



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Planning & Zoning Advisory Board

Thursday, October 3, 2019

9:00 AM

CITY COMMISSION CHAMBERS

1. CALL TO ORDER

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

2. ROLL CALL

Present: 6 - Thomas Nicholson Jr., Philip Lamade, John Metzger, James Sawyer, Nicholas Trolli and Jerry Nicastro

Also Present:

Assistant City Attorney Michael Golen, Planning Division Manager Nicole Galehouse, Senior Planner Heather Hansen, Planner Sherry Willette-Grondin, Planner Allison Christie, and Recording Secretary Susan Hale.

3. The Pledge of Allegiance was led by the Board.

4. PUBLIC COMMENT

There was no public comment.

5. APPROVAL OF MINUTES

- A. [19-0836](#) Approval of Minutes for the July 18, 2019 Planning & Zoning Advisory Board Regular Meeting and August 1, 2019 Planning & Zoning Advisory Board Regular Meeting.

A motion was made by Board Member Metzger, seconded by Board Member Sawyer, to approve the July 18, 2019 and August 1, 2019 Meeting Minutes as presented. The motion carried unanimously on a voice vote.

6. PUBLIC HEARING

- A. [PLF-19-158](#) Plat, Islandwalk Phase 6, Petition No. PLF-19-158, (QUASI-JUDICIAL)

Discussion took place regarding the applicant's neglect in providing a plan minimizing the impact on the disruption of wetlands, and a study for wetlands.

A motion was made by Board Member Nicastro, seconded by Vice Chair Trolli, to table Items 6.C., 6.D., and 6.E. FLU Policy 2.21 Future Land Use Elements and Policies due to Comprehensive Plan requirement that at the time of rezoning the site is evaluated for wetlands and the disruption of wetlands to be avoided or minimized, the Applicant not providing a plan to minimize the impact, and no wetlands study has been performed.

Discussion ensued regarding disagreement with the City allowing the study to be done

afterward, a suggestion to table the issue and the City to schedule a townhall meeting with residents in the Estates.

Mr. Golen suggested to allow the item to proceed with presentations where concerns may be answered.

The motion and second were withdrawn.

Ms. Hale read the agenda item into the record and swore in those wishing to speak on all Public Hearing Agenda Items.

Vice Chair Trolli reported visiting the site but had no communications. Other Board Members had no ex parte communications to report.

Strickland Smith, representing the DiVosta Homes, being duly sworn, provided an overview of the petition, requested partial vacation of easement for the property, and spoke to eastern phases currently under construction.

Ms. Willette-Grondin, being duly sworn, provided an overview of the petition.

There were no aggrieved persons, no rebuttals from the Applicant or City, no public comment, and no questions from the Board.

Mr. Smith had no closing arguments.

City's closing arguments consisted of a recommendation for approval and there were no Board discussions.

The public hearing was closed.

A motion was made by Vice Chair Trolli, seconded by Board Member Lamade, that the Planning & Zoning Board recommends to the City Commission to approve Petition No. PLF-19-158, IslandWalk at the West Villages Phase 6 Plat. The motion carried unanimously on a voice vote.

B. [DMP-19-174](#) Development Master Plan, Palm Port Apartments, a 126-unit apartment complex in a Planned Community Development zoning district (QUASI-JUDICIAL)

Ms. Hale read the agenda item into the record

Board Members had no ex parte communications to report.

Jeremy Couch, representing the Applicant, being duly sworn, provided an overview.

Ms. Hansen, being duly sworn, provided a presentation and cited the two waivers requested by the Applicant.

There were no aggrieved persons, no rebuttals from the Applicant or City, and no public comment.

Ms. Hansen spoke to setback on Citizens' Parkway, no on-street parking, buffer requirements in a Planned Community Development zoning district, providing more parking than required, buffer consisting of vegetation, no ingress from Price Boulevard, and all setbacks are normal.

Mr. Couch spoke to low income vs. affordable housing, the development focused on lower income, rent is income-driven, SouthPort (Riley Chase) a reputable firm, and it is unknown when the affordable housing status will sunset.

Ms. Hansen explained determining factors of affordable housing, and affirmed this is not Section 8 housing.

Mr. Couch confirmed occupancy being 100% low income.

There were no closing arguments from the Applicant or City, no Board discussion, and the public hearing was closed.

A motion was made by Board Member Nicastro, seconded by Board Member Sawyer, that the Planning & Zoning Advisory Board recommends to the City Commission to approve DMP-19-174 with the two requested waivers and approval of staff conditions related to the waiver. The motion carried unanimously on a voice vote.

C. [CPAL-19-15](#)
[0](#)

Ordinance 2019-34, Amendment to the City of North Port Comprehensive Plan Future Land Use Map, Existing Land Use Map and Urban Service Area Boundary Map, Amending the Future Land Use of ± 19.2 acres from 'Agricultural, Estates' to 'Activity Center' and Moving the Urban Service Boundary

Mr. Golen spoke to the agenda order being correct.

Carlo LoRicco, representing Interchange Thirty-Two Inc., spoke to wetland survey with results and conducting an additional study after development.

Ms. Christie provided a presentation covering all three petitions: Comprehensive Plan Amendment, Rezone and Text Amendment.

There were no questions from the Applicant.

A motion was made by Board Member Lamade, seconded by Board Member Nicastro, to increase the Public Speaker time limit from three to five minutes. The motion carried on a five-to-one (5-1) voice vote with Board Member Metzger dissenting.

PUBLIC COMMENT:

Craig Beal: distributed and explained a document regarding his opposition to the petition.

Elsa Beal: opposed the rezoning, financial loss of surrounding property, favored rezoning when future development type is known.

Lori Lohr: impact of future development unknown, increased noise, lighting, and negative impact on area wildlife.

Susan Balmer: happened too fast with residents not considered, negative impact on residents, homeowners not apprised of change, and destruction of natural habitat.

Lisa Kurecki: read a letter from resident currently out of the country, land should remain agricultural, other land more suitable, noise abatement will be needed, and proposed development has overall negative impact.

Alan Kurecki: no buffer on canal, negative financial impact by development, residents lose

and developer gains.

Mark Teixeira: opposed rezoning, all neighbors opposed to rezoning, and City concerned with commercial development not residents.

Mr. Golen clarified that this item is for the Comprehensive Plan Amendment not the rezone.

Youssef Moubisire: opposed the development and rezoning plans, reduced home values.

Mr. Golen cautioned Board Members to focus questions to changing future land use designation from Agriculture Estates to Activity Center.

Ms. Galehouse spoke to the farm store on Nestor court receiving a Special Exception and was a farmers market.

Mr. LoRicco confirmed receiving no contract or verbal commitment, property listed in conjunction with commercial acreage to the south, property consists of 19.2 acres, land currently not in use, and potential development.

Discussion took place on inadequate public notice, adverse effect on residents, more information needed regarding zoning history and environmental waiver requirements, and favors tabling the three petitions being intertwined, and internet ad states it is commercial use, and insufficient public notice or outreach.

Ms. Galehouse clarified requirements regarding public notices for each petition.

Ms. Christie spoke to availability time table for utilities.

Ms. Galehouse further clarified utility restrictions, and applicant-driven petitions not required by City Code for neighborhood meetings.

Mr. LoRicco agreed to scheduling a public meeting.

Ms. Christie spoke to developer's responsibility for utility connection.

There were no closing arguments from Applicant or City, and public comment was closed.

Discussion ensued regarding insufficient information regarding future use of property, unknown cost to the City, ads were premature and disrespectful to public, responsible commercial development, opening door for any type of commercial development, posting property as commercial deceptive when it is agricultural, and homeowners bought in good faith.

Mr. Golen recommend passing or denying the petition in Board's recommendation to Commission.

A motion was made by Board Member Nicastro, that the Planning & Zoning Advisory Board recommends to the City Commission to deny CPA-19-150, with a recommendation to the Commission to hold a public hearing regarding this matter.

Mr. Golen requested clarification regarding the type of meeting, discussion ensued, and the motion will be restated.

Board Member Trolli favored seeing certain recommendations going to the Commission, opposed the motion because of receiving the Board Binder late, the public commenter's packet this morning, and no wetland study.

A motion was made by Board Member Nicastro, seconded by Board Member Metzger, that the Planning & Zoning Advisory Board recommends to the City Commission to deny Ordinance No. 2019-34. The motion carried on a five-to-one (5-1) voice vote with Vice Chair Trolli dissenting.

- D. [REZ-19-151](#) Ordinance 2019-35, Rezone of ± 19.2 acres from 'Agricultural' to 'Commercial General' (QUASI-JUDICIAL)

Mr. Golen stated that because this item relies on passage of the previous agenda item, there is no reason to address this agenda item.

No action needed for this item.

- E. [TXT-19-167](#) Ordinance 2019-39, Amending the Unified Land Development Code Chapter 55 and Urban Design Standards Pattern Book to add ± 19.2 acres into the Panacea Activity Center (AC#4)

Mr. Golen stated that because this item relies on passage of the previous agenda item, there is no reason to address this agenda item.

No action needed for this item.

PUBLIC COMMENT

Craig Beal: requested the Board read and consider his document.

Alan Kurecki: many unable to attend this meeting and will be inconvenienced by this proposal.

Youssef Mousire: not against development, owner only interested in flipping the property, and more appropriate areas available.

ADJOURNMENT

Chair Nicholson adjourned the meeting at 11:02 a.m.

By: _____
Tom Nicholson, Jr., Chair

Minutes approved on the ____ day of _____, 2019.