



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, October 18, 2017

5:30 PM

City Hall Community Wing

AMENDED AGENDA

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.

>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

Chair Jones called the Planning and Land Development Board (PLDRB) Meeting of October 18, 2017 to order @ 5:30PM.

B. Roll Call and Determination of a Quorum

Present: 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Scully, Board Member Smith, and School Board Representative Freeman

Unexcused: 1 - Board Member Lehnertz

C. Approval of Meeting Minutes

D. Public Hearings

1 [17-401](#) MEETING MINUTES OF THE SEPTEMBER 19, 2017 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

A motion was made by Board Member Lucas and seconded by Board Member Smith that the minutes be approved as amended with the change to the name of Vice Chair Davis updated from the incorrect name Jones. The motion was adopted by the following vote:

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

Unexcused: 1 - Board Member Lehnertz

2 [17-404](#) ORDINANCE 2017-XX KINGS POINTE MULTI-FAMILY REZONING 11.43+/- ACRES FROM HIGH INTENSITY COMMERCIAL (COM-3) TO MULTI-FAMILY RESIDENTIAL (MFR-2), APPLICATION NO. 3421

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

Mr. Charlie Faulkner, representative for the applicant, addressed the PLDRB members.

Mr. David Freeman, Flagler School Representative to the PLDRB, addressed the Board Members regarding capacity at the various schools in the area, noting that the only capacity issues would be at Old Kings Elementary School which would not be able to accommodate any new students and that Belle Terre Elementary School would be the alternate school.

Chair Jones opened the meeting to the public comment for this item @ 5:48PM.

Mr. Charles Ebert, 10 Diamond Leaf Way, addressed the PLDRB members and is not in favor of the rezoning of this property based on traffic pattern impact in particular at SR 100 and Old Kings Rd.

Ms. Linda Kendrick, 107 Hidden Lakes Dr., addressed the PLDRB members and is looking to know if condos or apartments would be built at Kings Pointe.

Mr. Carl Murphy, 136 Arena Lake Dr., addressed the PLDRB members and is not in favor of the rezoning of this property based on increase traffic and would that require improvements to Old Kings Rd. and if so, who would pay for these improvements. He

is also concerned with the potential for increased crime.

Mr. Antonio Flores, 10 Auberry Dr., addressed the PLDRB members and is not in favor of the rezoning of this property based on impact to the current infrastructure and potential traffic impact.

Mr. Rich Balkenman, 13 Auberry Dr., addressed the PLDRB members and had questions regarding potential tax credits for this development and was concerned about the lack of detail plans being available such as a site plan.

Mr. Alan Elkley, 11 Arrowhead Dr., addressed the PLDRB members and is not in favor of the rezoning of this property based on increase traffic.

Chair Jones closed the meeting to public comment for this item @ 5:58PM.

Mr. Ray Tyner addressed the concerns about the traffic impact to the PLDRB members and public members with regard to the current zoning vs. proposed change to multi-family residential and the current road grade being graded as an A. He also addressed the infrastructure impact, the developer would have to pay via impact fees for all development impacts. Mr. Tyner also clarified the rezoning is done at a 10,000 foot level and that staff does their analyses based on our Land Development Code and our Comprehensive Plan and not until the applicant submits a site plan would we receive the detail involving the architectural, landscape design and that a full traffic analysis would be required at the time they submit this plan. Mr. Tyner further explained that any traffic impact to SR 100 would be reviewed by the Florida Department of Transportation (FDOT) as this road is governed by the FDOT. Mr. Tyner addressed that subsidized housing question by mentioning that at this stage of the rezoning we are not sure. If the rezoning is granted the applicant can build apartments, condos, or townhomes and the PLDRB would review the site plan when it is submitted, sometime in the future.

Mr. Faulkner, representative for the applicant, addressed the PLDRB members and the public audience regarding traffic impact along the whole corridor of Old Kings Rd. and stated that it is already vested for traffic under the ITE (Institute of Traffic Engineers) anticipated traffic impact. Mr. Faulkner discussed how the applicant participates in the special assessment district for Old King Rd. He explained why zoning is the first step prior to having a site plan. He has 4 different potential developers and they have different business plans and they are allowed to build whatever is allowed within that zoning district, apartments, condos, and/or townhomes. He also discussed the concept of "good land planning" is when you integrate the land uses to the finest degree possible. He also addressed how having multi-family housing available within the City will help to provide a vibrant, balanced community. Mr. Faulkner explained that whatever gets developed on this property will not be subsidized by taxpayer monies.

Chair Jones: You are talking about the proposed rezoning resulting in lesser traffic?

ANS: Mr. Faulkner: Yes.

Mr. Hoover, addressed the traffic questions and provided results from his calculations which were based on the Institute of Traffic Engineers.

Mr. Scully addressed the PLDRB members regarding the use of existing single family homes which are currently being used as rental units, and he believes that having a well-designed and laid out multi-family area is preferable to single family homes being used as rental units. Discussion ensued among the PLDRB members regarding the use of single family homes to house young working adults within the City.

Vice Chair Davis: I'm concerned with what will be placed in this property, because the owner is not letting us know?

ANS: Mr. Faulkner: No, the owner is not the developer.

Mr. William Reischmann, legal counsel for the City of Palm Coast, addressed the Board members regarding how the process is designed to divide the different processes into separate steps, and how the PLDRB members should be looking at the potential uses for this proposed rezoning into multi-family intensity. The intensity is less with the proposed use, with the exception of potentially schools, than the existed vested uses.

Mr. Tyner addressed the PLDRB members regarding the timing of the site plan submittal being associated with the next steps in the process if the rezoning is approved.

Vice Chair Davis addressed the PLDRB members regarding his concerns as he has listened to the citizens who have no idea what is going to be built on this property.

Chair Jones addressed the PLDRB members regarding the separation of the rezoning phase of their review vs. site plan review.

Mr. Reischmann addressed the PLDRB members regarding the fact that if the PLDRB and ultimately the City Council approve this application for rezoning they do know what will go in there, they will not know the ownership (referring to condo vs townhome vs apartment) of the project or the individual units. He acknowledged the public's concerns about the impact of the unknown but clarified for the PLDRB members that those concerns are not a legal consideration at this stage of the proceedings. The issue is does this property owner, who has legal rights under our Unified Land Development Code, does this property owner met the test, the criteria and factors that are set forth in our Land Development Code. The PLDRB is implementing the rules from the Land Development Code not setting the rules.

Mr. Dolney addressed the PLDRB members regarding the location being ideal for multi-family housing as well as potential future development.

Mr. Smith addressed the PLDRB members regarding the location is situated perfectly, it is surrounded by commercial.

Mr. Reischmann left @ 6:30PM.

A motion was made by Board Member Dolney and seconded by Board Member Mrs. Lucas to approve the application as stated consistent with staff recommendations. The motion was adopted by the following vote:

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

Unexcused: 1 - Board Member Lehnertz

3 [17-408](#)

A Comprehensive Plan amendment for a 196+/- acre parcel from Flagler County designations of Mixed Use High Intensity and Industrial to Mixed Use along with a policy to limit development on subject parcel to 1,500 dwelling units and 200,000 sq. ft. of non-residential uses.

Mr. Ray Tyner, Planning Manager, introduced this item and informed the members of the PLDRB that the City along with the applicant wished to continue this item to the next PLDRB meeting scheduled for November 15, 2017 @ 5:30PM at City Hall, Community Wing.

A motion was made by Board Member Scully and seconded by Board Member Lucas to continue the application to the November 15, 2017 PLDRB meeting held at City Hall @ 5:30PM. The motion was adopted by the following vote:

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

Unexcused: 1 - Board Member Lehnertz

4 [17-402](#)

A ZONING MAP AMENDMENT FROM INDUSTRIAL (FLAGLER COUNTY DESIGNATION) TO GENERAL COMMERCIAL (COM-2) FOR A 2+/- ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF COLBERT LANE AND ROBERTS ROAD

Mr. Ray Tyner, Planning Manager, introduced this item and informed the members of the PLDRB that the City along with the applicant wished to continue this item to the next PLDRB meeting scheduled for November 15, 2017 @ 5:30PM at City Hall, Community Wing.

A motion was made by Board Member Lucas and seconded by Board Member Dolney to continue the application to the November 15, 2017 PLDRB meeting held at City Hall @ 5:30PM. The motion was adopted by the following vote:

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

Unexcused: 1 - Board Member Lehnertz

5 [17-403](#)

A ZONING MAP AMENDMENT FROM INDUSTRIAL (FLAGLER COUNTY DESIGNATION) TO LIGHT INDUSTRIAL (IND-1) FOR A 10+/- ACRES OF LAND LOCATED AT 465 AND 551 ROBERTS ROAD

Mr. Ray Tyner, Planning Manager, introduced this item and informed the members of the PLDRB that the City along with the applicant wished to continue this item to the next PLDRB meeting scheduled for November 15, 2017 @ 5:30PM at City Hall, Community Wing.

A motion was made by Board Member Lucas and seconded by Board Member Dolney to continue the application to the November 15, 2017 PLDRB meeting held at City Hall @ 5:30PM. The motion was adopted by the following vote:

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

Unexcused: 1 - Board Member Lehnertz

6 [17-406](#)

A ZONING MAP AMENDMENT FOR 184+/- ACRES LOCATED 1400 NORTH OF SR100 ON THE EASTSIDE OF COLBERT LANE FROM FLAGLER COUNTY DESIGNATION OF MIXED USE HIGH INTENSITY PLANNED UNIT

DEVELOPMENT TO CITY OF PALM COAST DESIGNATION OF MASTER
PLANNED DEVELOPMENT ALONG WITH COMPANION DEVELOPMENT
AGREEMENT

Mr. Ray Tyner, Planning Manager, introduced this item and informed the members of the PLDRB that the City along with the applicant wished to continue this item to the next PLDRB meeting scheduled for November 15, 2017 @ 5:30PM at City Hall, Community Wing.

A motion was made by Board Member Dolney and seconded by Board Member Lucas to continue the application to the November 15, 2017 PLDRB meeting held at City Hall @ 5:30PM. The motion was adopted by the following vote:

- Approved:** 7 - Chair Jones, Vice Chair Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Scully, Board Member Smith, and School Board Representative Freeman
- Unexcused:** 1 - Board Member Lehnertz

E. Board Discussion and Staff Issues

F. Adjournment

The meeting was adjourned at 6:35PM.

*Respectfully submitted:
Irene Schaefer, Recording Secretary*

[17-409](#)

ATTACHMENTS TO MINUTES