



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 Chuck Nies

Wednesday, June 3, 2015

5:30 PM

City Offices at City Marketplace (3rd Wednesday)

SPECIAL MEETING

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.

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>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

Chair Beebe called the meeting to order at 5:30PM

B. Roll Call and Determination of a Quorum

Present: 7 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, Board Member Dolney, and Board Member Henderson

Excused: 1 - School Board Representative Nies

D. 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

1 [15-234](#) Shoppe of Palm Coast Controlling Master Site Development Tier 2, Application # 2875

Attachments: [Shoppes of PC Staff Report](#)
[Location Map](#)
[FLUM Map](#)
[Zoning Map](#)
[Shoppes of PC - C-4 Site Plan \(5-29-15\)](#)
[Shoppes of PC C-6 - LS Plan- 5-29-15](#)
[Gate Bldg Elev \(5-22-15\)](#)
[TSC Bldg Elev \(5-28-15\)](#)
[Master Sign Plan](#)
[Directional Sign Sample](#)

Mr. Tyner, Planning Manager, introduced the agenda item #1- Shoppe of Palm Coast Controlling Master Site Development Tier 2, Application # 2875.

Mr. Hoover, Senior Planner, presented a powerpoint presentation which is attached to these minutes.

Vice Chair Jones: So the size of the building and the location of the buildings on the lots are fixed, if they change they'll have to come back to us (PLDRB)?

ANS: Mr. Tyner: That's right.

Vice Chair. Jones: And the change is 25% or more?

ANS: Mr. Tyner: Yes.

Mr. Henderson: The entrance and exit is on what road?

ANS: Mr. Jones: Their entrance is on Belle Terre.

Mr. Henderson: And the other (road) is Route 100?

ANS: Vice Chair Jones: Yes.

Vice Chair Jones: South of the property is there an entrance there?

ANS: Mr. Hoover: Yes, this (referring to the map) is a full access onto Belle Terre. While this (again referring to the map) is a right in and a right out only.

Vice Chair Jones: So if you wanted to go south on Belle Terre, you would have to come out to here (referring to the map)?

ANS: Mr. Hoover: Yes

Vice Chair Jones: Is that land County owned (referring to the map)?

ANS: Mr. Tyner: Yes.

Vice Chair Jones: The green markings (on the map which is part of the presentation) are existing specimen trees that are staying, is that correct?

ANS: Mr. Hoover: The black ones (trees) are being saved. The green ones (trees) are also being saved.

Mr. Henderson: Is this drainage system here being integrated with that (Flagler Palm Coast High School's (FPCHS) drainage system)?

ANS: Mr. Tyner: Well, two things, they (the applicant) would have to get all the required permits through the district, St. John's River Water Management District (SJRWMD) and to go through more engineering design when they (applicant) comes in for the Plat at that time, they will have to show that level of detail before getting their permit. That is a requirement of the technical site plan. Number 2, Mr. Henderson, yes, the school did have some issues with the drainage, but we had a partnership with the School Board, and while doing the improvements for Bulldog Drive we actually worked with the School Board to redesigned and relocate their bus barn in order to address their stormwater issue.

Vice Chair Jones: That looks like a drive through on the west elevation (referring to the presentation)?

ANS: Mr. Hoover: No, I believe they are shutters. No drive through.

Chair Beebe: Can the applicant talk to the environmental impact?

ANS: Mr. Roth: Previously on site wetlands were mitigated through St. John's River Water Management District and The U.S. Army Corps of Engineers the rights were transmitted to the new owner.

Mr. Cuff: Where is the common signage theme?

ANS: Mr. Hoover: The problem is that when you deal with a national company they (signage) becomes an issue, they (signage) are supposed to look consistent with the architecture of the building.

The applicant (Gregory Roth- Civil Engineer for the Developer) made an oral presentation to the Board.

Mr. Cuff: What is the buffer for the outdoor storage area and what is the fence treatment for area 4?

ANS: Mr. Faber, FH Architects: We are proposing that the decorative peers and higher quality of fence material be provided there to screen that outdoor area.

Vice Chair Jones: That area is on the south side of the building (the gray area on the presentation)?

ANS: Mr Roth: Yes, that is the outdoor storage area that does have that fence that you saw, especially here because it is a drive aisle, we have enhanced the

landscaping buffer above and beyond what is dictated in the code. Then along the side area and the frontage of the building there is foundation landscaping and planters.

Mr. Henderson: What is the height of the fence?

ANS: Mr. Faber: Currently, six feet.

Mr. Henderson: What are the two lots that are not being developed?

ANS: Mr. Roth: One and five, it isn't that they will not be developed, but as we sit here today there is not a user with an intent to develop, currently.

Mr. Cuff: Again, while not specific to lot 4 the drive area behind, between lots 4 and 5, that is intended to include future connections to property south of this property?

ANS: Mr. Tyner: Yes

Mr. Dolney: Belle Terre Pkwy. is it a two or four lane road?

ANS: Mr. Roth: it is a two lane road as it sits today, but there is an additional turn lane up here, right turn lane (referring to the presentation).

Mr. Dolney: Is the City planning on expanding that (Belle Terre Pkwy.)?

ANS: Mr. Tyner: Yes

Mr. Dolney: Given how close it is to the airport there isn't any conflict with the airport (referencing the height of the gates for the property)?

ANS: Mr. Tyner: No, they (the airport) have a glide path.

Mr. Dolney: Are these signs going to be visible?

ANS: Mr. Tyner: Yes, based on our sign code changes, they will be visible.

Mrs. Lucas: Can you talk a little more about the amenities?

ANS: Mr. Roth: We intent to have benches and or a covered area (gazebo), some sitting, an area to congregate.

Mrs. Lucas: How many people?

ANS: Mr. Roth: Depending on the final product, it would be between 2-10 (people).

Chair Beebe: At what point in time, will those type of things (referring to the two public seating areas) be finalized?

ANS: Mr. Tyner: Technically there is one lot, they will have to come into Plat the property and those type of things will be determined during the preliminary plating.

Chair Beebe: Why isn't it tied to this master controlling site plan development?

ANS: Mr Tyner: But it is, though.

Chair Beebe: There is no definition of what it (the two seating areas) will consist of, is there language in the code?

ANS: Mr. Hoover: One of the requirements is that the design and materials cannot be inferior to the design and materials for the rest of the project.

Chair Beebe: Walk us through again, the calculation for the 60% of the parking not on road frontage?

ANS: Mr. Hoover: When we look at the four lots fronting on the arterial roadways, lot 1 there are 70 parking spaces provided in front of the building.

Chair Beebe: What is the total parking for that lot?

ANS: Mr. Hoover: 70 out of 70 for that lot (referring to lot 1).

ANS: Mr. Hoover: We go to lot 2, there are 40 parking spaces of which 18 are in front of the building and 22 behind the front face.

Chair Beebe: What is that percentage?

ANS: Mr. Hoover: 80% are in front of the building (correction 55%)

ANS: Mr. Hoover: We go to lot 3 there are 85 spaces, the ALDI grocery store building, 49 in front of the building 36 behind and on lot 4 there are 80 spaces and they are all in front.

Chair Beebe: On the plan is there a breakdown per lot of the percentage or not (parking)?

ANS: Mr. Hoover: No, as I read the code it is based on the whole project.

Lot 1 - 100%; lot 2 - 18 front out of 22; lot 3 - 49 front out of 85; lot 4 - 80 spaces all in front; lot 5- no frontage. So we have 224 frontage spaces for the whole project and 153 behind the front face (total of 377 spaces) = 59% front facing spaces.

Vice Chair Jones: What is the difference between what we are doing here versus what is going on at Island Walk?

ANS: Mr. Tyner: Island Walk was a master plan development agreement, it was a MPD.

Mr. Davis: On the architectural design, are all the buildings going to be built with the same materials (visually), because by the design they don't look the same?

ANS: Mr. Faber: The intent is that there is a common style, in this case we have chosen the Craftsman Style, yes there are common materials, and common colors. But there are variations with forms and styles within the Craftsman Style and we didn't want every building to be identical. We did want to have a common theme.

Mr. Davis: Is there a restriction on colors?

ANS: Mr. Faber: No, the colors are not identical but are in the same family of colors.

Chair Beebe: Could the applicant talk to us about the environmental impact (of this project), I know there is over an acre and a half of wetland impacts?

ANS: Mr. Roth: It has successfully been mitigated (off-site) and approved at both the State and Federal level. What you have is, there was a wetland area right around here (referring to the site plan) and then an isolated wetland over in this area (again referring to the site plan). Previously, both those on site wetlands were mitigated through St Johns (St Johns Waterway Management Association) and the Army Corps (Army Corps of Engineers) and those have been approved and successfully mitigated and put into a bank off-site. When our clients purchased this property the rights to that mitigation were transferred at that same time, so the mitigation that has been preformed is still valid for the site. In addition, the environmental (report) was submitted and reviewed by the City as well as what had been done at the State and Federal level and was deemed sufficient for the mitigation that has been done.

Mr. Cuff: Where is the common wall signage that is supposed to be a feature of this type of a project?

ANS: Mr. Hoover: That is actually part of the problem when you are dealing with national companies, they already have their standard.

Vice Chair Jones: Where is the entrance to the tractor supply company?

ANS: Mr. Roth: The main doorway is right there (referring to the site plan on screen).

Vice Chair Jones: So the tractor supply signage would be on that wall (referring to the site plan on screen).

ANS: Mr. Roth: Yes.

Mr. Davis: This doesn't look like a shopping center since they are not connected?

ANS: Mr. Tyner: Well, I may not be using your term for "shopping center", but how this was designed for the controlling site master plan is that it is similar to a shopping center where everything works as a group. You have a main architectural theme, you have pedestrian paths that lead to each of the individual units, you don't have a corral of landscaping hampering you from getting from one place to the other. It almost works almost like a shopping center, you have shared parking, you have a master stormwater system. So in that nature I'm referring to a shopping center with those similarities.

Chair Beebe: Please show the connection sidewalk area?

ANS: Mr. Roth: What you see (referring to the site plan), you have these little crosswalk areas, what that will be is some sort of scored pavement, so you can see that it will stand out. It will not be your standard asphalt with two white lines or zebra lines. In all reality, you will have the concrete traditional sidewalk and then you'll come up to an area that is very clearly defined that this is a pedestrian path that will go to the front of all the businesses, within the overall center. It (sidewalk system) goes back out to the right of way at several locations, connects to the pedestrian and public amenities. Then we do have the ability to go cross town if it is developed in the future, there is the opportunity to tie-in off-site. So you can see in the brown area (referring to the site plan) where it crosses the path. The intent was to get to the front door of every building, as well as the right of ways, to make it easy to get to each location.

Mr. Davis: What did we call the one (center) off US 1, Hargrove Grade?

ANS: Mr. Tyner: Industrial Park

Chair Beebe opened the meeting up to public comments @ 6:35PM; no one approached the podium, therefore Chair Beebe closed the public comment section at 6:36PM.

Chair Beebe clarified the action of the board here regarding final approval of this application (Non-Residential Controlling Master Site Development Tler 2), which was followed by a discussion from the board members.

Chair Beebe requests a special meeting clarification going forward for any future special meeting regarding the urgency of that meeting.

COPC Legal counsel made a statement to correct the 25% change reference to clarify that the 25% refers to cumulative change (overall projects not the individual lots).

Vice Chair Jones: You mean, not each individual parcel? So we could have 100% change on one parcel and no change on the other four (lots)?

ANS: Mr. Tyner: Cumulative is hard to analyze, what does 25% cumulatively mean? We (staff) would definitely look at the individual (lots) and if it didn't meet the original intent, we would want to bring it back to the Planning Board.

Vice Chair Jones: Should we amend the motion to reflect that (referring to Mr. Tyner's statement)?

ANS: Mr. Cuff: I think with the three uses they are talking about in there, I don't know what they could do that would results in less than 25%.

The PLDRB Planning Item was approved .

Approved: 7 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, Board Member Dolney, and Board Member Henderson

Excused: 1 - School Board Representative Nies

2 [15-212](#)

ORDINANCE 2015-XX ADOPTING PROPOSED LAND DEVELOPMENT CODE AMENDMENT UPDATING STANDARDS FOR DRINKING ESTABLISHMENTS, FENCES, AND WALLS

Attachments: [Ordinance LDC Amendments](#)

Mr. Henderson: How was a permit issued for a 5 or 6' solid fence on a salt water canal on Farraday Lane?

ANS: Mr. Tyner: That is why we are bring this (ordinance) to you. Because the existing code allows it.

Mr. Hoover, Sr. Planner, made a presentation to the PLDRB board members referencing changes to the Proposed Land Development Code Amendment Updating Standards for Drinking Establishments, Fences, and Walls recommended at the PLDRB Workshop held on 20th workshop.

Mr. Davis: Who is responsible to maintain the fences, if they start to deteriorate?

ANS: Mr. Tyner: it is the homeowners' responsibilities, it is part of the code of ordinances not in the Land Development Code (LDC).

Mr. Henderson: That is the total of the front yard (referencing changes made to the Amendment), what about the back yard?

ANS: Mr. Tyner: Same thing.

Mr. Henderson: So what do we do about the fence (previously mentioned on Farraday Lane)?

ANS: Mr. Tyner: It would be non-conforming use, grandfathered.

Mr. Dolney: Please go back to the definition of a bar, does that include a beer and wine license for a small sit-down restaurant?

ANS: Mr. Jones: It is a fast food restaurant.

Mr. Dolney: Is that going to preclude beer and wine within that use, for example let's say a Tijuana Flats wants to come in and serve beer and wine?

ANS: Mr. Hoover: In other words, if the sit down restaurant didn't have a drive through facility, in the definition it states as long as their food sales are 51% or more of their business than they are not considered a drinking establishment.

Chair Beebe opened up the meeting to public comment at 6:55PM.

Ms. Lind Bara-Weaver of 5719 N. US 1, Palm Coast addressed the PLDRB; she provided a handout (which is attached to these minutes).

Public participation section closed at 7:07PM.

Vice Chair Jones: If this lady (Ms. Bara-Weaver) was allowed to extend her fence to the building line of her neighbors' (houses), what would be the enclosure? Wouldn't it be a special exception but it wouldn't solve anything since the dogs could run around the fence.

ANS: Chair Beebe: Not if she has a return.

Mr. Davis: If we have a special exception for animal farm land, why can't there be a special exception for medical reasons, i.e. deaf child?

ANS: Mr. Tyner: If it isn't permitted within our code, you can't get a variance.

E. Board Discussion and Staff Issues

Vice Chair Jones: Referencing Ms. Weaver, isn't the problem that her home is not in an agriculture district vs. an estate district.

ANS: Mr. Tyner: It is legally non-conforming.

F. Adjournment

The meeting was adjourned at 7:20 PM

Respectfully submitted:

Irene Schaefer, Recording Secretary

[15-270](#)

ATTACHMENTS TO MINUTES

Attachments: [Shoppes of Palm Coast PP2](#)
[Fences, Walls and Drinking Establishments \(4\)](#)
[Ms. Weaver Handout to PLDRB Members](#)