



**Action Report**  
**Planning & Zoning Advisory Board**

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Thursday, February 16, 2023

9:00 AM

City Commission Chambers

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**1. CALL TO ORDER**

*There was a consensus to excuse Board Member Patricoski's absence from the meeting.*

**2. ROLL CALL**

**Present:** 6 - Chair Nita Hester, Vice Chair Kenneth Maturo, Phillip Ludos, Jose Irizarry, Linda J. Waugh and Frank J. Baer

**Absent:** 1 - Michael T. Patricoski

**Also Present**

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENT**

**5. APPROVAL OF MINUTES**

- A. [23-0316](#) Approval of Minutes for the February 2, 2023 Planning and Zoning Advisory Board Meeting.

*A motion was made by Board Member Ludos, seconded by Board Member Baer, to approve the Minutes as amended, correcting the February 2, 2023 Minutes to read "as amended" instead of "as presented." The motion carried by the following vote:*

**Yes:** 6 - Chair Hester, Vice Chair Maturo, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

**Absent:** 1 - Board Member Patricoski

**6. PRESENTATION**

- A. [22-3847](#) Quasi-Judicial Training (Presented by the Office of the City Attorney)

**7. PUBLIC HEARING**

- A. [DMA-22-215](#) Consideration of Development Petition DMA-22-215 North Port Gateway Development Master Plan Amendment (Quasi-Judicial)

*A motion was made by Vice Chair Maturo, seconded by Board Member Irizarry, to find Petition No. DMA-22-215, the North Port Gateway Development Master Plan Amendment, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City*

*Commission approve the Petition with staff conditions.*

*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'.*

*2. All proposed projects or developments shall comply with the Florida Fire Prevention Code (FFPC), 7th Edition (NFPA 1 – Fire Code, 2018 Edition with State of Florida Amendments) and the City of North Port Unified Land Development Code (ULDC), Chapters 37 and 60 as outlined prior to formal submittal.*

*3. All sprinkler risers and fire alarm panels must be placed on the interior of the structure to provide an environment protected from the Florida climate as outlined in § 60-13 of the ULDC and Chapter 10 of NFPA 72 – National Fire Alarm and Signaling Code, 2016 Edition.*

*4. Per § 60-7 (A) of the ULDC, all structures, three (3) stories or more in height, a Class 1 manual wet standpipe system shall be required to be installed, in addition to the fire sprinkler system. See § 60-7 for additional requirements.*

*5. Per § 60-7 (B) of the ULDC, the fire line to the building shall extend to one foot above finished floor (1' AFF) or one foot above finished grade (1' AFG) interior of the building. This requirement shall be called out on all civil drawings for reference.*

*6. The Fire Department Connection (FDC) placement must meet the ULDC, Chapter 60-8 and shall not be located no further than ten (10) feet from the curb line.*

*7. Per § 60-16—Elevators: A. In all structures, commercial or residential, greater than twenty-five (25) feet in height requiring an elevator accessible for public use, at least one (1) elevator car shall be of sufficient size to accommodate an ambulance stretcher seventy-six (76) inches long and twenty-four (24) inches wide in the horizontal position.*

*(1) Buildings greater than three (3) stories in height, or with two (2) or more elevators, shall be required to have at least one (1) of the elevators served by an emergency generator.*

*(2) A single generator may serve a complex of buildings.*

*(3) All public elevator cars shall have emergency communications as required in the National Elevator Code, ASME A17.*

*(4) Elevator operation and door keys shall be maintained in the Fire Department key box.*

*8. The ULDC and North Port Utilities require a double detector check valve assembly for all fire lines. Please amend sheets C7.0 (Overall Utility Plan) and C7.1 Utility Plan to reflect this requirement and the Post Indicator Valve Assembly.*

*9. Per Ordinance No. 2022-27, the revised Public Art ULDC Sec. 59-2.A, new commercial construction requires public art. Sec. 59-3.A, states that public art has a proportionate value of \$0.25 per square-foot of gross building area, not to exceed one hundred fifty thousand dollars (\$150,000). Per Sec. 59-4.A, the public art application is required prior to development order approval.*

**10. The missing gap in the sidewalk along Aidan Lane should be completed as part of this project per ULDC 33-10.P. The sidewalk shall be constructed with minimum 3000 psi strength concrete and fiber reinforced. Provide American Disabilities Act (ADA) detectable warning surfaces at both driveway crossings.**

**11. The later detailed design in the MAS application will need to meet all requirements of City of North Port ULDC Chapter 18 Stormwater Regulations.**

**12. In the case where zero (0) gopher tortoise burrows are located during an initial limited or 100% gopher tortoise survey an additional 100% gopher tortoise survey may be required within 90 days of issuing a Notice to Proceed (NTP) and within 90 days of issuing a land clear permit.**

**13. Before FDEP permits will be signed, North Port Utilities requires the following: 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. One engineer certified (sealed) estimate for the cost of utility construction. 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.**

**14. 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.**

**15. Irrigation systems shall be designed and constructed to meet reuse standards.**

**16. Provide the Utility Department with floor plans and plumbing riser drawings for each building so meter sizes and capacity fees can be calculated. Meter and Capacity fees shall be paid 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.**

**17. 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.**

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

**Yes:** 6 - Chair Hester, Vice Chair Maturo, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

**Absent:** 1 - Board Member Patricoski

**B. [VPA-22-180](#) Consideration of Petition No. VPA-22-180, the Village D Village District Pattern Plan (VDPP) Amendment, Amending Regulations for Parking Standards (Quasi-Judicial)**

**A motion was made by Board Member Waugh, seconded by Board Member Ludos, to find Petition No. VPA-22-180, the Village D Village District Pattern Plan (VDPP) Amendment, amending regulations for parking standards, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve Ordinance No. 2023-04.**

*The motion carried by the following vote:*

**Yes:** 6 - Chair Hester, Vice Chair Maturo, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

**Absent:** 1 - Board Member Patricoski

- C. [PLF-22-231](#) Consideration of Petition No. PLF-22-231, Davis Wellen Park II Multi-Family, Final Plat (Quasi-Judicial)

*A motion was made by Board Member Ludos, seconded by Board Member Waugh, to find Petition No. PLF-22-231, the Davis Wellen Park II Multi-Family, Final Plat, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve Petition No. PLF-22-231. The motion carried by the following vote:*

**Yes:** 6 - Chair Hester, Vice Chair Maturo, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

**Absent:** 1 - Board Member Patricoski

- D. [ANX-22-179](#) Consideration of Petition No. ANX-22-179, the Myakka Crossings-River Road-US 41 West River Village Voluntary Annexation (Legislative)

*A motion was made by Board Member Irizarry, seconded by Board Member Baer, to find Petition No. ANX-22-179, the Myakka Crossings-River Road-US 41 West River Village Voluntary Annexation, consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve Ordinance No. 2023-08. The motion carried by the following vote:*

**Yes:** 6 - Chair Hester, Vice Chair Maturo, Board Member Ludos, Board Member Irizarry, Board Member Waugh and Board Member Baer

**Absent:** 1 - Board Member Patricoski

**8. NEW BUSINESS**

- A. [23-0297](#) Discussion and Possible Action Regarding the Board's Requested Action Update List

- B. [23-0296](#) Discussion and Possible Action Regarding the Board's Annual Report to the Commission

**9. FUTURE AGENDA ITEMS**

**10. PUBLIC COMMENT**

**11. ADJOURNMENT**