



City of Palm Coast

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Meeting Minutes Planning & Land Development Regulation Board

Chair James A. Jones
Vice Chair Glenn Davis
Board Member Sybil Dodson-Lucas
Board Member Christopher Dolney
Board Member Pete Lehnertz
Board Member Jake Scully
Board Member Clinton Smith
School Board Representative David Freeman

Wednesday, November 16, 2016

5:30 PM

City Hall Community Wing

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.

>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.

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>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

Vice Chair Jones called the meeting to order @ 5:30PM.

B. Roll Call and Determination of a Quorum

Present: 8 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, Board Member Smith, and School Board Representative Freeman

C. Election of Chair and Vice Chair

- 1 [16-460](#) ELECTION OF THE CHAIR PERSON TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD
 Approved

Approved: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

- 2 [16-461](#) ELECTION OF THE VICE CHAIR PERSON TO THE PLANNING AND LAND DEVELOPMENT REGULATIONS BOARD

Approved

Approved: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

D. Approval of Meeting Minutes

- 3 [16-407](#) MINUTES OF THE PLANNING & LAND DEVELOPMENT REGULATIONS BOARD'S
 A. AUGUST 4, 2016 PLDRB SPECIAL MEETING
 B. AUGUST 17, 2016 PLDRB MEETING
 C. SEPTEMBER 20, 2016 PLDRB MEETING

Attachments: [Meeting Minutes 8 4 16 PLDRB](#)
 [Meeting Minutes for August 17, 2016 PLDRB](#)
 [Meeting Minutes for September 20, 2016 PLDRB](#)

Please note the following individual date votes occurred on these minutes:

August 4, 2016 PLDRB minutes motion for approval 1st by Mr. Davis and 2nd by Mrs. Lucas. August 17, 2016 PLDRB minutes motion for approval was made by Mrs. Lucas and then 2nd by Mr. Davis. September 20, 2016 minutes motion for approval by Mr. Davis and 2nd by Mr. Dolney. All minutes were approved as presented.

Approved as presented

Approved: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

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

4 [16-455](#)

ORDINANCE 2016-XX REZONING 28.60 +/- ACRES FROM MATANZAS LAKE PLANNED UNIT DEVELOPMENT (PUD) TO MATANZAS LAND MASTER PLANNED DEVELOPMENT (MPD), APPLICATION NO. 3112

Attachments: [Matanzas Land MPD Staff Report PLDRB](#)
[Matanzas Land Zoning](#)
[Matanzas Land FLUM](#)
[Matanzas Land Aerial](#)
[Matanzas Land Aerial \(Close-up\)](#)
[Matanzas Land Ordinance and Master Planned Development](#)
[Matanzas Land Master Plan 11-9-16](#)
[Matanzas Land NIM Data](#)
[Matanzas Land Notice Affidavit](#)
[Matanzas Land School Letter \(9-9-16\)](#)

Mr. Ray Tyner, Planning Manager for the City of Palm Coast, introduced this item as well as Mr. Bill Hoover, Sr. Planner with the City of Palm Coast, who gave a presentation which is attached to these minutes.

Mr. Jim Cullis, applicant, gave a presentation which is attached to these minutes.

Mrs. Lucas: What kind of feedback have you received from the adjacent communities (neighborhood meeting)?

ANS: Mr. Cullis: At the neighborhood meeting, folks are used to seeing an empty parcel here, they would like to see nothing there, and I think that is fair to say. If we do anything they would rather see larger single family lots. They are concerned about traffic in this neighborhood. There was some representation that maybe the City was going to turn the 2 acre site into a park, which I wasn't involved in and I don't know if that happened or not. They are getting kayak and canoe launches which are larger than 2 acres. The advantage to this is the City didn't have access to their acreage in the back and the land we are giving them (the City) will give them contiguous access back and forth. I think traffic was the main concern. We are down zoning this from the previous plan from 142 units to our plan has 104 units on it. We have continued further along with our engineering plan since we submitted our concept plan and that had us going to 108 units and we got that down to 104. I think we are done with that and if that is important and we need to drop down lower we will. When you run the traffic numbers it is pretty much a wash. The multi-family (units) don't generate quite as much traffic as a single family unit but we have fewer units. I think with regard to the uses in the park was a concern to the neighbors, half liked the idea of a park, the other half didn't like the idea of a park at all, so I didn't think that was conclusive. There were concerns of what it (the development) will look like from their view. Fencing was a concern, security, along with transient rentals being a big issue and we agreed to restrictions to prevent transient rentals. (Inaudible comment).

Chair Jones: Sybil, does that answer your question?

ANS: Mrs. Lucas: Yes, thank you.

Mr. Smith: You mentioned that the kayak launching site would be graded is the developer transferring the deed to that site to the City and grading it?

ANS: Mr. Hoover: Yes, so before they would deed it over, they would dig the south canal out and then they would put the grade on so there you could walk down and put

a canoe or kayak (into the water). Then it is up to the City and obviously City Council what actually gets put into that park.

Mr. Smith: Are they constructing a roadway through there, obviously that is your second entry so you would construct a roadway through?

ANS: Mr. Hoover: Yes.

Mr. Smith: For Mr. Cullis, under the actual approved plan that (referring to the development) would be townhomes, would you say they would be two-storied (units)?

ANS: Mr. Cullis: As townhomes, yes.

Mr. Smith: And under your single family 50 foot lot homes is it more likely they would be predominantly single-storied?

ANS: Mr. Cullis: I would say over 90% of our single (family) homes in Grand Haven are single-storied.

Vice Chair Davis: Is there going to be any head walling done, specifically at your boat slips (bulkhead)?

ANS: Mr. Cullis: I don't know the answer to that question, we haven't got that far into the grading and engineering to determine if there is going to be any bulk heading or not. It is not our plan at this point. This docks are for canoes, kayaks, and small sail boats and there is actually a strip of land between the back of our lots and the water's edge so that the City can bring a piece of equipment in so what will happen is we will have to deal with that and maintain that land.

Chair Jones: This water is not tidal and there are no power boats (allowed) on it?

ANS: Mr. Cullis: Yes, no power boats on it.

Vice Chair Davis: The other thing is what about street lighting?

ANS: Mr. Cullis: We are going to put street lights in according to the City's Land Development Code (LDC). We buy the streets so the home owners association will maintain the (street) lights.

Vice Chair Davis: And the utilities will be underground?

ANS: Mr. Cullis: Yes, sir.

Mr. Dolney: The access to the proposed retention pond in the rear, what is that approximate width?

ANS: Mr. Cullis: That is 80 feet and again it gives you room to have a trail along that edge for maintenance. The actual water's edge is designed and engineered for that use.

Mr. Dolney: Those homes that will have frontage along that 80 foot strip, will there be a fence?

ANS: Mr. Cullis: We have the ability to place a fence I don't anticipate putting one up, we will go ahead and have a railing type of fence.

Mr. Dolney: You probably only need 25 feet for access are you going to put a natural buffer between the homes on the northerly side of that strip (referring to the 80 foot access point)?

ANS: Mr. Cullis: The homes on the north side and south side with a buffer that meets the City's buffer standards.

Chair Jones: The two entrances, one is going to be adjacent to this kayak canoe launch and that other is going to be in the center of the property where the

community center is (located)?

ANS: Mr. Cullis: Yes, sir.

Chair Jones: It is my understanding, that If we were not to approve this (referring to this agenda item) than Mr. Cullis and his partners would be free to build the 140 unit townhomes that are two-storied and single family (homes), right, that were approved in 2005? So the choices are this density which is much lower or the much higher density, am I right?

ANS: Mr. Tyner: Yes, sir it reverts back to the previous zoning (from) that timeframe (referencing the 2005 approval) and that would be PUD (Planned Unit Development).

Chair Jones opened the meeting to public comment @ 6:04PM and the following people approached the podium and addressed the Planning Board members:

Teresa Legun, 104 Lindsay Dr. addressed the PLDRB regarding this issue and expressed her concerns with the proposed developments effect on the wildlife in the area and the effect on her view (from her home).

Eric Josey, 86 Lindsay Dr., addressed the PLDRB regarding this issue, objected to the project in whole or in part. Identified himself as a community leader in the area. He questioned the fact that he didn't receive a notice of the proposed project and this meeting. Questioned that the proposed two egress points doesn't met the needs of the development and the associated area, along with concerns of traffic safety. Voiced concern about the wildlife and their habitat. He also wished that the Matanzas Golf course issue be resolved prior to new development be built in the area. He expressed concerned about the effect of this development on property values. He suggested/requested that this item be tabled until a traffic study be concluded as well as input from the neighbors is heard.

Chris Pagan, 90 Lynbrook Dr., a realtor in town who is not associated with Mr. Cullis or this project addressed the PLDRB regarding this issue, he expressed concern about the effective of the current zoned project affecting his home values based on 147 units and condos with 50 foot heights are going to decrease his property values. So the proposed changes to the zoning going down in density to 108 units will have a less negative impact on his property values - they lesser of 2 evils. He would of course prefer to have the property remain forever wild but it is not his property. He believes that proposed 108 unit plan is a better choice for his home value.

Kenneth Tolbey, 47 Laramie Dr., addressed the PLDRB regarding the issue, regarding a lack of notice beyond the original neighborhood meeting. He expressed concern over the kayak recreation area increasing traffic and noise. Requested an adjustment to the lot size because of the traffic impact concerns and his concerns about a lack of egress and ingress.

Richard Rudd, 73 Laramie Dr., addressed the PLDRB regarding this issue, regarding lack of sidewalks in that area and the impact to pedestrian and dogs with the increased traffic. Increased density will also increase the speeding infractions which cause hazards for dogs and pedestrians due to the lack of police presence and lack of sidewalks. Suggested a stop light at the end of Laramie Dr. because of the increased traffic volume will make the situation worse.

Chair Jones closed the meeting to public comment seeing no one approach the podium at 6:24PM.

Mr. Cullis addressed the PLDRB members regarding comments made by residents including required mailings which were done to the neighbors (300 feet from the

proposed development) in advance of the neighborhood meeting. There was not a second notice regarding tonight's meeting however the required signs were posted. Also the agenda for tonight's meeting was posted on the City of Palm Coast website (palmcoastgov.com).

Mr. Hoover addressed the PLDRB regarding the fact that the Land Development Code (LDC) does not require that the PLDRB meeting (referring to tonight's meeting) be advertised in the newspaper, however, Planning Staff did go ahead and run an ad about two weeks ago.

Chair Jones: So it was advertised, the signage was put in place and the mailings were done?

ANS: Mr. Tyner: Yes, sir we followed State law and with regard to what Mr. Hoover said we went above and beyond and placed an ad in the paper (beyond what the LDC requires).

Mr. Cullis addressed the traffic concerns raised by the public, there is a requirement that before we plat we do a traffic study which we will certainly do.

Chair Jones: You said your plans calls for 104 units?

ANS: Mr. Cullis: Currently we are asking for 108 units but our plan has 104 but I may be open to voluntarily reducing.

Chair Jones: But not 180 (units)?

ANS: Mr. Cullis: No not 180.

Mr. Cullis stated there is a requirement for them (the developers) to dedicate and built a school bus stop so they will go ahead and build that for the kids. And we are contributing to a sidewalk fund.

Mr. Sean Castello, City Traffic Engineer, addressed the PLDRB regarding the traffic concerns raised.

Chair Jones: Just tell us what will happen in terms of a traffic study, I know they haven't done one yet?

ANS: Mr. Castello: No they haven't done one yet. When they come in with something more formal they will lock down what the land use will be, for instance is this going to be a single family sub-division or this could be one of those sub-divisions that is age restricted (over 55 years of age). Then we will have a better idea of the amount of traffic that will be actually generated.

Chair Jones: The amount of additional traffic that would be generated by a project of that size?

ANS: Mr. Castello: Yes, sir.

Chair Jones: If it changes the level of service on the roads that is the responsibility of Mr. Cullis' organization to resolve?

ANS: Mr. Castello: Yes.

Mr. Dolney: The existing multi-family end use that is approved, as an antidotal statement, would that create greater or less traffic counts than this proposed project?

ANS: Mr. Castello: That all depends on what the land use is, what the actual land use is that they choose. Because there are differences between the different kinds of communities. For example if this is just a regular single family sub-division your trip generation is significantly higher than if you have something that is, for example a (age) 55 or higher community.

Mr. Dolney: My question is in regard to the existing approved use of multi-family would that typically create more traffic counts than this proposed project?

ANS: Mr. Costello: I don't have the numbers in front of me, but generally townhomes and apartments (and those types of multi-family uses) create less traffic than your single family dwelling units do (generate).

Chair Jones: But 108 single family homes as opposed to 148 housing units whether they be townhomes or single family homes, which one do you think would generate more traffic?

ANS: Mr. Castello: It depends on the trip generation rate that is assigned to that use.

Mrs. Lucas: Is there any Wildlife mitigation included in the plan?

ANS: Mr. Tyner: What we require is an environmental study and Denise Bevan, City's Environmental Planner comes in with the rezoning and looks at the property for threatened and endangered species type of assessments. Right now we are just discussing the rezoning (at this meeting) the next steps would be a preliminary plat application and then a final plat application. During that time there is an assessment of threatened and endangered species and defining the wetlands and to ensure that it meets our Land Development Code (LDC) and any threatened or endangered species on the site would follow State regulations and our LDC requirements.

Mrs. Lucas: There seems to be some discrepancy between the amount of outreach between what Mr. Cullis and others have said was done and what the community believes was done. How are we assured there is a listing of these folks and that they are being notified properly?

ANS: Mr. Tyner: With our LDC we want to make sure we are consistent throughout with every application. With our LDC we spell out that we want to be consistent with State law and those types of things so we are following that process. Community leaders are obviously here that they found out that the meeting is taking place (tonight). One of our notification requirement is 300 feet from the property line and a lot of times what we experience, we've had auditoriums full when the notices go out only (to the property owners who are) 300 feet from the property line and you end up getting a lot more folks but we are simply following our code when it comes to that notice (requirement).

Katie Reischmann (legal counsel for the PLDRB) addressed the PLDRB regarding the notice concern. Mr. Chairman it does have to do with consistency and we have a code for a reason. Obviously as you know, and we need to adhere to it for every single project in the same way.

Mr. Smith: I heard the golf course (Matanzas Woods) mentioned several times (by the public comment speakers), I just want to make sure that the golf course is not part of this project?

ANS: Mr. Tyner: Absolutely not part of this project, sir.

Vic Chair Davis: Katie, I like to know how long upon approval of a zoning, before someone develops or decides to develop it (a property), is there a length of time that ends and they (the developers) have to come back to the City?

ANS: Ms. Reischmann: Yes, every agreement usually provides for a termination in itself. And in this case generally you would have to begin construction within 5 years.

Chair Jones: I think you misinterpreted the question, what I think Glenn is talking about is the rezoning that was done in 2005.

Vice Chair Davis: For that multi-family dwellings, someone had to put that request in.

ANS: Ms. Reischmann: Yes, that was a PUD.

Vice Chair Davis: A request by a developer for a rezoning. My question is If they (the developer) doesn't start (development) within 5 years than that (the development) should revert?

ANS: Ms. Reischmann: Yes, technically it expired but because the (LDC) code provides that they revert back to the PUD zoning. And because they have a PUD zoning they're entitled to something and arguably it would be the same amount of units that they were entitled to under the PUD agreement even though the PUD agreement expired. But you have a PUD zoning so there has to something associated with that since a PUD zoning is meaningless in and of itself. Does that make sense? It is a quirk in the way the PUD zoning works. Typically a zoning is permanent but a PUD zoning agreement (this one did) has an expiration date. But because there were units assigned to then it still retains those units even though all the terms of the PUD agreement have expired.

Vice Chair Davis: If the (agreement) expired, I don't see unless he reapplies with an application to put those condominiums in there. He hasn't reapplied to put those condominiums in there.

ANS: Ms. Reischmann: Yes, that is right.

Vice Chair Davis: He asked for that (development) 11 years ago. 11 years ago they were going to build that multi-family and 11 years ago they applied for that PUD and 11 years ago it was approved. Now that PUD was done. It sounds like, don't take me wrong, there is a money situation involved here.

ANS:Mr. Tyner: Ms. Reischmann if I may, basically what happened is when we first did the PUD, then we did a Citywide rezoning that change it to MPD (Master Planned Development). So therefore, that time expired (on the 2005 agreement) and the property did revert back to the original document PUD that allowed him those entitlements.

Vice Chair Jones: For how long?

ANS: Mr. Tyner: It (the property) reverts back to the original zoning was which was PUD.

Vice Chair Jones: What was that original zoning then?

ANS: Mr. Tyner: PUD when we became a City (1999). PUD and then it went to MPD when we did the Citywide rezoning (2008), then the agreement expired (in 2010) and then it reverted back to the PUD. And now what the applicant is proposing to do is a master planned development agreement of single family lots instead of multi-family (lots).

Chair Jones: So to make sure I understand this and for everyone else here, if we don't approve this MPD, then the applicant is free to turn around a file a request for a new MPD following the old PUD rules and we would be required to grant it?

ANS: Ms. Reischmann: Well, we don't have a PUD zoning anymore, so we've already zoned them MPD. So they (the applicant) would come in and seek essentially an administrative matter and they would convert their PUD to an MPD.

Chair Jones: Exactly, they would get the components in that MPD of that original PUD and we would be required to approve that?

ANS: Ms. Reischmann: Yes, that is right essentially.

Mr. Dolney: Just to piggyback off that (statement), the existing entitlements will run with the land as far as the number of units, correct?

ANS: Ms. Reischmann: Correct.

Mr. Dolney: Unless this is changed, it is an either or situation with regard to either a

multi-family end use or this single family end use, which is more consistent with the neighborhood, correct?

ANS: Ms. Reischmann: Correct.

Ms. Reischmann addressed the PLDRB members regarding the role of the PLDRB members with regard to voting on this rezoning application and the standards they must use while voting on these types of applications with regard to competent substantial evidence.

Vice Chair Davis: I don't want to contradict the (City's) Traffic Engineer but 148 townhomes would generate 2 cars per home (when I was a Traffic Engineer) entering and exiting (the property) take that times 148 (x2); that is a large increase over 104 homes of two cars per home, correct?

ANS: Mr. Castello: It doesn't actually work like that. The rates that we work off of, work off a book called the ITE Trip Generation Manual and the ITE stands for the Institute of Transportation Engineers and these are rates that have been generated over 30+ years of study of different land use. And they have studied single-family housing and multi-family housing and they have even studied things such as what type of trip generation you get from a 55 and older community, shopping centers, and schools. Without knowing specifically what the exact designation is going to be for these homes or for whatever they propose we don't know what exactly the impact will be. But just as an example based on the ITE trip generation manual one single-family dwelling unit and that is just a standard home anywhere, that is not age restricted, will generate between 9 and 10 trips per day compared to a multi-family unit which is going to make anywhere from 6 to 7 trips per day. Even if you take it a little further into an age restricted community that number goes down a little more. It just depends on what the developer plans on doing, what their exact plans are, if this is going to be a single-family development without any age restrictions that it (trip generation) is going to be at a higher rate, however if it is based on an age restricted community than they will get the lower (trip generation) rate. Hopefully that made sense.

Vice Chair Davis: It sounds like we really don't know how many homes or what they are going to put in there?

ANS: Chair Jones: Well, it is going to be either 108 or 104. Right!

Vice Chair Davis: Either or (108 or 104 units)?

ANS: Chair Jones: Well yes, because we are approving 108 and Mr. Cullis tells us it is 104.

Mr. Dolney: As a gifting to the City (the 104 units)?

ANS: Chair Jones: Yes.

Chair Jones: Am I accurate Mr. Cullis?

ANS: Mr. Cullis: Yes, sir.

Mr. Scully: So there are no notice concerns, that the mailing happened and the City did the advertisement?

ANS: Chair Jones: Well, from the City's point of view we did all that we were required to do. In fact, we were not required to advertise it (this meeting) and we did. In addition to that there is a fairly substantial listing of addressees to a letter that the developer sent to invite people to a neighborhood meeting of which 21 people did show up to have a conversation about (this matter).

Approved

Approved: 6 - Chair Jones, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

Denied: 1 - Vice Chair Davis

- 5 [16-302](#) APPROVING THE APPLICATION FOR A TIER II 68 UNIT 70 BED 45,952 SF MEMORY CARE FACILITY ON A 3.9 ACRE PARCEL LOCATED AT 2 CORPORATE DRIVE

Attachments: [WATERCREST STAFF REPORT APP 3127](#)
 [FUTURE LAND USE MAP](#)
 [ZONING MAP](#)
 [AERIAL MAP](#)
 [SITE PLAN](#)
 [ELEVATIONS](#)
 [CONCEPT RENDERING](#)
 [MONUMENT SIGN](#)

Mr. Freeman was excused from the meeting at 6:47PM due to an emergency leak situation at one of the schools.

Mr. Ray Tyner, Planning Manager, introduced this agenda item as well as Ida Meehan, Sr. Planner with the City of Palm Coast, who made a presentation which is attached to these minutes.

Mr. Charlie Faulkner, applicant, made a oral presentation and introduced the project engineer and Mark Chilcott, Vice President of Development for Watercrest.

Mrs. Lucas: You're anticipating 50 to 70 jobs, as in any community we are concerned where you will be pulling that personnel from, will you be offering those employment opportunities to those in this community or are you bringing people from outside the community?

ANS: Mr. Chilcott: We always start within the community first. In fact we have already been doing our research in this community and the greater area to make sure there is a qualified staff available within this area. So we will draw first from this area.

ANS: Mrs. Lucas: Thank you so much.

Chair Jones opened the meeting to public comment @ 6:58PM public comment.

Dominique, would you be dealing with patients with dementia or alzheimer, as I have a grandmother has dementia? Would this be a full-time facility for people with alzheimer or dementia or how would they (this facility) be willing to work with persons with alzheimer or dementia?

Chair Jones closed the meeting to public comment @ 7:00PM.

ANS: Mr. Chilcott: Thank you that was an excellent question, we are here in your community in the first place because there is a need for memory care and dementia care and that is what brought us here. So as it relates to your grandmother, we are a residential community, so our residents live there 24 x 7. Our care is on site with the residents.

Mr. Chilcott gave an oral presentation regarding the history and level of care offered at Watercrest facilities including the number of facilities and locations. In addition Mr. Chilcott played a video of a Watercrest facility walk through which is attached to these minutes.

Tammy Bully, addressed the applicant and the PLDRB members regarding the level of care offered at this facility and associated compensation for the employees. Is it going to be government granted or self-pay? If it going to be self-pay what type of employees will (this facility) be hiring?

ANS: Chair Jones: You may want to get with the gentleman from Watercrest after this meeting as your questions go beyond the purview of what we (PLDRB) are addressing here. We are approving the site, what his business is, is what his business is.

Vice Chair Davis: Will there be any type of fencing or security for the patients?

ANS: Mr. Chillcott: Yes, our facility is secure, as you walk in your entering into a secure area, an atrium, then into our residential community from there, it is all secure. The courtyard you saw is an internal courtyard, no fencing but fully secure.

ANS: Chair Davis: Thank you.

Approved

Approved: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

6 [16-459](#)

SPECIAL EXCEPTION TO ALLOW A TATTOOING, BODY PIERCING, AND
OTHER BODY ART AT 25 PINE CONE DRIVE, PALM COAST

Attachments: [STAFF REPORT](#)
 [LOCATION MAP](#)
 [ZONING MAP](#)
 [FUTURE LAND USE MAP](#)
 [JUSTIFICATION PLDRB LETTER](#)
 [CREDENTIALS](#)

Mr. Ray Tyner, Planning Manager for the City of Palm Coast addressed the PLDRB members, and the use of special exception has specific requirements for the Land Development Code. Also introduced Ida Meehan, Sr. Planner with the City of Palm Coast, who gave a presentation which is attached to these minutes.

Ms. Katie Reischmann, legal counsel to the PLDRB, explained that the courts have held that tattoo parlors are a first amendment use, the same as any kind of free speech. It is considered to be art. So the courts will look very strictly on any restrictions placed upon tattoo parlors.

Mr. Dustin Singleton, applicant, addressed the PLDRB members.

Chair Jones: Ida, didn't we do this (review a tattoo parlor) just recently, a few months?

ANS: Mr. Dolney: I believe it was last year for that two storied building.

ANS: Ms. Meehan: I believe it was two years.

Mr. Scully: Do you own or rent the condo unit?

ANS: Mr. Singleton: Renting the unit.

Mr. Scully: Who is responsible for the built out?

ANS: Mr. Singleton: It is on me.

Mr. Scully: I don't want to use the term having skin in the game lightly.

Chair Jones opened the meeting to public comment @ 7:20PM and seeing no one approach the podium he closed the public comment section of the meeting @ 7:21PM.

Chair Jones: I just have one question, are you going to have employees?

ANS: Mr. Singleton: Yes, sir.

Chair Jones: And you will ensure they are licensed as well?

ANS: Mr. Singleton: Yes, sir.

Approved

Approved: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Lehnertz, Board Member Scully, and Board Member Smith

F. Board Discussion and Staff Issues

Mr. Tyner reminded the PLDRB board members that the regularly scheduled December PLDRB meeting is scheduled on Wednesday, December 20, 2016. (Correction it is the 21st).

G. Adjournment

The meeting was adjourned at 7:25PM.

*Respectfully submitted:
Irene Schaefer, Recording Secretary*

[16-465](#)

ATTACHMENTS

Attachments: [Agenda item #4 Matanzas Land MPD](#)
 [Agenda item #4 - Matanzas Applicant Presentation](#)
 [Agenda item #5 - Watercrest Development App 3127](#)
 [Agenda item #5 - Applicant Link to the Market Street Viera Project](#)
 [Agenda item #6 - Special Exception presentation - Application 3192](#)
 [Tattoo Studio](#)