMP-23-055.

Ken Osberg: being duly sworn, opposed to Item No. DMP-23-055.

Steve Jones: being duly sworn, opposed to Item No. DMP-23-055.

Frank Stults: being duly sworn, opposed to Item No. DMP-23-055.

Robert Kerns: being duly sworn, opposed to Item No. DMP-23-055.

In person public comment:

Robin Smith: being duly sworn, expressed opposition to Item No. DMP-23-055.

Joseph Sexton: being duly sworn, expressed opposition to Item No. DMP-23-055.

Colette Welch: being duly sworn, expressed opposition to Item No. DMP-23-055.

Commission questions and discussion took place regarding bulb-out and traffic flow accommodation requirements, left and right turn lane construction responsibility, park model versus standard lot, impact fee inclusion of park impact fees and park usage, open space percentage and definition, ingress and egress access points, emergency services

accessibility, traffic impact concerns, U. S. Route 41 accessibility, lightning concerns, stationary definition, average length of stay, vehicle size accommodation, vendor selection criteria, park model transient status regulation, fitness trail modification request clarity, utility and sewer connections, stormwater drainage ownership and maintenance responsibility, ULDC parking regulations, signage modification request clarity, exterior metal design standards modification requirement, masonry wall modification requirement, and Rectangular Rapid Flashing Beacon (RRFB) installation.

The Applicant agreed to install an RRFB as an additional condition.

Staff provided a closing argument regarding stormwater drainage impact, traffic impact, street lighting, and recommendations.

The Applicant provided a closing argument regarding stormwater drainage maintenance, traffic impact, and requested approval.

Mayor White closed the public hearing and requested a motion.

Ms. Slayton spoke to motion and verbiage recommendations.

Commission discussion continued regarding RRFB installation requirement relating to Commission role.

Ms. Slayton spoke to Commission role.

Commission discussion continued regarding adding a condition requiring RRFB installation utilizing testimony provided.

Ms. Slayton spoke to applicability of testimony provided.

***A motion was made by Commissioner McDowell, seconded by Mayor White, to approve Petition No. DMP-23-055 with conditions 1 through 15 outlined in section 5 of the staff report adding a condition 16 for the applicant to install a Rectangular Rapid Flashing Beacon (RRFB) commonly known as a lighted beacon cross walk between the two sections of development and the modifications 1 and 2 as identified in the staff report and modification 3 to be 3 signs with a maximum of 100 square feet per sign and modification 4 to waive the Staff Development Review (SDR) guideline requirement for fitness trails surrounding all stormwater ponds and find that, based on the competent substantial evidence, the Development Master Plan and modifications comply and are consistent with the intent of the Unified Land Development Code and the Comprehensive Plan, and do not adversely affect the public interest.***

Ms. Slayton spoke to motion and verbiage recommendations.

Commission discussion continued regarding corrections to modification request numbers and meeting procedure recommendations.

Ms. Faust spoke to meeting procedure recommendations.

***The motion failed on the following vote:***

**No:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

***A motion was made by Commissioner McDowell, seconded by Mayor White, to approve Petition No. DMP-23-055 with the following conditions and modifications***

*and find that, based on the competent substantial evidence, the Development Master Plan and modifications comply and are consistent with the intent of the Unified Land Development Code and the Comprehensive Plan, and do not adversely affect the public interest.*

**Modifications:**

- 1. A waiver request from ULDC Sec. 29-11.G(6)(a), Area of sign—Wall signs, to increase the allowable square footage of the wall sign from the permitted 100 square feet to three signs at a maximum of 100 square feet per sign.*
- 2. A waiver request from ULDC Sec. 55-14, Intent, for the “Park Model” RVs to waive the AC-1 architectural guidelines for the “Park Model” RVs.*
- 3. A waiver request from the Urban Design Pattern Plan Book, Stormwater/Fitness Trail, to waive the guidelines requiring a fitness trail to surround all stormwater ponds.*
- 4. A waiver request from ULDC Sec. 37-50.A(6), minimum lighting for the lighting around the RV parking spaces.*

**Conditions:**

**Arborist—**

- 1. Applicant shall place all trees and landscaping per code. Applicant shall adhere to the “right tree, right place” policy. No medium or large canopy trees shall be placed within the setback of 20’ and 30’ respectively of overhead utilities. Trees categorized as small may be planted adjacent to power lines (a six-foot setback is recommended). Palms that will attain more than 10’ of vertical height shall be placed with a setback equal to the maximum frond length plus 3’.*

**Environmental—**

- 2. NOTICE: Site assessment activities (e.g. surveys, geotechnical) performed with the use of machinery/equipment which includes removal of trees, underbrush, or understory vegetation requires a land clearing/underbrush permit issued by the City of North Port Building Department. Except for the hand clearing of understory vegetation, removal of trees or understory vegetation without an appropriate land clearing/underbrush permit from the City of North Port Building Department may constitute violation(s) not limited to FWC rules, ULDC Chapter 58 Archeological Resource Protection Regulations, and ULDC Chapter 45 Tree Protection Regulations (adopted Feb. 22, 2022). Hand clearing of understory vegetation shall not occur in a wetland or watercourse buffer. Definitions of “tree” and “understory vegetation” are included in ULDC Chapter 45 Tree Protection Regulations (adopted Feb. 22, 2022 ord. no. 2021-46).*

**Utilities—**

- 3. Before FDEP permits will be signed, North Port Utilities requires the following:*
  - a. Four complete sets of DEP permit applications (water and sewer) and four sets of construction plans both sets of items shall be signed and sealed by the engineer of record.*
  - b. One engineer certified (sealed) estimate for the cost of utility construction.*
  - c. A check for the Utility Construction Inspection Fee. The fee shall be 6.5% of the utility construction costs for projects \$0 to \$2 million, plus 2.5% of utility construction cost over \$2 million. The minimum fee is \$250.00.*
- 4. Prior to commencement of utility site construction, three copies of shop Drawings plus any copies required by the applicant shall be submitted to the Utility Department for review and approval.*
- 5. Irrigation systems shall be designed and constructed to meet reuse standards.*
- 6. Provide the Utility Department with floor plans and plumbing risers for each individual unit so meter sizes and capacity fees can be calculated. Meter and Capacity fees shall be paid prior to issuance of the building permit.*

7. *Prior to utility site construction the Development Order, Department of Environmental Protection Permit and Development of Health Permit shall be posted at the project site and provided at the preconstruction meeting.*

8. *A developer agreement shall be negotiated with the utility department and approved by the Utility Director and City Staff prior to DEP or DOH permits being signed and released.*

*Stormwater—*

9. *The future detailed design of the stormwater management system must meet all requirements in the City of North Port Unified Land Development Code (ULDC) Stormwater Regulations. Detailed stormwater quality treatment calculations and water quantity attenuation analysis must be provided in the later detailed design applications. If the later detailed design includes hydraulic modeling that shows additional pond footprint will be needed, changes will need to be made to the DMP plans and go through the entire DMP approval process again.*

10. *Drainage Report pdf page 28 – no littoral zone is provided. Per ULDC Section 18-7, wet ponds must include a littoral zone corresponding to 35% of the minimum pond area. Littoral zones can be placed around the pond periphery, especially near flows entering the pond, so that maximum contact time is available with the pollutants entering the pond and prior to discharge from the pond.*

11. *Please provide the allowable discharge flow from the Walgreens (aka Save-Allot) site and indicated how the provided ICPR model results compare to the permitted Walgreens flow.*

12. *The attenuation model should be evaluated using realistic tailwater conditions for the Myakkahatchee Creek oxbow as the existing Talon Bay model may underestimate the tailwater conditions.*

13. *Please note that the draft FEMA FIRMs 100-year BFE is changed from an existing 7ft NAVD88 to 9ft NAVD88. It is recommended (not required at this time) that the design be planned accordingly.*

14. *Please make sure both the plans and drainage report are signed and sealed.*

*Fire—*

15. *Please add a hydrant in the area called out on the plan adjacent to the mail kiosk.*

16. *Required installation of a RRFB lighted crosswalk located between the two sections of development.*

Commission discussion continued regarding compliance with ULDC and Comprehensive Plan, lighting concerns, and traffic impact concerns.

***The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

***A motion was made by Commissioner McDowell, to direct staff to conduct a full and collective traffic study of U. S. Route 41 and Talon Bay Drive within 2 years.***

Ms. Slayton spoke to agenda and public notice requirements.

***Commissioner McDowell withdrew her motion.***

Recess was taken from 1:32 p.m. to 2:15 p.m.

**D. [CC](#)  
[DMP-23-256](#)**

Consideration of Petition No. DMP-22-256, Talon Bay Self Storage Development Master Plan (QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed email sent to City Manager requesting documents.

Ms. Faust stated there were no aggrieved parties.

Jim Ready, Cavoli Engineering, being duly sworn, provided an overview and spoke to stormwater drainage.

Mr. Bengé, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, neighborhood meeting, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, fiscal impact analysis, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding available parking versus ULDC parking requirements and related waiver requirements, U. S. Route 41 wall softening potential, and economic benefit.

There were no closing arguments by Staff or the Applicant.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to approve Petition No. DMP-22-256 as presented and find that based on the competent substantial evidence, the Development Master Plan complies with the Unified Land Development Code.***

Commission discussion continued regarding ULDC parking requirements and lack of waiver request.

***The motion carried on the following vote with Commissioner McDowell dissenting due to not following the ULDC parking requirements and not submitting a waiver request:***

**Yes:** 4 - Commissioner Emrich, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**No:** 1 - Commissioner McDowell

### **ORDINANCE - First Reading:**

- E. [ORD. NO. 2023-31](#) An Ordinance of The City of North Port, Florida, Amending the Future Land Use Designation from Low Density Residential to Medium Density Residential for a ±18.63 Acre Area Generally Located North of Hillsborough Boulevard and West 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 Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor White announced the item and stated this is a quasi-judicial hearing.

Ms. Faust read the Ordinance by title only and swore in those wishing to provide testimony.

Mayor White requested a motion to direct the City Clerk to read by title only.

***A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Ms. Faust read the Ordinance by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Commissioner Langdon and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed public comments heard outside of testimony, meeting with the developer on September 7, 2022 regarding revised plan, emails sent and received from citizens, phone calls with citizen regarding tree markings, the November 2, 2023 Planning and Zoning Advisory Board Meeting cancellation, and the January 9, 2024 Regular Commission Meeting, phone call with citizen regarding traffic impact concerns, public comment process, and development procedures, and held a Town Hall Meeting with citizens and explained development procedures and quasi-judicial procedures.

Vice Chair Stokes disclosed conversations with citizens.

Mayor White disclosed conversations with citizens and meeting with the developer regarding revised plan.

Ms. Faust stated there were no aggrieved parties.

Mayor White noted technical difficulties.

Jeffery Boone, Boone Law Firm, and Michael Belfonti, Belfonti Companies, both being duly sworn, provided a presentation including approval process, background, engineering, projects completed, property size, future land use designation, site plan, concept video, aerial view, compliance with Comprehensive Plan, economic development, staff report, recommendations, and requested approval.

Ms. Barnes, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, future land use designation, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, staff review, and recommendations.

The Applicant provided a rebuttal regarding traffic impact, economic benefits, and

community benefits.

There was no rebuttal by Staff.

Ms. Faust read the following public comment cards into the record:  
Angie Papadetos: being duly sworn, opposed to Ord. No. 2023-31.  
Roksana Stolyov: being duly sworn, opposed to Ord. No. 2023-31.  
Aleksanolv Stolyov: being duly sworn, opposed to Ord. No. 2023-31.  
Stanley Hibbins: being duly sworn, opposed to Ord. No. 2023-31.  
Joan Manniov: being duly sworn, opposed to Ord. No. 2023-31.  
Ann Manniov: being duly sworn, opposed to Ord. No. 2023-31.  
Toni Hooven: being duly sworn, opposed to Ord. No. 2023-31.  
Carmen D Molina: being duly sworn, opposed to Ord. No. 2023-31.  
James Idone: being duly sworn, opposed to Ord. No. 2023-31.

Ms. Faust swore in those wishing to provide testimony.

In person public comment:

Cynthia Royals: being duly sworn, expressed opposition to Ord. No. 2023-31.  
John Makredes: being duly sworn, expressed opposition to Ord. No. 2023-31.  
Gabriela Donley: being duly sworn, expressed opposition to Ord. No. 2023-31.  
Anthony Bellino: being duly sworn, expressed opposition to Ord. No. 2023-31.

Commission questions and discussion took place regarding original versus revised backup materials, public notice requirements, transmittal requirements, approval and review process, State and Florida Department of Economic Opportunity (FDEO) role, traffic impact improvement responsibility, trip generation rate, single versus multifamily residential economic impact, housing diversification benefits, and Commission role.

Staff provided a closing argument regarding consistency with the Comprehensive Plan and Florida Statutes, economic and community benefits, and requested approval.

The Applicant provided a closing argument regarding housing diversification benefits and requested approval.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to continue Ordinance No. 2023-31 to second reading on January 23, 2024.***

Commission discussion continued regarding future land use and zoning designation, neighborhood meeting changes, parcel size, employment opportunities, and expanding commercial footprint versus additional residential development.

***The motion carried on the following vote with Commissioner McDowell dissenting due to land and Comprehensive Plan being rezoned for more residential development.***

**Yes:** 4 - Commissioner Emrich, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**No:** 1 - Commissioner McDowell

Recess was taken from 4:06 p.m. to 4:16 p.m.

- F. [ORD. NO. 2023-32](#) An Ordinance of The City of North Port, Florida, Rezoning ± 18.63 Acres Located in Section 36, Township 39S, Range 21E of Sarasota County and Further Described as Tract "B" Fifty-First Addition to Port Charlotte Subdivision and in Instrument No. 2008066012 in the Official Records of Sarasota County, from Residential Single-Family District (RSF) Classification to Residential Multi-Family District (RMF) Classification; Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; Providing for Severability; Providing for Conflicts; and Providing an Effective Date.(QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and requested a motion to direct the City Clerk to read by title only.

***A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Ms. Faust read the Ordinance by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Ms. Slayton spoke to quasi-judicial proceedings relating to public comments heard outside of testimony.

Commissioner McDowell disclosed public comments heard outside of testimony, meeting with the developer in September 2022 regarding revised plan, emails sent and received from citizens, phone calls with citizen regarding tree markings, the November 2, 2023 Planning and Zoning Advisory Board Meeting cancellation, and the January 9, 2024 Regular Commission Meeting, held a Town Hall Meeting with citizens and explained development procedures and quasi-judicial procedures.

Commissioner Langdon disclosed public comments heard outside of testimony and emails received from citizens.

Mayor White disclosed public comments heard outside of testimony, meeting with the developer in November 2023 regarding revised plan, and conversations with citizens.

Vice Chair Stokes disclosed public comments heard outside of testimony, emails received from citizens, and meeting with the developer in November 2023 regarding revised plan.

Commissioner Emrich disclosed public comments heard outside of testimony, meeting with the developer in November 2023 regarding revised plan, and unread emails received from citizens.

Ms. Faust stated there were no aggrieved parties.

Jeffery Boone, Boone Law Firm, and Michael Belfonti, Belfonti Companies, both being duly sworn, provided a presentation including approval process, background, engineering, projects completed, property size, future land use designation, site plan, concept video, aerial view, compliance with Comprehensive Plan, economic development, staff report,

recommendations, rezoning, neighborhood meeting changes, and requested approval.

Ms. Barnes, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, future land use designation, staff review and recommendations.

There were no rebuttals by the Applicant or Staff.

Ms. Faust read the following public comment cards into the record:

Gregory Orr: being duly sworn, opposed to Ord. No. 2023-32.

Edmond Rouleau Jr: being duly sworn, opposed to Ord. No. 2023-32.

John Manniov: being duly sworn, opposed to Ord. No. 2023-32.

Ann Manniov: being duly sworn, opposed to Ord. No. 2023-32.

Carmen D Molina: being duly sworn, opposed to Ord. No. 2023-32.

Toni Hooven: being duly sworn, opposed to Ord. No. 2023-32.

James Idone: being duly sworn, opposed to Ord. No. 2023-32.

Ms. Faust swore in those wishing to provide testimony.

In person public comment:

Gabriela Donley: being duly sworn, expressed opposition to Ord. No. 2023-32.

Susan Orr: being duly sworn, expressed opposition to Ord. No. 2023-32.

Commission questions and discussion took place regarding utility requirements, environmental impacts, development history, and diversified housing requirements.

There were no closing arguments by Staff or the Applicant.

Staff provided a closing argument regarding compliance with the Comprehensive Plan and ULDC and requested approval.

The Applicant provided a closing argument regarding compliance with the Comprehensive Plan and ULDC and requested approval.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Emrich, seconded by Vice Mayor Stokes, to continue Ordinance No. 2023-32 to second reading on January 23, 2024. The motion carried on the following vote with Commissioner McDowell dissenting due rezoning 18 acres for more residential dwelling units in the City and needing to increase economic tax base and create more well-paying jobs:***

**Yes:** 4 - Commissioner Emrich, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**No:** 1 - Commissioner McDowell

## **RESOLUTION:**

- G.** [RES. NO. 2024-R-02](#) A Resolution of The City Commission of The City of North Port, Florida, Vacating a Portion of the Rear Maintenance Easement for Lot 8, Block 1134, 25th Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability;

and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Commissioner McDowell, Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Brown, being duly sworn, noted the applicant is not present and provided a presentation including overview, applicant, property owner, request, location, review process, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to adopt Resolution No. 2024-R-02 as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**H. [RES. NO. 2024-R-03](#)**

A Resolution of The City Commission of The City of North Port, Florida, Vacating a Portion of the Rear Maintenance Easement for Lot 32, Block 814, 19th Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Commissioner McDowell, Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Brown, being duly sworn, noted the applicant is not present and provided a presentation including overview, applicant, property owner, request, location, review process, compliance with Unified Land Development Code (ULDC) and Florida Statutes, site plan, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

Commission questions and discussion took place regarding reason for vacating easement.

There was no closing argument by Staff.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Commissioner Emrich, to adopt Resolution No. 2024-R-03 as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

I. [RES. NO. 2024-R-06](#)

A Resolution of the City Commission of the City of North Port, Florida, Vacating Progress Court and All Internal Utility and Drainage Easements for the Entire Plat, as Identified in Plat Book 44, Page 16, the Panacea Commercial Park Phase 1 Subdivision, Less and Except the 10-Foot Utility Easement Along Plantation Boulevard; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor White announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Commissioner McDowell, Vice Chair Stokes, Commissioner Langdon, Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Ms. Barnes, being duly sworn, noted the applicant is not present and provided a presentation including overview, applicant, property owner, request, location, review process, Resolution amendments requested, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

Commission questions and discussion took place regarding Florida Power and Light

(FPL) and Planning and Zoning Advisory Board (PZAB) approval review.

There was no closing argument by Staff.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to adopt Resolution No. 2024-R-06 as presented.***

Ms. Slayton spoke to motion and verbiage recommendations.

***Vice Mayor Stokes withdrew his second.***

***The motion was restated by Commissioner Langdon, seconded by Vice Mayor Stokes, to adopt Resolution No. 2024-R-06 amending section 1 and 2 as articulated by Staff and eliminating Exhibit I. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**J.** [RES. NO. 2023-R-83](#)

A Resolution of the City Commission of the City of North Port, Florida, Accepting and Approving an Easement Agreement Granting an Easement Located on a Portion of City-Owned Property Running from Kramer Boulevard to Sumter Boulevard Along City Center Boulevard; Providing for Incorporation of Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding impact on City Center Front Green area.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to adopt Resolution No. 2023-R-83 as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**K.** [RES. NO. 2024-R-01](#)

A Resolution of the City Commission of the City of North Port, Florida, Authorizing the City Commission to Participate in a Joint Meeting with the Sarasota County Commission to Receive, Discuss, and Act upon Matters of Mutual Interest; Incorporating Recitals; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only and introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner Emrich, seconded by Vice Mayor Stokes, to adopt Resolution No. 2024-R-01 as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

- L. [RES. NO. 2024-R-05](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2023-2024 for Rental of Air Conditioning Units, Generators and Fuel for use at the Morgan Family Community Center in the Amount of \$165,000; Providing for Findings; Providing for Posting; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding air conditioning (AC) installation timeline, replacement AC clarity, floor installation timeline, and reopening timeline.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to adopt Resolution No. 2024-R-05 as presented. The motion carried on the following vote:***

**Yes:** 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

**6. PUBLIC COMMENT:**

There was no public comment.

**7. COMMISSION COMMUNICATIONS:**

- A. [24-0059](#) Commissioner Langdon's Communications  
Commissioner Langdon did not provide a report.

- B. [24-0057](#) Commissioner McDowell's Communications  
Commissioner McDowell did not provide a report.

- C. [24-0055](#) Commissioner Emrich's Communications  
Commissioner Emrich did not provide a report.
  
- D. [24-0053](#) Vice Mayor Stokes' Communications  
Vice Chair Stokes did not provide a report.
  
- E. [24-0051](#) Mayor White's Communications  
Mayor White did not provide a report.

**8. ADMINISTRATIVE AND LEGAL REPORTS:**

Mr. Fletcher did not provide a report.  
Ms. Slayton did not provide a report.  
Ms. Faust did not provide a report.

**9. ADJOURNMENT:**

Mayor White adjourned the meeting at 5:57 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Alice White, Mayor

Attest: \_\_\_\_\_  
Heather Faust, City Clerk