



City of Palm Coast

City Offices
at City Marketplace
160 Cypress Point
Parkway, Suite B-106
Palm Coast, Florida 32164
www.palmcoastgov.com

Meeting Minutes Planning & Land Development Regulation Board

Chair Michael Beebe
Vice Chair James Jones
Board Member Robert Cuff
Board Member Glenn Davis
Board Member Sybil Dodson-Lucas
Board Member Christopher Dolney
Board Member Ray Henderson
School Board Representative Walt Fischer

Wednesday, February 20, 2013

5:30 PM

City Offices at City Marketplace (3rd Wednesday)

RULES OF CONDUCT:

- >Public comment on issues on the agenda or public participation shall be limited to 3 minutes.
- > All public comments shall be directed through the podium. All parties shall be respectful of other persons' ideas and opinions. Clapping, cheering, jeering, booing, catcalls, and other forms of disruptive behavior from the audience are not permitted.
- >If any person decides to appeal a decision made by the Planning and Land Development Regulation Board with respect to any matter considered at such meeting or hearing, he/she may want a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.
- >Other matters of concern may be discussed as determined by Planning and Land Development Regulation Board.
- >If you wish to obtain more information regarding Planning and Land Development Regulation's Agenda, please contact the Community Development Department at 386-986-3736.
- >In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-986-3713 at least 48 hours prior to the meeting.
- >The City of Palm Coast is not responsible for any mechanical failure of recording equipment
- >All pagers and cell phones are to remain OFF while the Planning and Land Development Regulation Board is in session.

A. Call to Order and Pledge of Allegiance

B. Roll Call and Determination of a Quorum

- Present:** 5 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, and Board Member Henderson
- Excused:** 2 - Board Member Dodson-Lucas, and Board Member Dolney
- Absent:** 1 - School Board Representative Fischer

C. Election of Chair and Vice Chair

Mr. Cuff nominated Mike Beebe for Chair, Mr. Jones seconded, and the nomination was accepted unanimously.

Mr. Henderson nominated James Jones for Vice Chair, Mr. Cuff seconded, and the nomination was accepted unanimously.

D. Approval of Meeting Minutes

1. [13-33](#) MEETING MINUTES OF THE SEPTEMBER 26, 2012 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Attachments: [Draft Meeting Minutes - Sept 26 2012](#)

Mr. Jones made a motion to approve the minutes as written, Mr. Cuff seconded, and the motion was approved unanimously.

Approved: 5 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, and Board Member Henderson

Excused: 2 - Board Member Dodson-Lucas, and Board Member Dolney

E. Public Hearings

Order of Business for Public Hearings (PLDRB may make inquiries at any stage):

Open Hearing

Staff Presentation

Applicant Presentation (if applicable)

PLDRB Questions of Applicant or City Staff (if applicable)

Public Comments/Presentations

Rebuttal by Applicant, City Staff, or Public (if applicable)

Close Hearing

PLDRB Discussion

PLDRB Action

2. [13-44](#) BROOKHAVEN AT TOWN CENTER, A MULTI-FAMILY RESIDENTIAL TECHNICAL SITE PLAN REVIEW (TIER 3) APPLICATION; PROJECT NO. 2006110004; APPLICATION NO. 2481

Attachments: Staff Report
 Neighborhood Meeting, results letter 8-17-12
 Aerial Map
 Zoning Map
 Future Land Use Map
 Site Plan
 Landscape Plans

Ms. Piltaver gave a presentation, which is attached to the minutes.

Applicants Matt Lahti with ZCA (Zev Cohen and Associates) and Marc Guinther with Atlantic Housing (owner) gave a presentation and discussed a color handout of the site plan, which is attached to the minutes.

Mr. Jones- How many of the 18 original units are sold? What will happen to those units? Ans: Mr. Guinther - Our acquisition department has contacted the owners to purchase them.

Mr. Jones - How big are the units? Ans: Mr. Guinther - between 1,100 and 1,300 square feet.

Mr. Davis - Concerned about street lighting. Ans: Mr. Lahti - We do have street lights and they have been approved by ARC (Architectural Review Committee).

Mr. Jones- Will any of these units be affordable housing? Ans: Mr. Guinther - We currently have no financing set, but we are predominantly affordable housing developers.

Mr. Cuff- Will the amenities be available to the existing units, or only for new development? Ans: Mr. Guinther - Currently they're not available to all, but the intent is that they will be in the future.

Mr. Cuff - Is the emergency access to another parcel Tuscany Village? Ans: Mr. Tyner - Yes, it's a stabilized base emergency access (grass, no paved road), but it's not a requirement of Brookhaven.

Mr. Henderson- What is the minimum size allowable for these units? Ans: Mr. Tyner - 750 sq. ft.

Mr. Henderson- Who will manage the property? Ans: Mr. Guinther- We own the management company.

Mr. Beebe- What amenities were originally approved? Ans: Ms. Piltaver- The clubhouse and pool.

Mr. Beebe- What about the parking count? Ans: Ms. Piltaver- The garages and driveways associated with the two buildings that will be completed, will cover the spaces. They're part of the original approval.

Mr. Beebe- Why are they overparked? Ans: Mr. Lahti - Each town home unit is one space in the garage and one in the driveway. Some of the longer ones can fit 2 or 3 cars. Extra asphalt is not being installed.

Mr. Beebe - What is the justification for the 9 additional units? Ans: Mr. Tyner - It meets the MPD and there are no negative impacts on any of the infrastructure.

Mr. Beebe - What is the limitation on additional units? Ans: Mr. Tyner- If they met all of the standards they may have been able to add 10 or 12 more.

Mr. Davis- How can the existing buildings be changed from condominium association to rental property? Ans: Mr. Guinther - It is just a form of ownership. From a building code and land use perspective, there is no difference.

Public Comment - None.

Mr. Cuff - Asked about the trash disposal site. Ans: Mr. Guinther - It's a self-contained

compactor.

Mr. Jones - Are you planning any private security? Mr. Guinther - No.

Mr. Jones made a motion to recommend approval of the application as written, and to ensure that the architectural review is amended to use the most current version. Mr. Henderson seconded and the motion carried 5-0.

Approved: 5 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, and Board Member Henderson

Excused: 2 - Board Member Dodson-Lucas, and Board Member Dolney

3. [13-35](#)

REQUEST VARIANCES FROM PERIMETER BUFFER WIDTH, MONUMENT SIGN SETBACK, AND INCREASE IMPERVIOUS COVERAGE FOR 1310 PALM COAST PARKWAY, SW

Attachments: [Staff Report](#)
[Development Order](#)
[Location Aerial](#)
[Future Land Use Map](#)
[Palm Coast Parkway Improvement](#)

Mr. Cote gave a presentation, which is attached to the minutes.

Owners Gary Heckel, Manager with Peggy Lane a/k/a Dunkin Donuts and Gary Lubi with Prosperity Bank were present on behalf of the applicant.

Mr. Cuff - Currently the lot line is to the north of the sidewalk, and you're moving it to the south side? Ans: Mr. Tyner - Yes.

Mr. Jones - The buffer was grandfathered at 20 ft, correct? Ans: Mr. Tyner - Yes, it was under the old Code.

Mr. Davis-Why aren't we piping it (the swale). Ans: Mr. Cote - You could pipe the whole thing but you don't gain the benefit of surface water treatment and storage capacity.

Mr. Davis- Will the roadway markings be changed? Ans: Mr. Cote - Yes.

Mr. Davis - Will there be a painted island put up toward Cypress? Ans: Mr. Cote - No, because the dedicated lane doesn't continue on to Cypress Point.

Mr. Beebe - How much of the existing landscape buffer will be impacted by the shifting of the property line, and if so, will that be mitigated? Ans: Mr. Cote - Very little. It's currently sodded to the sidewalk. Three pine trees will be coming out and they will be resodding impacted areas. Trees will be planted in the median and additional trees throughout the project. 12 specimen trees are being removed and we are more than meeting the mitigation requirements for replacement.

Public Comment:

Gary Heckel, 93 Emerald Lake Drive, property owner - No objections to the taking provided we get the setbacks we need to protect our business.

Gary Lubi with Prosperity Bank, and Palm Coast resident of Canopy Walk. We don't have any objections with what has been presented.

Mr. Davis made a motion to approve the application, Mr. Cuff seconded, and the motion carried 5-0.

Approved: 5 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, and Board Member Henderson

Excused: 2 - Board Member Dodson-Lucas, and Board Member Dolney

F. Board Discussion and Staff Issues

Mr. Henderson requested that smaller projects (under 40,000 sq ft or 40 units) be provided to PLDRB members for review, as a courtesy. Mr. Tyner suggested that the PLDRB be added to the e-mail list for the Week-in-Review.

G. Adjournment

The meeting adjourned at 7:13 p.m.

[13-75](#)

ATTACHMENTS TO MINUTES

Attachments: [Agenda item 2 - City Staff Presentation](#)
[Agenda item 2 - Brookhaven \(Applicant\) Presentation](#)
[Agenda item 3 - City Staff Presentation](#)