



City of Palm Coast

City Hall
160 Lake Avenue
Palm Coast, FL 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, October 21, 2015

5:30 PM Palm Coast Community Center Room 102 (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.

>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

At 5:35PM Chair Beebe, called the meeting to order.

B. Roll Call and Determination of a Quorum

Present: 8 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, Board Member Dolney, Board Member Henderson, and School Board Representative Nies

C. Approval of Meeting Minutes

1 [15-431](#) MEETING MINUTES OF THE SEPTEMBER 16, 2015 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Attachments: [Meeting Minutes PLDRB 9 16 15](#)

Approved as presented

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

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

2 [15-412](#)

A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF A 1.1 ACRE PARCEL LOCATED AT THE SOUTHWEST INTERSECTION OF INTERSTATE-95 AND STATE ROAD 100 FROM GREENBELT TO MIXED USE, ALONG WITH A SITE SPECIFIC POLICY LIMITING DEVELOPMENT ON THE PARCEL

Attachments: [Ordinance-SR100 MPC Lot.docx](#)
 [Staff Report-SR100 MPC Lot-FLUM](#)
 [Location Map](#)
 [Existing Future Land Use Map](#)
 [Proposed FLUM Amendment](#)
 [UMAM Impact and Mitigation Summary \(2\)](#)

Mr. Tyner, Planning Manager for the City of Palm Coast, introduced Mr. José Papa, Senior Planner, who gave a presentation which is attached to these minutes. Mr. Tyner, also requested of the PLDRB that there be one presentation made for agenda items 2 & 3 as they are related to each other, but clarified that separate votes would be required on each item.

Tony Robbins, representing the applicant-owner, MPC Lots, LLC, addressed the PLDRB.

Mr. Henderson: There are some wetlands on this property, are they degraded wetlands, what kind of wetlands are they? What is the status of those wetlands?

ANS: Denise Bevan, City Administrator with the Community Development Department: Within our assessment provided by the Breedlove Associates, the consultants for the applicant, they provided an assessment of the quality of the wetlands, and you really have three community types existing, that we assessed through this land use and zoning change. You have what we call the core wetlands, which are the higher quality wetlands more centralized to the project. Then as you radiate out from that (area) the degree of quality actually degrades as you get closer and closer to the roadway networks. Your core area is cypress dominated which transitions to a more cypress-coniferous dominated, and then it actual moves into more coniferous, which is a pine dominated community, as you move towards the roadways.

Mr. Henderson: Where on that property will the wetlands be impacted by your development?

ANS: Denise Bevan: Yes, it is entertained within the comprehensive land use assessment that there will be wetlands impacts, but we use the Land Development Code (LDC), the actual instrument to implement the comprehensive plan, to look at the quality and foresee consistency with the comprehensive plan by using the Land Development Code. But this (application) has not gone through a technical site plan analysis.

At 5:49PM, Chair Beebe opened the public comment section of the meeting, seeing no one from the public came forward the public comment section was closed at 5:50PM.

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

- 3 [15-413](#) A ZONING MAP AMENDMENT FROM AGRICULTURE TO HIGH INTENSITY COMMERCIAL (COM-3) FOR A 1.1 ACRE PARCEL LOCATED AT THE SOUTHWEST QUADRANT OF INTERSTATE-95 AND STATE ROAD 100

Attachments: [Ordinance -ICI-Rezoning.docx](#)
 [Current Zoning](#)
 [Proposed Zoning](#)
 [Staff Report-MCP Lots-Rezoning](#)

At 5:51PM, Chair Beebe opened the public comment section of the meeting for this item, seeing no one from the public came forward the public comment section was closed at 5:52PM.

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

4 [15-426](#)

ORDINANCE 2015-XX REZONING BLOCK 140, LOTS 19 THROUGH 35 AND BLOCK 141, LOTS 2 THROUGH 19, OF THE PALM COAST PARK AT PALM COAST, MAP OF LAKEVIEW, SECTION 37 PLAT, FROM MFR-1 TO SFR-2

Attachments: [Planning Division Staff Report_draft](#)
[Location map](#)
[Existing Zoning map](#)
[Proposed Zoning map](#)
[FLUM map](#)
[Neighborhood Meeting Notice Letter](#)
[Neighborhood Meeting sign in sheet](#)
[Neighborhood Meeting Results Letter](#)

Mr. Tyner, Planning Manager, addressed the PLDRB on this ordinance and introduced Ms. Angie Piltaver, Senior Planner, who made a presentation to the PLDRB which is attached to these minutes.

Mr. Ryan Blaida, representing the applicant, gave a presentation to the PLDRB which is attached to these minutes.

Mr. Cuff: Since the applicant is basically reverting to the old plat, that doesn't create any kind of vested rights by the downzoning, he will still have to comply with all the current City planning requirements for infrastructure, wetlands, mitigation, preservation, and so on?

ANS: Ms. Piltaver: Yes Sir, Mr. Cuff, actually the site plan, the original plat showed an entry point on each end by Leidel Drive, and the presence of a wetlands and their need for a stormwater management facility on site, they will have to go through the preliminary plat process in order to develop a construction plan to build the infrastructure since no infrastructure exists. So with that being said, the underlying plat is not going to stand, it ultimately has to change.

Mr. Cuff: I don't want to get ahead of ourselves, but since the schematic shows an entrance on either end, does this site meet the requirement for one way in and one way out? Do they keep two entrances or can they get away with one?

ANS: Ms. Piltaver: They will have to keep the units 50 and below to keep the one entrance.

Mr. Henderson: Where on that (referring to the presentation-highlighted in purple) are the wetlands listed, that is going to stay?

ANS: Mr. Blaida: In that concept, (referring to the presenation) that is a pond.

Mr. Henderson: That is a pond?

ANS: Mr. Blaida: We are digging out a pond there, because we are going to be required to provide an updated stormwater plan for the City. So that leads back to your question, we will have to replat it and come up with a stormwater track somewhere on site. The wetland being there indicates that we think that is the most logical site, we understand that to impact those (wetlands) we will have to go through St. Johns River Water Management District (SJRWMD) and the Army Corps of Engineers and any other agencies that have jurisdiction over it (wetlands). (Inaudible comment). We understand that concept (plan) has a lot to go through before we get there.

Mr. Henderson: I noticed on your map an area surrounded in yellow is that planned development?

ANS: Mr. Tyner: The yellow, is residential, Mr. Henderson, on the Future Land Use Map (FLUM) and the green you see there is the golf course, Matanzas Golf Course, greenbelt.

Vice Chair Jones: What we are looking at here and you are asking us to recommend, is not what you plan, right?

ANS: Mr. Blaida: This is the FLUM, but what is shown there is what we originally planned.

Vice Chair Jones: So when this is replated, will it come back to us?

ANS: Mr. Tyner: No it will not, (City) Council approves the plats.

Mr. Davis: Just like Mr. Henderson and Mr. Cuff said, we would be eliminating an outlet (on this concept plan), (instead) they are going to build a water pond there. I like that a lot better than a water pond because it gives access (ingress and egress).

ANS: Mr. Tyner: As Ms. Piltaver indicated that our comprehensive plan requires two means of ingress and egress for developments that will have over 50 units. If you look at the aerial photograph (being displayed), where the pond is proposed to be, I think in staff's opinion we like that, due to the fact that, you have a lot of the residential homes that are surrounding that area. So in essence, those folks will have a pond view rather than single family home view. In staff's professional opinion having a pond there is a better buffer for the existing single family homes.

Mr. Davis: You stated that if we have 55 lots or 55 houses, it is required to have two entrances?

ANS: Mr. Tyner: Yes, over 50 (units) requires two means of ingress and egress, yes, two entrances. What this applicant will propose in the future, is no more than 36 or 37 units.

Chair Beebe: I just wanted to clarify Single Family 2 (residential lots -SFR2) minimum lot width is 60', I know the applicant during his presentation said 50'.

ANS: Mr. Blaida: My presentation did say 60'.

Mr. Tyner addressed the PLDRB regarding the neighborhood meeting which he attended in regard to this item.

At 6:13PM, Chair Beebe opened the public comment section of the meeting.

Mr. Douglas Showna spoke in favor of this agenda item.

Ms. Lorraine Call spoke in favor of the agenda item regarding the pond, and the one way in and one way out proposal.

At 6:15PM, Chair Beebe closed the public comment section of this meeting.

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

- 5 [15-422](#) ORDINANCE 2015-XX, AMENDMENT TO THE MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT FOR CITATION ESTATES, APPLICATION 2751

Attachments: [Planning Division Staff Report](#)
 [Ordinance draft](#)
 [Location map](#)
 [Zoning](#)
 [FLUM map](#)
 [Trip Generation Comparison](#)
 [MPD Development Agreement](#)
 [MPD DA Exhibits](#)

Mr. Tyner, Planning Manager, addressed the PLDRB and introduced Ms. Angie Piltaver, Senior Planner, who addressed the PLDRB and her presentation is attached to the minutes.

Ronald Hertel, Esq., representing the applicant/owner, made a verbal presentation to the PLDRB.

Mr. Henderson: You said an 11% drop (in traffic) in the evening, does that mean after 5PM or 6PM?

ANS: Mr. Hertel: Yes, that is correct.

Mr. Henderson: So that means during the morning and afternoon hours there is a 3% increase (between 8AM-5PM).

ANS: Mr. Hertel: Yes, that is correct. The total number of trips goes from 277 to 287.

Mr. Henderson: On this concept, under the plan that you have, at some point you will not be deciding to not do (eliminate) the assisted living (portion of the plan)? Is that correct?

ANS: Mr. Hertel: That is my understanding, that is correct.

Mr. Henderson: That (assisted living facility) will be part of the entire package you produce?

ANS: Mr. Hertel: Yes.

Vice Chair Jones: There is a fairly large commercial (lot) on the corner of Belle Terre (Pkw.) and Citation (Blvd.), it says commercial but it doesn't say what it is. Is it COM 2 or COM 1, what is it?

ANS: Ms. Piltaver: It follows the uses and standards for a Commercial 2.

Vice Chair Jones: And it will meet all the LDCs (Land Development Code) in terms of setbacks (etc.) that a COM 2 would?

ANS: Ms. Piltaver: Correct.

At 6:28PM, Chair Beebe opened the public comment section of the meeting, seeing no one from the public came forward the public comment section was closed at 6:29PM.

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

6 [15-406](#) PROPOSED LAND DEVELOPMENT CODE AMENDMENT ON
STANDARDS FOR ACCESSORY STRUCTURES

Attachments: [Accessory Uses Ordinance \(10-15-15\)](#)
[Colorado Drive Pool Sketch](#)
[Pilgrim Drive Pool Sketch\(2\)](#)
[AccessoryUseSetbackDrawing\(3\)](#)

Mr. Tyner, Planning Manager, introduced the item, and introduced Mr. Bill Hoover, Senior Planner, who made a presentation to the PLDRB and his presentation is attached to these minutes.

Mr. Tyner addressed the PLDRB regarding the specific permit example used by Mr. Hoover, for clarification purposes.

Vice Chair Jones: Bill, earlier you said that an accessory structure must be behind the facade or footprint of the house. And that a corner lot had to be behind the footprint of the house, how can you have a pool on a corner lot in any circumstances, by your definition of what is required (in the Land Development Code-LDC)? How could a pool be behind the house from (both) a side yard perspective and a front yard perspective?

ANS: Mr. Tyner: Because the current code reads front or side street.

Mr. Henderson: (Bill) could you go back to the one (presentation slide for a permit application) you just had, is that how it is being proposed (that pool) being put into the corner of the house, or sitting out further?

ANS: Mr. Hoover: The area right here (referring to the presentation) is the pool and around it is the deck.

Mr. Henderson: No that is not what I'm saying, it looks like it is in the area of the house?

ANS: Mr. Hoover: It (that area referred to in the presentation) is the lanai.

Mr. Davis: What if that was a garage (instead of a pool)?

ANS: Mr. Tyner: Today, we allow detached garages?

Mr. Davis: Do you consider the pool part of the house now?

ANS: Mr. Tyner: No, it is an accessory (structure).

At 7:02PM, Chair Beebe opened the public comment section of the meeting.

Mr. Michael Rusche, Owner of the Ohani Waters Custom Pools & Spas, addressed the PLDRB in favor of this item.

Ms. Rachel Perrio, addressed the PLDRB in favor of this item.

At 7:05PM, Chair Beebe closed the public comment section of the meeting.

Mr. Davis: Ray, does this (proposal) still have to go before (City) Council?

ANS: Mr. Tyner: Yes, Sir.

Mr. Davis: So we are not telling them (the two public speakers) that they can get a permit (at this time)?

ANS: Mr. Tyner: They understand that.

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

- 7 [15-420](#) ORDINANCE 2015-XX; A PROPOSED ORDINANCE AMENDING LANDSCAPE BUFFER REQUIREMENTS, EXCLUDING A SEGMENT OF OLD KINGS ROAD AND PALM COAST PARKWAY FROM THE LIST OF SPECIALLY DESIGNATED ROADWAYS.

Attachments: [ORDINANCE NO 2015 AMENDMENTS TO SEPCIALY DESIGNATED ARTERIALS AND COLLECTORS SUBJECT TO PERIMETER BUFFER REQUIREMENTS.](#)
 [Staff Report 10 15 15](#)
 [PLANNING LOCATION MAP](#)
 [PLANNING FUTURE LAND USE MAP](#)
 [PLANNING ZONNG MAP](#)

Mr. Tyner, Planning Manager for the City of Palm Coast, spoke this item and introduced Ida Meehan, Planner, who made a presentation to the PLDRB, this presentation is attached to these minutes.

A copy of a letter from Mr. Jeffrey Seib was handed out to the PLDRB members regarding this agenda item. A copy of the letter is attached to these minutes.

Mrs. Lucas: Will the letter that was received from Jeffrey Seib be included as public comment?

ANS: Mr. Tyner: Yes, mame.

Mr. Dolney: Is staff taking into consideration the statements that were stated in the last month's meeting pertaining to the onerous restrictions that the City of Palm Coast has in relationship to other municipalities for similar zoning and land uses classifications? And if so, what proposed changes are you guys kicking around, obviously I know you are still in discussion mode, but I would like to get an idea where your head is on these (issues)?

ANS: Mr. Tyner: Where our head is right now is that we have been meeting with FCARD, The Flagler County Associations of Responsible Development, and they have taken our draft code. (In response) they have provided to us a memo of certain things they would want us to look at and to research. Actually, the letter that you saw, (is in response to) the research that staff did. We have been researching looking at other municipalities, that is part of the whole picture. We want to research what other municipalities are doing, getting with the stake holders and discussing with them what works and what doesn't work. How can we make it better? And also the letter that you received, (represents our citizens) who are also a stake holders who have an interest in the beautification of our City and keeping it beautiful. So we are in the process of doing this (analysis) we are not here to provide any conclusions (at this time). Internally, we are addressing what FCARD is doing. Our next step is to get with FCARD and the business community to make some proposals. The next step after that is to come back to this board (PLDRB) and hold a workshop to see what changes we need to make, so that we can bring that to (City) Council.

At 6:46PM, Chair Beebe opened the public comment section of the meeting for this item, seeing no one from the public came forward the public comment section was closed at 6:47PM.

Vice Chair Jones: Katie, (legal council to the PLDRB) can we table something?

ANS: Katie Reischmann: It is not typically used in this circumstance, it is used when you table something temporarily to deal with an emergency. But I think we all know what you (referencing Mr. Davis' motion) are getting at, so the language you used is understood. I don't think the language is crucial, I think the intend is that you want it to be postponed to an indefinite time when staff brings back all of the information, I think that is what you are trying to say. Correct?

ANS: Vice Chair Jones: Yeah, that is what we are saying.

Tabled

Approved: 6 - Chair Beebe, Vice Chair Jones, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, and Board Member Henderson

Denied: 1 - Board Member Dolney

E. Board Discussion and Staff Issues

Discussion of the new City Hall Open House to be held on November 3, 2015.

F. Adjournment

The meeting was adjourned at 7:08PM.

Respectfully submitted:

Irene Schaefer, Recording Secretary

[15-452](#)

ATTACHMENTS

Attachments: [MPC Lots FLUM and Rezoning](#)
 [MPC LOTS-2015-10-21 PLDRB App 2934 and 2935](#)
 [Leighton Lane Parcels rezoning](#)
 [Leighton Lane Applicant Presentation](#)
 [Citation Estates](#)
 [AccessoryUsesfor10-21-15PLDRB](#)
 [Chapter 11 Perimeter Buffer Requirements](#)
 [Mr. Seib Letter to the PLDRB dated 10 20 15](#)