



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, May 21, 2014

5:30 PM

City Offices at City Marketplace (3rd Wednesday)

RULES OF CONDUCT:

>Public comment will be allowed consistent with Senate Bill 50, codified at the laws of Florida, 2013 – 227, creating Section 286.0114, Fla. Stat. (with an effective date of October 1, 2013). The public will be given a reasonable opportunity to be heard on a proposition before the City's Planning & Land Development Regulation Board, subject to the exceptions provided in §286.0114(3), Fla. Stat.

>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 new Chair and Vice Chair for the year of 2014

Mr. Beebe re-elected as Chair of the Planning and Land Development Regulation Board.

Mr. Jones was re-elected as Vice-Chair of the Planning and Land Development Regulation Board.

Mr. Beebe was nominated for Chair by Mr. Jones, Mr. Davis seconded, and the motion carried 5-0

Mr. Jones was nominated for Vice-Chair by Mr. Cuff, Mr. Henderson seconded, and the motion carried 5-0.

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

D. Approval of Meeting Minutes

1 [14-175](#) MEETING MINUTES OF THE MARCH 19, 2014 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Attachments: [MeetingMinutes15-May-2014-11-39-15](#)

The Minutes were approved as presented.

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 [14-165](#) RESOLUTION 2014-XX APPROVING AN ESSENTIALLY BUILT OUT AGREEMENT FOR THE GRAND HAVEN DEVELOPMENT OF REGIONAL IMPACT (DRI)

Attachments: [RESOLUTION-Grand Haven EBO Agreement](#)
[Essentially Built Out Agreement 5-16-14](#)
[Location Map-Grand Haven DRI](#)

Agenda items 2, 3, and 4 were heard simultaneously. A presentation was given by Senior Planners Jose Papa and Angela Piltaver, which is attached to the minutes.

Jim Cullis, Developer gave a presentation on behalf of the applicant.

Board Discussion:

Mr. Henderson- Commercial part B will have to put in a traffic lane if it reaches 84,000 sq. ft. Will it be in the Development Agreement? Ans: Mr. Papa - Yes, it is in the Essentially Built Out Agreement.

Mr. Jones - Are we recommending this to City Council to approve or to forward to a state agency? Ans: Mr. Papa - Recommending to Council for approval.

Mr. Jones - The commercial site across from the main entrance is being limited to 74,000 sq. ft. Does that mean that other commercial site near the entrance to North Park is being limited to 11,000 sq. ft.? Ans: Mr. Papa - Yes, total square footage is limited to 85,000. Mr. Cullis - It can be a total of 85,000 but you can't put more than 74,000 on one, which gives us 11,000.

Mr. Davis - If the developer only wants to build four additional units then our development order should be changed from 6 to 4. Will the site plans come back the Board? Ans: Mr. Tyner - If City Council approves the item, the applicant will finish the plat. That process does not require PLDRB or City Council approval.

Mr. Henderson - Is this being changed from multifamily to single family? Ans: Mr. Papa - The designation is not changing but they are adding an additional use.

Mr. Jones - If we were to not approve the amendment, would he still be able to build a 4 unit condo? Ans: Mr. Papa - No, because the MPD more closely controls what you can actually build on the site.

Mr. Davis - Would these units be under the homeowner's association? Mr. Cullis - Yes.

Mr. Beebe - Are you willing to limit the increase in units from the additional 6 to 4, and limit to single family only, and limit the height to 35ft, and two car garages? Ans: Mr. Cullis - Yes.

City Attorney Reischmann - The rental limitation is a private covenant that is not enforceable by the City.

Public Comment:

Sara Lockhart, 2 Marlin Drive - Conservation uses not shown on the Future Land Use Map. Greenbelt FLUM designation is problematic for golf course portions because of the limitation on uses that can go there. Need one more text amendment that there is a residential intensity assigned to the FLUM designation of greenbelt that doesn't apply to the golf course. Clubhouse and parking lot are not included in the greenbelt designation. Single family setback for rear yard is 10 feet - if multifamily is done it could go down to 0. Request that policy 2.2.2.4 and 2.2.2.6 be added.

Linda Steggerda, 55 Legare Street - Gave a presentation, which is attached to the minutes.

Paul Steggerda, 55 Legare Street - 22ft access point is going to narrow to 18ft wide. Need to widen. No other single homes in Grand Haven that have a bulk garbage disposal unit or shared driveway.

Janet Ward, 9 Players Circle - Easements belong to condominium. Has Mr. Cullis gotten written agreement to use that easement? Emergency vehicle access is limited. There is no room in the proposed location. This is not the best plan for a golf course view.

Bob Olsen, 45 Osprey Circle. Original master site plan shows the property as golf course. It was a putting green. There should be no vehicles from his development coming through that parking lot. Probably 200 carts a day come through there. Emergency exit at the cart staging area is not going to work. There is no sidewalk so these residents are going to walk on the cart path. Concerned about safety.

Chip Hunter, HOA President River Club Condo. Requests applicant not be permitted to use our parking lot behind our garages for access. Parking lot is not road quality and not maintained by Grand Haven, but by River Club Condo Owners. Represents 48 current residents and request all access to these lots come through tract M, which is public property.

Patrick Leahe (sp), General Manager of Grand Haven Golf Club, resident of Tidelands. Parking lot is maintained between CDD and the golf course. It is CDD owned and we have an agreement to maintain that.

Jim Gallo, Riverpoint Way. Did not get notice of the neighborhood meeting. How will the rental of those units interact with the masters rental agreement? The Plat should come back to the Planning Board.

Applicant response:

Mr. Cullis provided a copy of recorded declaration of easement and recorded rental easement for the City attorney to review, which is attached to these minutes. The original idea was for 2 private driveways, gated, in 2 locations to make it clean and simple that shouldn't impact golf course operations since it is just 4 lots.

Additional public comment:

William Nord, 9 Grandview Drive. Development is for the benefit of the common good and doesn't think it will be an issue.

Nancy Hillman, 31 East Lake. Concerned about appearance being inconsistent with the rest of Grand Haven.

Board discussion:

Mr. Cuff - Is there a provision in the easement for shared cost? Ans: Mr. Cullis - Willing to do a fair share agreement.

Mr. Cuff - If the applicant came in with a site plan for parcel K today, what could he be approved for? Ans: Mr. Papa - Multifamily or golf club uses.

Mr. Cuff - What is staff's response to questions about the conservation areas? Ans: Mr. Papa - It would go through the public process to be reflected on the FLUM.

Mr. Jones - Suggest that the documents be amended to reflect the change in the

number of units from 1907 to 1905.

A motion was made by Vice Chair Jones, and seconded by Board Member Cuff, to approve the Resolution approving the Essentially Built Out Agreement for the Grand Haven DRI change paragraph B1 to eliminate #2 (6 multifamily units) and change any reference to 1907 to 1905. The motion carried 4-1.

Approved: 4 - Chair Beebe, Vice Chair Jones, Board Member Cuff, and Board Member Henderson

Denied: 1 - Board Member Davis

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

3 [14-166](#)

ORDINANCE 2014-XX A COMPREHENSIVE PLAN AMENDMENT FOR THE GRAND HAVEN DEVELOPMENT OF REGIONAL IMPACT (DRI) AREA

Attachments: [Location Map-Grand Haven](#)
[Staff Report-Grand Haven-FLUM](#)
[Ordinance-Grand Haven-FLUM](#)
[Exhibit A- Legal Description Grand Haven DRI area](#)
[Exhibit B - Future Land Use Map Amended](#)
[Exhibit C - Grand Haven DRI-Master Plan Map](#)

Agenda items 2, 3, and 4 were heard simultaneously.

A motion was made by Vice Chair Jones, and seconded by Board Member Cuff, to approve the Comprehensive Plan Amendment with an amendment limiting the dwelling units to 1905. 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

4 [14-163](#)

AMENDMENT TO THE MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT FOR THE GRAND HAVEN MPD, APPLICATION 2662

Attachments: [Planning Division Staff Report](#)
[MPD DA Second Amendment](#)
[Zoning Map Grand Haven](#)
[Grand Haven PUD Master Plan Map_with Asterisk](#)
[Original PUD Ordinance and Agreement](#)
[Neighborhood Mtg Notice Ltr](#)
[Neighborhood Mtg Results Letter](#)
[Notice Affidavit](#)

Agenda items 2, 3, and 4 were heard simultaneously.

A motion was made by Board Member Cuff, and seconded by Vice Chair Jones to recommend approval to City Council of MPD Amendment subject to the further recommendation that the references to multifamily be stricken, that the single family proposed use be limited to the 4 units consistent with the EBO Comp Plan, that further the single family use be limited to a maximum height of 35 ft with a minimum 2 car garage per unit, and the applicant up on submission to City Council come up with a proposal or cost sharing arrangement for the use of the access easement through the condominium property if that is in fact the ultimate access to this property, a fair share agreement for proportionate fair share to be paid by the units that would be approved for this parcel, and the unit count be amended from 1907 to 1905. 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

5 [14-164](#)

AMENDMENT OF THE MASTER PLANNED DEVELOPMENT AGREEMENT FOR MADISON GREEN AND TUSCAN RESERVE MPD, APPLICATION 2616

Attachments: [Planning Division Staff Report](#)
[MPD Development Agreement 2nd Amendment](#)
[MPD Development Agreement Exhibits](#)
[Ordinance 2005-14 Amending PUD Agreement](#)
[MPD Site Plan](#)
[Location Map](#)
[Zoning Map](#)
[FLUM Map](#)
[Neighborhood Mtg Notice Letter](#)
[Neighborhood Mtg Results Ltr](#)
[Notice Affidavit](#)

A presentation was given by Senior Planner Angela Piltaver, which is attached to the minutes.

Michael Chiumento gave a presentation on behalf of the applicant.

Mr. Davis - How will you maintain being a gated community if the emergency access road is left open? Ans: Mr. Chiumento - It is a compacted grass roadway with small plantings in front of it. In the event of an emergency the residents can drive out through Brookhaven. Roadway access is restricted by the gates.

Mr. Jones - Is there an increase in the amenities with the increase of density? Ans: Mr. Chiumento - The amenity house accomodates the extra square footage and units.

Public comment - none

A motion was made by Board Member Cuff, and seconded by Board Member Henderson, that the City Council approve the proposed MPD Agreement for Madison Green. 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

6 [14-176](#) REZONING OF 2 MCCORMICK DRIVE FROM GENERAL OFFICE (OFC-2) TO GENERAL COMMERCIAL (COM-2)

Attachments: [Staff Report 2 McCormick Driv 2704](#)
 [2 McCormick ORD No. 2014-XX App No. 2704](#)
 [Tuscan Reserve - Garages](#)
 [Location Map 2704](#)
 [FLUM 2704](#)
 [Zoning Map 2704](#)
 [McCormickNeighborhood meeting letter 2-24-14](#)
 [2 McCormick Neighborhood Meeting Results](#)
 [McCormick notification affidavit](#)

Due to the recusal of Mr. Beebe, Mr. Cuff, and Mr. Dolney on this application, a quorum could not be reached.

A motion was made by Vice Chair Jones, and seconded by Board Member Henderson to continue the application to May 28th at City Offices at 5:30pm. The motion carried 5-0.

F. Board Discussion and Staff Issues

G. Adjournment

[14-215](#) ATTACHMENTS TO MINUTES

Attachments: [Items 2-4 Presentation, Sara Lockhart](#)
 [Items 2-4 Presentation, COPC](#)
 [Item 5 Presentation, COPC](#)
 [Item 6 - Voting conflict forms](#)