



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, April 20, 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

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

B. Roll Call and Determination of a Quorum

Present: 5 - Chair Beebe, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, and Board Member Henderson

Excused: 3 - Vice Chair Jones, Board Member Dolney, and School Board Representative Nies

C. Approval of Meeting Minutes

1 [16-165](#) MEETING MINUTES OF THE MARCH 16, 2016 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Attachments: [MeetingMinutes PLDRB 3 16 16](#)

Approved as presented

Approved: 5 - Chair Beebe, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, and Board Member Henderson

Excused: 2 - Vice Chair Jones, and Board Member Dolney

D. Public Hearings

2 [16-103](#)

REVIEW A REQUEST FOR A SIGN VARIANCE SETBACK FROM SECTION 12.04.07 SIGN LOCATION CRITERIA, LAND DEVELOPMENT CODE

Attachments: [STAFF REPORT APP 3038](#)
[PROTEA LETTER TO THE PLDRB](#)
[PROTEA SITE LOCATION MAP](#)
[SITE PLAN OVERLAY](#)
[LINEAR FRONTAGE OF SITE](#)
[MONUMENT SIGN WITH CODE](#)
[MONUMENT SIGN AT PROPERTY LINE](#)

Chair Beebe announced that due to a conflict he will not be voting on this agenda item. Chair Beebe's Form 8B - Memorandum of Voting Conflict for County, Municipal, and other local Public Officers is attached to these minutes.

Mr. Tyner, Planning Manager for the City of Palm Coast, introduced the agenda item along with Ms. Ida Meehan, Planner, who gave a presentation and her presentation is attached to these minutes.

Mr. Charlie Faulkner, representing the developers of Sabal Palms d.b.a. Protea, gave a presentation which is attached to these minutes.

Mr. Henderson: That thin red line (referring to the applicant's presentation) is the border of your property, where the proposed sign is?

ANS: Mr. Faulkner: Yes, it is.

Mr. Henderson: That is where you want to put it (sign) now?

ANS: Mr. Faulkner: Yes, that is what I'm asking, to be able to put it there.

Mr. Henderson: On the other side of that line (red), what is that, lanes of traffic?

ANS: Mr. Faulkner: Well, immediately, on the other side of the red line is a grassy area and then a drainage swale that will be conveying storm water.

Mr. Henderson: So where does the traffic lane stop?

ANS: Mr. Faulkner: The traffic lane is indicated in (dark) red (referring to the applicant's presentation).

Mr. Henderson: So the dark green is a swale?

ANS: Mr. Faulkner: Yes, the dark green is a swale.

Mr. Henderson: What is the size of the sign?

ANS: Ms. Meehan: Ninety-six square feet, seven feet high?

Mrs. Lucas: So, there will be bicycle traffic and pedestrian traffic crossing the roadway? What kind of safety features will be included there? There seems to be a lot going on in that area (referring to the entrance to the site)?

ANS: Mr. Faulkner: The multi-purpose path was already designed by the City, we had nothing to do with that (placement of the multi-use path). That was already done than 1 year or more ago, so the only way we can access our property is to cross it (the multi-purpose path).

Mrs. Lucas: And that (referring to the entrance design) conforms with our safety requirements?

ANS: Ms. Meehan: Yes, these newer roadway projects conform to the Americans with Disabilities Act (A.D.A.) standards, that the earlier roadway project didn't incorporate.

ANS: Mr. Faulkner: During this project the A.D.A. requirements changed very recently, literally within the last 6 months, this project meets all current A.D.A. requirements.

ANS: Ms. Meehan: And in addition because it is an ALF (Assisted Living Facility) it was scrutinized even further.

Mrs. Lucas: That wouldn't present a line of site problem?

ANS: Mr. Tyner: Per our Traffic Engineer, no ma'ma.

ANS: Mr. Faulkner: It actually will be farther away than any other monument sign in the City, that I can think of?

Mr. Cuff: From the edge of the bike path to the edge of the sign closest to the property line, what is that distance?

ANS: Mr. Faulkner: It is about 40 feet.

Mr. Cuff: What is the speed limit on the improved Palm Harbor Pkwy.?

ANS: Mr. Tyner: It is 45 mph.

Mr. Davis: Staff, isn't this part of the roadway realignment project?

ANS: Mr. Tyner: Yes.

Mr. Davis: The speed is 45 mph, correct?

ANS: Mr. Tyner: Yes, I believe so.

ANS: Mr. Henderson: Right now, yes.

Mr. Davis: Who maintains from the red line (referring to the applicant's presentation) to the roadway, (to) the pavement?

ANS: Mr. Tyner: They (the applicant) would be maintaining the easement area, they would be maintaining their property.

Mr. Davis: It is their property?

ANS: Mr. Tyner: Yes, they would be maintaining their property.

Mr. Faulkner: I believe Mr. Davis is asking about who maintains from the red line to the pavement?

ANS: Mr. Tyner: Oh, from the red line, that is City roadway and the City would maintain their property.

Mr. Davis: Is that in these documents?

ANS: Mr. Tyner: That is City public property.

Chair Beebe opened the meeting up to the public @ 6:04PM.

John Siskle addressed the PLDRB regarding the size of the property and the wetlands area of the same property.

ANS: Chair Beebe: We will address your question, however, that isn't really the topic before the PLDRB, however, the entire property is 18 acres and the entire property is zoned commercial.

Chair Beebe clarified the agenda item for this evening's meeting vs. the approval of the Assisted Living Facility which was approved in January 2016.

Chair Beebe closed the public meeting @ 6:08PM

Mr. Henderson: In (the) dark grey (area referring to the applicant's presentation) is that (a) street?

ANS: Ms. Meehan: That is the proposed Cris Lane.

Mr. Henderson: That is next door to where the gate used to be for the Creek Course Golf Course?

ANS: Ms. Meehan: Yes.

Ms. Lucas addressed the PLDRB about the issue raised by Mr. Siskle and the issue's suitability for the current PLDRB meeting.

Mr. Henderson addressed the audience and the questions raised by Mr. Siskle regarding securing the wetlands area against future development.

Approved

Approved: 4 - Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, and Board Member Henderson

Excused: 2 - Vice Chair Jones, and Board Member Dolney

3 [16-104](#) CONSIDER PROPOSED REVISIONS TO THE EUROPEAN VILLAGE
MASTER PLANNED DEVELOPMENT (MPD)

Attachments: [STAFF REPORT 2939](#)
[AMENDED AND RESTATED MPD](#)
[LOCATION MAP](#)
[FLUM MAP](#)
[ZONING MAP](#)
[Attachment G 2002-04 Ordinance](#)
[PROPOSED SIGN](#)
[LOGO](#)

Mr. Tyner, Planning Manager, introduced the next agenda item and introduced Beau Falgout, Administrative Services and Economic Development Director, representing the Business Assistance Center, addressed the PLDRB regarding this agenda item.

Ms. Ida Meehan, Planner, gave a presentation for this agenda item, a City Initiated rezoning in partnership with European Village property management, which is attached to these minutes.

Mr. Henderson: What you are you doing, is asking that we take away (remove) the second part of the listing (referring to attachment G of the original ordinance 2002-04)? Such as crepes made in front of the customer, etc. The entire list on that side you would like eliminated? Is that correct?

ANS: Mr. Tyner: Mr. Henderson, what we are proposing to do, similar to what we have done with MPD (Master Planned Developments) in the past, is that all the retail businesses within European Village will be governed within our Land Development Code as Com 2 (Commercial 2 zoning designation).

Mr. Henderson: One other thing, I see down here that caught my attention is it reads here, Lotto, horse and dog racing bar. You are going to eliminate that, too, as a non-allowed function?

ANS: Mr. Tyner: Yes, this (referring to attachment G) goes away and our approved uses for Commercial 2 will apply from the Land Development Code.

Mr. Henderson: Where are you going to add this extra parking? Is that something that is coming at a different time?

ANS: Ms. Meehan: Right.

Mr. Henderson: The 305 parking spaces does that include the ones (parking spaces) under the building? Are they open to people coming into the markets or are they just for the people who live there?

ANS: Mr. Tyner: I believe those (parking spaces) are privately owned.

Mrs. Lucas: When this (referring to attachment G) is no longer used will it be replaced?

ANS: Ms. Meehan: Yes, with out Commercial 2 zoning uses (per chapter 3 of the Land Development Code).

Mrs. Lucas: Are we going to maintain the name European Village? Are we going to try to maintain a standard or a theme in European Village?

ANS: Mr. Falgout: Each development, shopping center, has all types of agreements

about what can be allowed (within their development), for example Publix generally will have a provision that (another) pharmacy cannot be located on the site. That is really up to the Owners' Association of European Village to regulate those types of items (what type of businesses would be allowed). I think for Palm Coast, for City government, what is allowed in Island Walk should be allowed in European Village commercial uses from the City's stand point. I think the "Village" has done a pretty good job of regulating what businesses are coming into (European Village), making sure they have a variety of businesses, for instance you don't have four yogurt shops. It will be up to European Village to ensure they maintain their brand.

Mrs. Lucas: If we are scrapping this list (referring to attachment G) is the City going to be looking at what type of businesses come in (to European Village) to ensure there is some type of standard or is it subject to be changed to "Max's Village" next year or some other name?

ANS: Ms. Meehan: I think you can see by the proposed signage that they want to maintain the brand.

ANS: Mr. Tyner: When you look at the list, in my opinion, that they (the Owner's Association of European Village) have made it more European that this list (attachment G required). They have an Irish place, that is not listed here (referring to Attachment G), you have an Italian place, you have a mix of different types, it is more European than this list.

Mr. Davis: When this property was first being build wasn't there a problem with ownership of the land, that the property was built on, resulting in a stop work order?

ANS: Mr. Henderson: Yes, there was a dispute on the (ownership) of the land. The work was stopped for awhile but I don't know how it was resolved.

Mr. Davis: From what I understand, Ray, the owners can put anyone they want into there (European Village)?

ANS: Mr. Tyner: No, Sir, they have to follow Com 2 (approved uses for the) zoning district.

Mr. Davis: Do they have to be European?

ANS: Mr. Tyner: No, Sir.

Chair Beebe addressed the PLDRB members to clarify that the City's proposal brings European Village in line with other areas of the City by using Com 2 zoning.

Mr. Henderson: When we (the City) proposed this (the European Village original Ordinance 2002-4) into our Development Plan was that legal?

ANS: Ms. Reischmann: Yes, it is legal. It is very, very, very unorthodox, I've never seen anything like that, but you can have a developer agree to any crazy thing and this is one of them.

Mr. Henderson: That particular language that you just mentioned will that still be part of the Ordinance?

ANS: Ms. Reischmann: Correct.

Mr. Henderson: Just this (referring to the listing - attachment G) will disappear?

ANS: Ms. Reischmann: Yes, that is correct. Also I'm not sure if I mentioned that there are some forbidden uses, prohibited uses, that will remain.

Chair Beebe addressed the PLDRB members regarding the history of this development and it's success is a tribute to the retail association and the businesses (at European Village) that they have endured through some difficult times and it is a tremendous success story.

Chair Beebe opened the meeting to public comment @ 6:42PM.

Mr. Scott Champion, owner @ European Village as well a member of the European Village Board, addressed the PLDRB members.

Ms. Laura Caster, business owner @ European Village, addressed the PLDRB members.

Ms. Aleda, business owner of Europa @ European Village, addressed the PLDRB members.

Chair Beebe closed the public hearing section of the meeting 6:48PM.

Mr. Henderson: I'd like to know how big is the sign going to be and how far up in the air is it going to (extend)?

ANS: Mr. Tyner: Those details will come later, Mr. Henderson? They will have to comply with our Land Development Code when it comes to wall signage, so the dimensions could be small. What we are trying to do is the (current) MPD (Master Planned Development) doesn't permit any signage on the outside of the buildings, so the proposal is have some wall signs that would brand European Village, for example. Much like some commercial buildings that you may approve the sign (details) come in later but the code and regulations (Land Development Code) regulates the size of that. We just don't have the dimensions for that (the proposed sign) at this time.

Mr. Davis: Mr. Chairman, European Village doesn't have any signage on the roadway?

ANS: Mr. Henderson: They have a small monument sign.

Discussion ensued between the board members and staff about the possible signage viewable from the Hammock Dunes Bridge.

Approved

Approved: 5 - Chair Beebe, Board Member Cuff, Board Member Davis, Board Member Dodson-Lucas, and Board Member Henderson

Excused: 2 - Vice Chair Jones, and Board Member Dolney

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

E. Board Discussion and Staff Issues

Mr. Tyner, Planning Manager, updated the PLDRB on staff's progress on the Land Development Code proposed changes for Chapter 11 - Landscape Code.

Mr. Davis, reminded the PLDRB members of the upcoming Citizens' Advisory Task Force meeting to be held on April 27, 2016 @ 5:30PM.

F. Adjournment

The meeting was adjourned at 6:50PM.

*Respectfully submitted:
Irene Schaefer, Recording Secretary*

[16-176](#)

ATTACHMENTS

Attachments: [Voiting Conflict for Michael Beebe 4 20 16](#)
[Application 3038 Sign Variance Presentation](#)
[Sabal Palms Applicant's Presentation](#)
[European Village PLDRB Meeting April 20 20163 Presentation](#)