



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

Tuesday, January 6, 2015

5:30 PM

City Offices at City Marketplace

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.

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

B. Roll Call and Determination of a Quorum

- Present:** 4 - Chair Beebe, Board Member Cuff, Board Member Davis, and Board Member Dolney
- Excused:** 3 - Vice Chair Jones, Board Member Dodson-Lucas, and Board Member Henderson
- Absent:** 1 - School Board Representative Fischer

C.

The minutes of the December 17, 2014 meeting were approved as presented.

1 [15-03](#) MINUTES OF PLDRB MEETING DECEMBER 17, 2014

Attachments: [PLDRB 12 17 Minutes](#)

A motion was made by Board Member Davis, and seconded by Board Member Dolney, that the Minutes be approved as presented . This motion was approved by the following vote:

- Approved:** 4 - Chair Beebe, Board Member Cuff, Board Member Davis, and Board Member Dolney
- Excused:** 3 - Vice Chair Jones, Board Member Dodson-Lucas, and Board Member Henderson

D. **Public Hearings**

no public came forward at 5:58PM

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 [15-04](#) APPLICATION NO. 2770, A TIER TWO TECHNICAL SITE PLAN REVIEW FOR A 96-UNIT MULTI-FAMILY PROJECT

Attachments: [FlaglerPointeStaffReport](#)
[Location Map](#)
[Future Land Use Map](#)
[Zoning Map](#)
[Color Building Elevation](#)
[Site Plan Cover Sheet](#)
[Site Staging Plan](#)
[Landscape Plan \(East Half\)](#)
[Landscape Plan \(West Half\)](#)
[Flagler Pointe Condo DO](#)

Bill Hoover, Sr. Planner, with the Planning Department, made a presentation and the presentation is attached.

Mr. Cuff: Is the main access even a public right of way or is it a cross easement agreement with the shopping center or developers in that area?

Ans: Mr. Hoover- There is more than one main access road. There is a private road - Flagler Plaza Dr. and it serves the subject property, Holiday Inn Express, and Hampton Inn.

Mr. Cuff: But the staff is satisfied that it meets all the applicable traffic requirements from the Land Development Code?

Ans: Mr. Tyner- Yes, Mr. Castello (traffic engineer) reviewed the traffic pattern and it is the best solution.

Mr. Cuff: Some of the land to the south is agriculture, the rest is greenspace?

Ans: Mr. Tyner- Some of the land to the south is conservation land that is designated on the Future Land Use Map. It is part of a DRI, going through the department at this time.

Mr. Cuff: Is all the drainage on site?

Ans: Mr. Lee Khazraee (developer)- The property was originally designed for master drainage system on the east side of the boundary and the south east corner side of the property. But because the timing to get a permit from the St. John's (Waterway District), we decided to not use the regional master permit we had, we applied for a new permit and we created a retention area on our site, and we contained the water on our own site.

Mr. Davis: Is there some type of signed agreement with the neighbors to maintain the access easement?

Ans: Mr. Khazraee- Yes, there is an agreement for the maintenance and repairing of the access easement and it is recorded and the staff has a signed copy of this agreement.

Mr. Beebe: On the emergency access, it looks like it ties in with the Holiday Inn parking lot, is that right?

Ans: Mr. Khazraee- The emergency access, we have an agreement with the owner of the hotel (document already recorded) that he will allow us access to his property and the right to work on his property.

Mr. Beebe: Looks like it ties into the dumpster space?

Ans: Mr. Khazraee- Yes, next to the dumpster.

Mr. Beebe: Where are you (applicant) on the Flagler County School concurrency agreement? Is it imminent?

Ans: Mr. Khazraee - We do have an agreement with the school board, they already approved us, we met all the criteria. But the staff mentioned that there may be some fees from the school board. We contacted the school board and they said "no fees". The school board referred us to their attorney. We have emailed the attorney and we are waiting on the letter from the school board attorney indicating no fees are involved.

This PLDRB Application was Approved.

Approved: 4 - Chair Beebe, Board Member Cuff, Board Member Davis, and Board Member Dolney

Excused: 3 - Vice Chair Jones, Board Member Dodson-Lucas, and Board Member Henderson

E. Board Discussion and Staff Issues

Mr. Beebe: How could it (come back to bite us)?

Ans: Mr. Cuff - A project that size should have its own access, period.

Mr. Beebe: How was this (parcel) originally with Winn Dixie Plaza, Bob? Was this parcel part of it originally? Do you recall?

Ans: Mr. Cuff - Not off hand, no. I'm not basing any of my discussion or comments on any work I did with ITT.

Mr. Beebe: Can you make a left hand turn (or go west) onto 100 out of the main entrance?

Ans: Mr. Hoover- No you have to go down to the light.

Mr. Beebe: Is that consistent with how staff interprets code on every other project?

Ans: Mr. Tyner - Yes, and I can provide many examples.

F. Adjournment

The meeting was adjourned at 6:15PM.

Respectfully submitted:

Irene Schaefer, Recording Secretary