

City of Palm Coast Agenda

PLANNING AND LAND
DEVELOPMENT
REGULATION BOARD

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

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 Rep David Freeman

Wednesday, October 17, 2018

5:30 PM

COMMUNITY WING OF CITY HALL

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
- B Roll Call and Determination of a Quorum
- C Approval of Meeting Minutes
 - 1 MINUTES FOR OCTOBER 3, 2018 PLANNING AND LAND DEVELOPMENT REGULATIONS BOARD MEETING

City of Palm Coast Created on 10/12/18

D Public Hearings

- 2 STORQUEST SPECIAL EXCEPTION FOR MINI-WAREHOUSES, OFFICE STORAGE AND SELF-STORAGE IN THE COM-2 ZONING DISTRICT AT 3895 OLD KINGS ROAD NORTH, APPLCATION NO. 3782
- 3 A SPECIAL EXCEPTION TO PERMIT A SANDWICH SHOP IN LIGHT AND WAREHOUSE INDUSTRIAL (IND- 1) ZONING AT 4490 US HIGHWAY 1 SUITE 101.
- 4 A SPECIAL EXCEPTION REQUEST FOR AUTOMOTIVE PARTS IN GENERAL COMMERCIAL (COM-2) ZONING AT 4835 PALM COAST PARKWAY NW.
- 5 REQUEST FOR TIER 2 TECHNICAL SITE PLAN APPROVAL FOR THE PALMS AT TOWNCENTER MULTIFAMILY PROJECT, APPLICATION 3726.
- **6 SUNSHINE LAW PRESENTATION**
- **E** Board Discussion and Staff Issues
- F Adjournment

City of Palm Coast Created on 10/12/18

City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Departm Item Key		PLANNING 4521		Amount Account #	
Subject		NUTES FOR OCT GULATIONS BO	•	PLANNING A	AND LAND DEVELOPMENT
Backgrou	ınd :				
Recommended Action : Approve as presented					



City of Palm Coast Minutes

PLANNING AND LAND DEVELOPMENT REGULATIONS BOARD MEETING City Hall 160 Lake Avenue Palm Coast, FL 32164 www.palmcoastgov.com

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 Rep David Freeman

Wednesday, October 3, 2018

5:30 PM

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A Call to Order and Pledge of Allegiance

Chair Jones called the October 3, 2018 meeting of the Planning and Land Development Regulation Board (PLDRB) to order @ 5:30PM.

B Roll Call and Determination of a Quorum

Present and responding to roll call: Mr. Smith

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Mr. Dolney Mr. Jones Mr. Scully Mr. Davis Mr. Freeman

Absent: Mr. Lehnertz Mrs. Lucas

C Approval of Meeting Minutes

1 MEETING MINUTES OF THE SEPTEMBER 18, 2018 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

Motion made to approve as presented made by Board Member Smith and seconded by Board Member Dolney

Approved - 5 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Jake Scully, Board Member Clinton Smith

D Public Hearings

2 AN AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER TO ENTITLE AN ADDITIONAL 1,000 DWELLING UNITS, TO ADD CONDITIONS TO ADDRESS THE ADDITIONAL DWELLING UNITS AND PERMIT MIXED USES ON TRACTS A&13A

Mr. Ray Tyner, Planning Manager, introduced item # 2 and #3 as they will be presented together but voted on separately, he also provided background to the PLDRB members and the audience what the Development of Regional Impact and Master Planned Developmentand review process from various outside agencies along with future reviews as the project moves ahead. He also introduced Mr. Jose Papa and Mr. Bill Hoover Senior Planners who gave a presentation which is attached to these minutes.

Planning Board Member Mrs. Lucas arrived @ 5:34PM.

Mr. Michael Chiumento, representing the applicant, introduced himself and was available to answer questions and clarified that these applications are not just an addition of 1000 residential units it is a conversion of retail from approximately 1.5 million square feet to 1.3 million square feet and the adding of the equivilancy of 1000 units. He further clarified that is a swap not simply an addition of units.

Mr. Freeman addressed the school board concurrency issue (as outlined in his letter which is attached to these minutes) in regard to availability of space in the

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schools. Mr. Chiumento did address this issue referencing the existing Interlocal Agreement (ILA) which addresses school concurrency, highlighting that this issue is more appropriately addressed during the final site plan or final plat review and that State Statute and the ILA does address other solutions that may be more appropriate. In addition there is not a school capacity issue throughout the district just at the elementary school level which would serve this location.

Discussion ensued among the PLDRB members and staff about the appropriate timing for concurrency testing.

Mrs. Lucas asked Mr. Freeman about how far out is the school concurrency plan and a discussion ensued. Mr. Freeman clarified that they (Flagler School District) abides by the ILA and clarified that the Flagler School District looks at concurrency when the applicant submits the final plat (or site plan).

Mr. Dolney asked Mr. Freeman about school preference choices among parents and if the school board is looking at changing school modeling. Mr. Freeman said that their is school choice at this time. Mr. Freeman indicated that the Flagler School District is using the K8 model and in light of the recent school security issues is not looking at other models at this time..

Chair Jones clarified that busing is not provided outside the local school with regard to parent's choice.

Mr. Smith discussed with staff and Mr. Chiumento regarding the rezoning to commercial 2 zoning for tract 22 and that only a gas station with a convenience store and a restaurant are being approved within this parcel.

Vice Chair Davis questioned whether the concurrency with the school district issue is in writting. Chair Jones said the answer is the Development Order. Also he questioned the traffic issues given that US 1 is a state road. Mr. Papa clarified that this wouldn't be the time, the traffic and school situation would be addressed in the site plan and plat process. Mr. Papa also clarifief that Florida Department of Transportation would be involved in the traffic report when produced.

Chair Jones asked for clarification on the location of the high density multifamily housing being located in tract A and 13A. Mr. Papa indicated that is the only change being requested at this time.

Chair Jones opened the meeting to public comment @ 6:11PM

Mr. Alan Peterson, 125 Westrobin Ln., addressed the PLDRB members and is not favor of this application and felt it is detrimental to the Public Interest. He is concerned about the increase to residential units by reducing large scale retail, significantly declining retail in that area. Thus forcing traffic to the Palm Coast Pkwy. as this would be the only alternative to the reduced retail in the area.

Ms. Lorie Savoca, 69 Buttermill Dr., asked for clarification to Tract 22 being that this parcel is limited to a gas station with a convenience store and a restaurant with the requested rezoning to Commercial 2.

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Chair Jones closed the meeting to public comment @ 6:17PM.

Mr. Smith and Vice Chair Davis quesitoned the neutrality of the impact to traffic counts with this change and Mr. Papa clarified the reduction equivilance is based on a traffic study developed speciffically for Palm Coast Park DRI. Mr. Smith also clarified that there is still over 1.2 million square feet of retail space available after this change.

Pass

Motion made to approve as presented with staff's recommendations made by Board Member Dolney and seconded by Board Member Scully

Approved - 6 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Jake Scully, Board Member Clinton Smith, Board Member Sybil Dodson-Lucas

3 ORDINANCE NO. 2018-XX APPROVING THE SECOND AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT

This item was addressed under agenda item #2.

Pass

Motion made to approve as presented with staff's recommendations made by Board Member Dolney and seconded by Board Member Dodson-Lucas

Approved - 6 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Jake Scully, Board Member Clinton Smith, Board Member Sybil Dodson-Lucas

E Board Discussion and Staff Issues

Chair Jones clarified that there is an October 17, 2018 PLDRB business meeting.

F Adjournment

Motion made that the meeting be adjourned by Mr.Dolney and the motion was seconded by Mr. Smith.

The meeting was adjourned at 6:24PM.

Respectfully Submitted by: Irene Schaefer, Recording Secretary

4 ATTACHMENTS

City of Palm Coast Created on 10/10/18

City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Department Item KeyPLANNINGAmount Account

#

Subject STORQUEST SPECIAL EXCEPTION FOR MINI-WAREHOUSES, OFFICE

STORAGE AND SELF-STORAGE IN THE COM-2 ZONING DISTRICT AT 3895

OLD KINGS ROAD NORTH, APPLCATION NO. 3782

Background : Request:

A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow for *Mini-warehouses, Office Storage and Self-Storage* uses. The StorQuest self-storage facility is proposed on a vacant 5.00+/- acres site at 3895 Old Kings Road North, which is located on the west side of Old Kings Road North about 1,000 feet north of Matanzas Woods Parkway. The project's preliminary site plan shows it to be comprised of four self-storage buildings totaling 57,303 square feet plus 51 exterior storage spaces for recreational vehicles and boats. Analysis:

This is a Special Exception for a self-storage facility in the General Commercial (COM-2) Zoning District. To the south and west are adjacent COM-2 properties where a medium-sized commercial shopping center is proposed on the east side of the I-95 Interchange with Matanzas Woods Parkway. The self-storage facility will complement the retail uses at the planned shopping center and assist in providing services to residents and small businesses located in the northern portion of Palm Coast.

The preliminary site plans shows the intensity of the facility will be located internally within the project and very well buffered by attractive buildings, masonry walls, and landscaping. Essentially, all of the garage doors for the self-storage facility will open internally to the project and the exterior storage spaces for boats and recreational vehicles have been located at the rear of the facility. The closest residential home site to the nearest proposed building is about 650 feet away and this home site will also be about 1150 feet away from the closest exterior boat/recreational vehicle storage space.

Planning staff finds the proposed self-storage facility compatible with the neighboring properties as long as reasonable conditions can be imposed on the facility to ensure it remains a good neighbor. If the Special Exception is approved by the PLDRB then Planning staff will bring StorQuest's Tier II - Technical Site Plan back to the PLDRB at a future meeting for final review.

Recommended Action: Planning staff recommends that the Planning and Land Development Regulation Board find the StorQuest Special Exception for a self-storage facility in the COM-2 Zoning District, Application No. 3782 consistent with the Comprehensive Plan and approve it subject to the following conditions:

1. Outdoor vehicle storage services are limited to operable boats, automobiles, pickups, vans, trailers, and recreational vehicles. Storage services shall not be provided for any heavy duty trucks, semi-tractor trailers, dump trucks, full-size buses, shipping containers, or large construction equipment.

- 2. Onsite manufacture, assembly or disassembly of materials, and vehicle repair and maintenance are prohibited. Storage units shall not be used for workshops, offices or any recreational or residential use.
- 3. An onsite business for the sale, leasing or rental of boats, recreational vehicles, trucks, trailers, or construction related equipment is prohibited.
- 4. All vehicles and boats being stored shall be limited to the designated boat/recreational storage spaces and shall not extend into or occur within driving lanes or other non-designated storage areas.
- 5. A business shall not use storage units for retail display and/or sale of merchandise.
- 6. No individual business signage shall be visible from the exterior of any storage unit except for the storage business itself.
- 7. Approval of a Technical Site Plan, Site Development Permit, building permits, and all other developmental permits required by the Land Development Code.



COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT FOR STORQUEST - APPLICATION # 3782 PLDRB ON OCTOBER 17, 2018

OVERVIEW

Project # 2018100014

Applicant: The William Warren Group, Attention: Kendall Jones, Tampa, FL

Property A 5.00+/- acre tract, described as Nottinham Phase II, Parcel A, as recorded in

Description: OR Book 1920 Page 569, Public Records of Flagler County.

Property Owner: Giovanni and Nicola Caruso

FLUM Designation: Mixed Use

Zoning General Commercial (COM-2)

Designation:

Current Use: Vacant commercial land
Property Tax ID: 25-10-30-4626-00000-00A0

Property Location: 3895 Old Kings Road North (1,000' north of Matanzas Woods Parkway) **Requested Action:** Special Exception for *Mini-warehouses*, *Office Storage and Self-Storage* as

allowed in the General Commercial (COM-2) Zoning District

Recommendation: Approval

ANALYSIS

REQUESTED ACTION

A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow *Miniwarehouses*, *Office Storage and Self-Storage*. The StorQuest self-storage facility is proposed on a vacant 5.00+/- acres at 3895 Old Kings Road North, which is located on the west side of Old Kings Road North about 1,000 feet north of Matanzas Woods Parkway. The project's site plan shows it to be comprised of four self-storage buildings totaling 57,303 square feet plus 51 exterior storage spaces for recreational vehicles and boats.

BACKGROUND/SITE HISTORY

Section 3.03.02 of the City Code identifies allowable uses within nonresidential and mixed use zoning districts. Table 3-4 lists *Mini-warehouses, Office Storage and Self-Storage* under the Warehousing category as only being allowed in the General Commercial (COM-2) District via approval of a Special Exception. *Mini-warehouses, Office Storage and Self-Storage* are also permitted as a matter of right within the High Intensity Commercial (COM-3) District.

1

The William Warren Group has a purchase contract for the subject property conditioned that the appropriate development approvals can be obtained to construct a self-storage facility including boat and recreational vehicle exterior storage spaces on this parcel. The site is currently vacant and primarily covered with pine trees.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use	No change proposed
Zoning District	General Commercial (COM-2)	No change proposed
Use	Vacant	Self-storage facility
Primary Access	Old Kings Road North	No change proposed

SURROUNDING ZONING AND LAND USES:

NORTH: FLUM: Mixed Use

Zoning: Commercial (COM-2)

Use: Vacant

SOUTH: FLUM: Mixed Use

Zoning: Commercial (COM-2)

Use: Vacant

EAST: FLUM: Greenbelt

Zoning: Public/Semi-Public

Use: County ROW

WEST: FLUM: Mixed Use

Zoning: Commercial (COM-2)

Use: Vacant

SITE DEVELOPMENT REQUIREMENTS

The site development standards for this Special Exception will be governed by the standards for General Commercial (COM-2) properties, as shown below:

2

LDC Dimensional Criteria	Zoning District	Provided
Min. Lot Size	20,000 SF	217,800 SF
Min. Lot Width	100 ft.	240 ft.
Min. Front (East) Setback	25 ft.	25 ft.
Min. Rear (West) Setback	10 ft.	391 ft.
Min. Front/Side (North)	25 ft. along ROW /10 ft.	
Setback	for side	25 ft.
Min. Side (South) Setback	10 ft.	25 ft.
Max. Building Height	100 ft.	26 ft.
Max. Impervious Surface Ratio (ISR)	0.70	0.61

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

The Unified Land Development Code, Chapter 2, and Part II, Section 2.05.05 states: When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:

A. The proposed development must not be in conflict with or contrary to the public interest;

Staff Finding: The proposed self-storage facility is not in conflict with or contrary to the public interest since the use is appropriately located adjacent to a planned retail area designed to serve both residents and travelers without any impacts dispersing out from the non-residential projects onto nearby residential neighborhoods. The COM-2 Zoning District is intended to provide sufficient areas for general commercial and office uses to meet community-wide demand for retail, services, businesses, and employment opportunities.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC:

Staff Finding: The request is consistent with the following objectives and policies of the Comprehensive Plan. (Note that not all chapters of the Comprehensive Plan are applicable to this request.)

• Chapter 1 Future Land Use Element:

- -Objective 1.1.4 Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.
- -Policy 1.1.4.5 Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Staff Findings: The proposed self-storage facility site allows a self-storage facility for residents and businesses located in the northern portion of Palm Coast. The storage facility would be

provided at the northeast corner of a proposed medium-sized commercial shopping center located on the north side of Matanzas Woods Parkway, east of the Interchange with I-95. The proposed self-storage use is consistent with the range of non-residential development expected nearby the Matanzas Woods Parkway and I-95 Interchange.

-Policy 1.4.2.1 The City shall provide an appropriate balance of commercial, retail, office, and industrial land uses on the FLUM to balance jobs and housing.

Staff Findings: The site is located in the *Mixed Use* FLUM designation that represents existing and future mixed use corridors and employment centers throughout the City. This designation is intended to provide general retail, business/professional services, offices, and appropriately located light industrial uses. The *Mixed Use* designation also offers opportunities for residents to work, shop, and perform a range of daily activities within reasonably close proximity to their residential dwellings.

C. The proposed development must not impose a significant financial liability or hardship for the City;

Staff Findings: Should the applicant be granted a Special Exception, no significant financial liability or hardship will be created for the City as all services are already available with sufficient capacity at this location. A traffic statement was submitted with the application that shows the self-storage facility will generate 10 AM Peak Hour trips, 10 PM Peak Hour trips, and 120 weekday daily trips. The applicant will also be required to pay for all applicable impact fees.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Staff Finding: Approving a Special Exception for a self-storage facility where the intensity of the facility is located internally within the project and very well buffered by attractive buildings, masonry walls, and landscaping will not create anything approaching an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. Essentially, all of the garage doors for the self-storage facility will open internally to the project. The closest residential home site to the nearest proposed building is about 650 feet away and this home site will also be about 1150 feet away from the closest exterior boat/recreational vehicle storage space.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Staff Finding: A Technical Site Plan will need to be submitted by the applicant. Since the Technical Site Plan has over 50,000 square feet of proposed building area it will be a Tier II that will also be reviewed by the PLDRB. All businesses must comply with the requirements of the LDC and all other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.07.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.07.03 states: "No application for a special exception use shall be approved unless the Planning and Land Development Regulation Board finds that the request meets the findings listed in Subsection 2.05.05 and the following:"

A. Is consistent with the specific requirements for that particular use as set forth in this LDC;

Staff Finding: The proposed location will be on a site that will be developed under all applicable development standards of the LDC including specific standards for the General Commercial (COM-2) Zoning District and new specific standards in Chapter 5 for the screening of self-storage and boat/recreational vehicle storage facilities. A Technical Site Plan will need to be submitted by the applicant. Since the Technical Site Plan has over 50,000 square feet of proposed building area it will be a Tier II that will also be reviewed by the PLDRB.

B. Meets the concurrency requirements of this LDC;

Staff Finding: The site and building will need to meet all applicable concurrency provisions in the LDC as it goes through the permitting process.

C. Is compatible with the surrounding neighborhoods and promotes the value of surrounding land, structures or buildings.

Staff Finding: As conditioned in staff's recommendation of approval, the proposed use will be compatible with existing and expected futures uses of the neighboring area.

a. Compatibility shall be further reviewed in light of the following components:

Architectural design;	Planning staff has done a preliminary review of the architectural building elevations and found them acceptable. They will be reviewed more thoroughly at the time of Technical Site Plan review.
Fencing and screening, landscaping;	The City Landscape Architect has done a preliminary review of these standards and found them acceptable once some mid-story plants are added along the wall.
Noise reduction, sign and light control;	No noise, or lighting impacts are anticipated at this location based on the site plan layout. Signage will be addressed in accordance with Chapter 12 of the ULDC.
Storm drainage, sanitation collection;	The applicant's project engineer has designed a stormwater system that will be reviewed by the City and SJRWMD during the Technical Site Plan process. The applicant must comply with other applicable regulations for solid waste disposal by contracting with a private carrier.
Police and fire protection;	Fire standards were preliminarily reviewed for the site plan and found acceptable. They will also be reviewed during the building permit review process. No significant fire or police risk is anticipated by this use.
On and off-site traffic control	This project will have minimal impact on the City's arterial roadway system as it will only generate 10 AM Peak Hour, 10 PM Peak Hour, and 120 Daily Weekday Trips.
Off-street parking and loading; and	The interior vehicular design area being provided will be analyzed in detail during the Technical Site Plan process.
Other matters relevant to assuring that the proposed development site fosters desirable conditions and compatibility with the existing environment.	In Planning staff's recommendation are conditions staff recommends to ensure the self-storage facility remains compatibility with neighboring properties.

Summary Finding: The applicant has found a location that is consistent and compatible with the surrounding developments as long as Planning staff's conditions of approval are followed. The project will provide a needed storage service within the northeast area of Palm Coast that currently has no other nearby storage facilities. Presuming the Special Exception is approved by the PLDRB, Planning staff will bring the Tier II - Technical Site Plan back to a future meeting of the PLDRB for final review.

5

PUBLIC PARTICIPATION

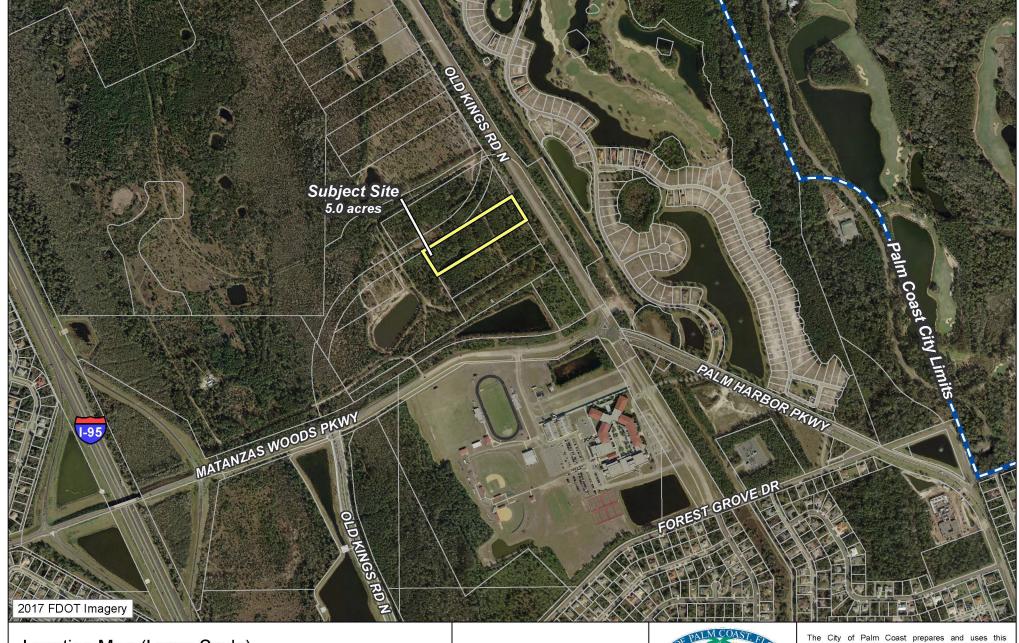
Unified Land Development Code Chapter 2, Part II, Section 2.07 requires that applicants notify adjacent property owners of the PLDRB meeting date at least 14 days in advance of the public hearing. The required letter notifications to the adjacent property owners were sent via Certified Mail by October 3, 2018. Neither the LDC nor state law requires signs to be posted or newspaper ads to be placed. Additionally, no Neighborhood Meeting is required for Special Exception applications. The Planning division did not receive any communications from members of the public regarding this application.

RECOMMENDATION

Planning Staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Application No. 3782 to allow a Special Exception for *Mini-warehouses, Office Storage and Self-Storage* based on the following conditions.

- 1. Outdoor vehicle storage services are limited to operable boats, automobiles, pickups, vans, trailers, and recreational vehicles. Storage services shall not be provided for any heavy duty trucks, semitractor trailers, dump trucks, full-size buses, shipping containers, or large construction equipment.
- 2. Onsite manufacture, assembly or disassembly of materials, and vehicle repair and maintenance are prohibited. Storage units shall not be used for workshops, offices or any recreational or residential use.
- 3. An onsite business for the sale, leasing or rental of boats, recreational vehicles, trucks, trailers, or construction related equipment is prohibited.
- All vehicles and boats being stored shall be limited to the designated boat/recreational storage spaces and shall not extend into or occur within driving lanes or other non-designated storage areas.
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6



Location Map (Large Scale)



Subject Site



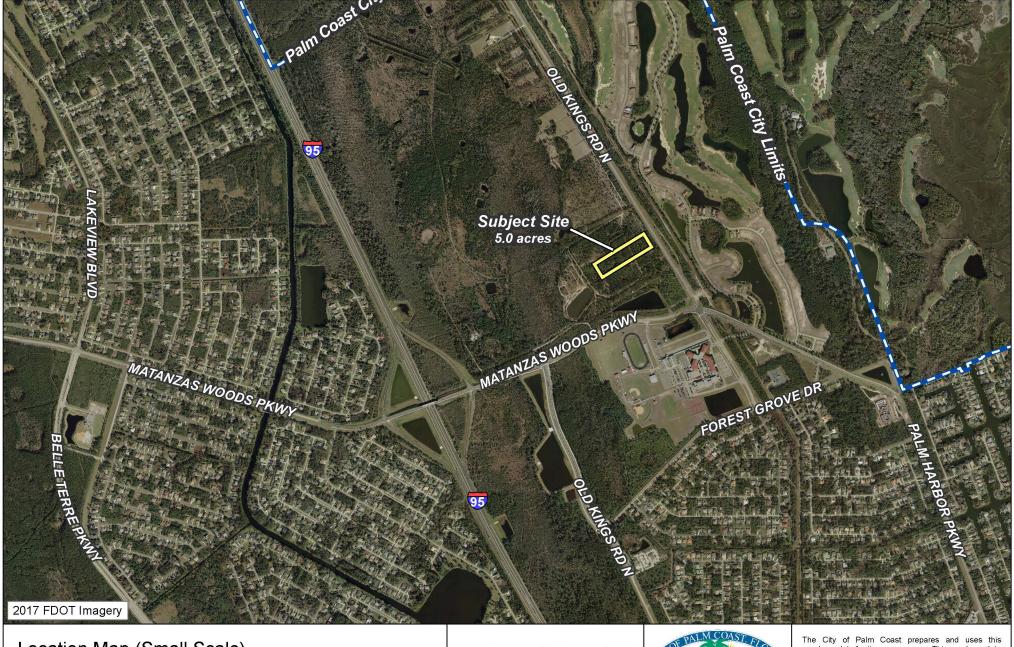


Creation Date: 10/10/2018



Map Provided By: GIS Division

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Location Map (Small Scale)



Subject Site

Feet 0 1,000 2,000

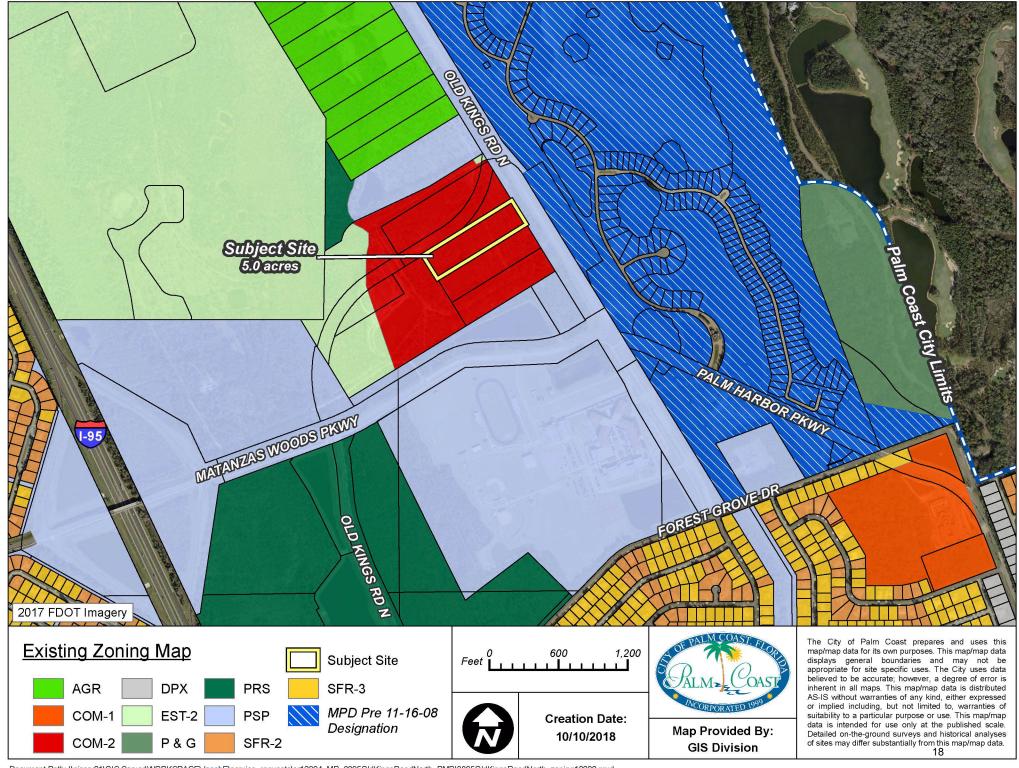


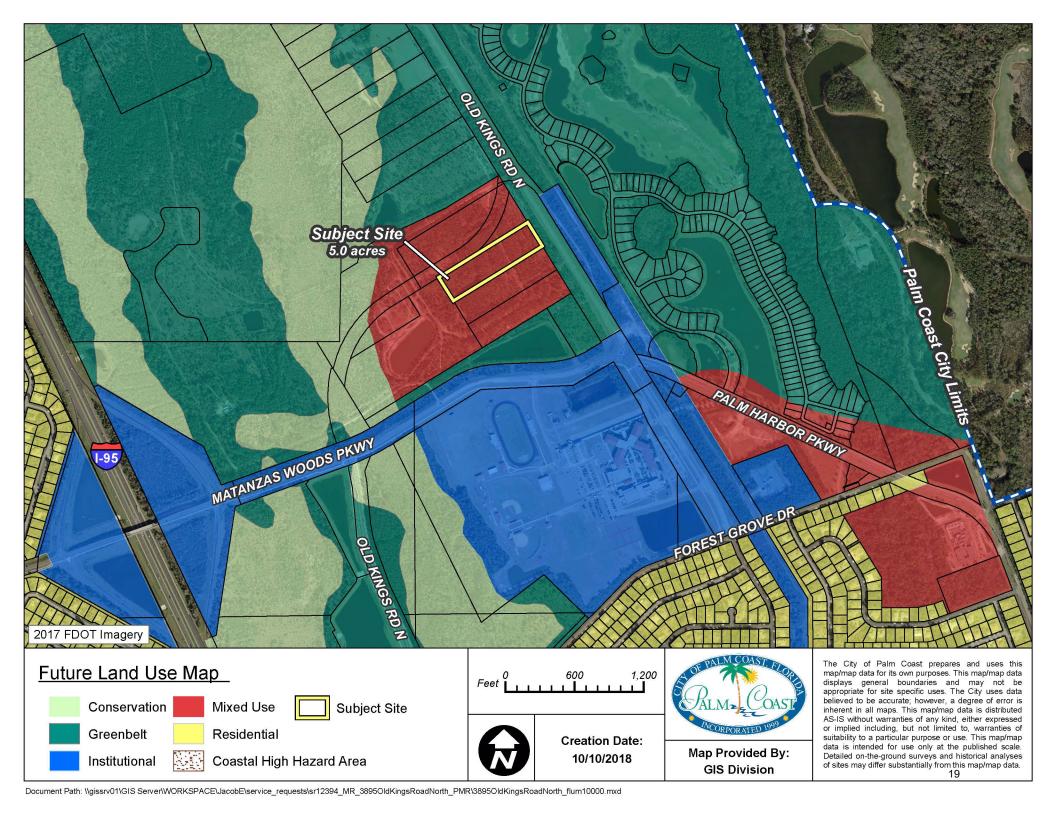
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SOUTH ELEVATION



SOUTH ELEVATION (cont.)

DATE: MCG JOB #: 09.27.2018

WICG JUB #

DATE REVISIONS

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EXTERIOR ELEVATION



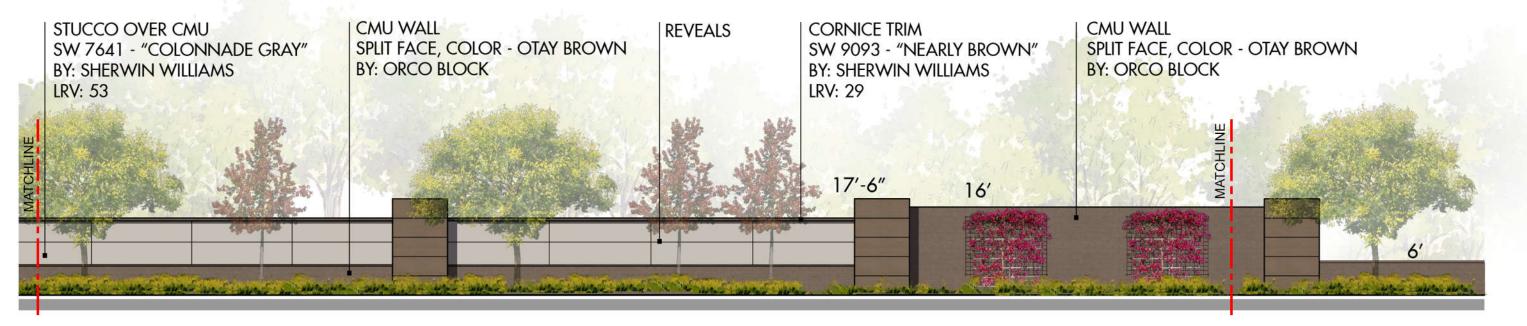








NORTH ELEVATION



NORTH ELEVATION (cont.)

DATE: 09.27.2018 MCG JOB #:

DATE REVISIONS

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EXTERIOR ELEVATION













NORTH ELEVATION (cont.)

DATE: MCG JOB #:

DATE

09.27.2018

REVISIONS

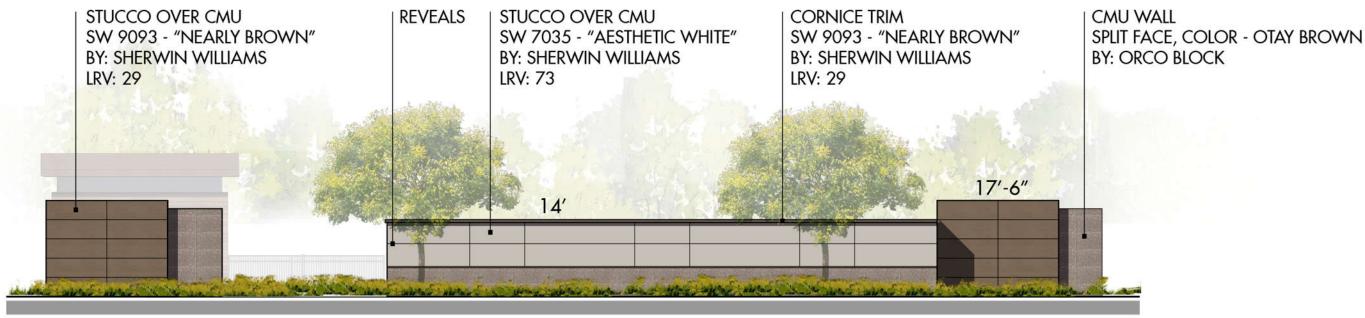
EXTERIOR ELEVATION











WEST ELEVATION



EAST ELEVATION

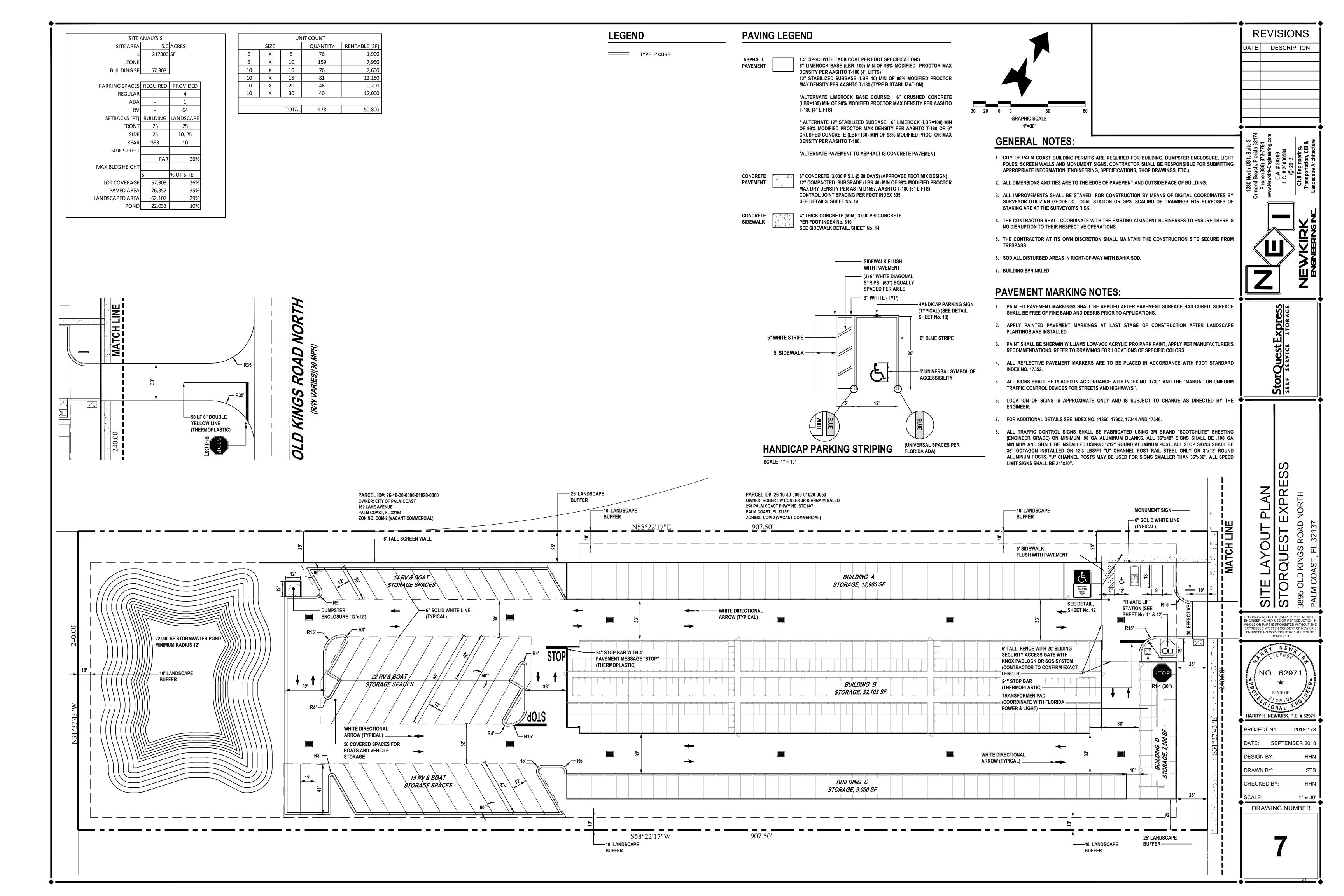
DATE: MCG JOB #: 09.27.2018

DATE REVISIONS

EXTERIOR ELEVATION









NEWKIRK ENGINEERING, INC.

CIVIL ENGINEERING - TRANSPORTATION - CEI - LANDSCAPE ARCHITECTURE

1230 N US HWY 1, SUITE 3, ORMOND BEACH, FLORIDA 32174 386-872-7794

October 3, 2018

Re: Notice of Upcoming Planning and Land Development Regulation Board Hearing on

Property Located at 3895 Old Kings Road North, Palm Coast, Florida 32137

Parcel ID: 25-10-30-4626-00000-00A0

Dear Neighboring Property Owner:

This letter is to advise you of a proposed public hearing for a Special Exception that if approved by the Palm Coast Planning and Land Regulation Board would allow a proposed StorQuest Express self-storage facility to be developed on vacant land located at 3895 Old Kings Road North, Palm Coast (Parcel ID: 25-10-30-4626-00000-00A0). Attached is a site plan drawing, architectural building elevations and site aerial photo of the proposed StorQuest Express so that you can more easily see what is planned for construction.

The proposed Special Exception is located on land zoned "COM-2" General Commercial and the Self-Storage is only allowed in the "COM-2" General Commercial with review and approval of a Special Exception by the Planning and Land Development Regulation Board.

The Planning and Land Development Regulation Board will hold the public hearing on the proposed Special Exception on October 17, 2017 at 5:30 p.m., or as soon thereafter as possible, in the Council Chambers in the Community Wing of City Hall located at 160 Lake Avenue, Palm Coast, Florida.

If you have any questions or comments you may call our office at (386) 872-7794 or send me an email at harry@newkirk-engineering.com requesting such information. Additionally, you may contact the City of Palm Coast Planning Department at 386-986-3736 for additional information on this public hearing.

Sincerely,

NEWKIRK ENGINEERING, INC.

Harry Newkirk, PE No. 62971 CEO of Newkirk Engineering, Inc. PARCEL ID: 25-10-30-4626-00000-00D1.

OWNER:

Matanzas Holdings LLC 4540 Southside Blvd #202 Jacksonville, FL 32216

PARCEL ID: 26-10-30-0000-01020-0060

OWNER:

City Of Palm Coast 160 Lake Avenue Palm Coast, FL 32164

PARCEL ID: 26-10-30-0000-01020-0050

OWNER:

Conser, Robert W Jr & Anna M Gallo Jtwros 250 Palm Coast Pkwy NE Ste #607,193 Palm Coast, FL 32137

PARCEL ID: 42-10-30-3210-00000-00B0

OWNER:

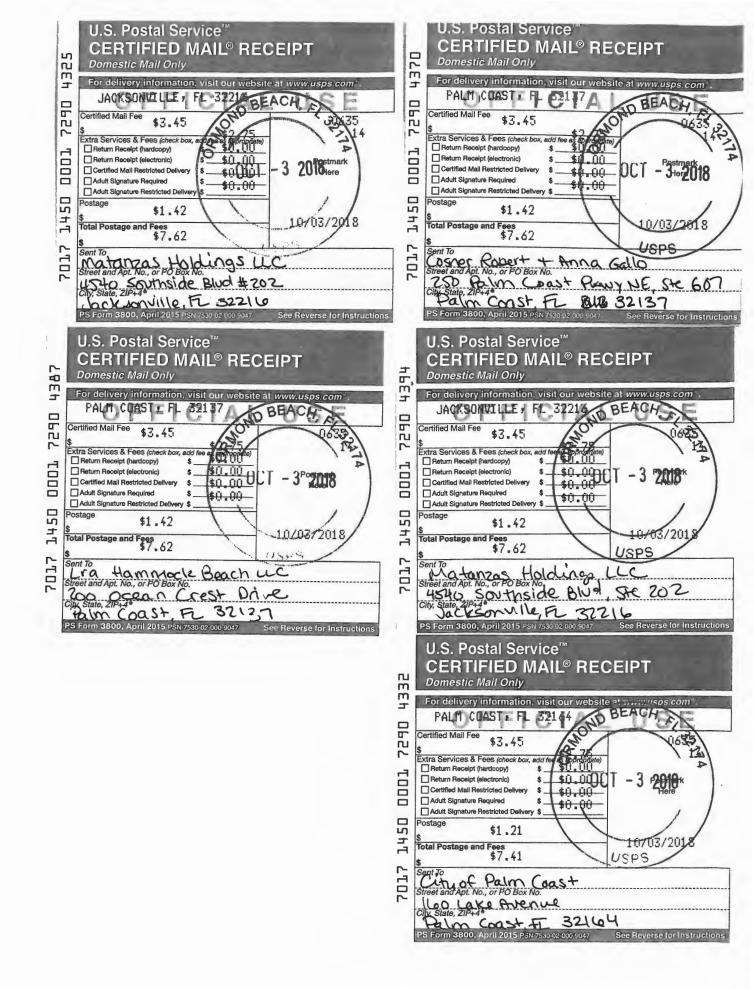
Lra Hammock Beach LLC 200 Ocean Crest Drive Palm Coast, FL 32137

PARCEL ID: 25-10-30-4626-00000-00B0

OWNER:

Matanzas Holdings LLC 4540 Southside Blvd, Ste 202 Jacksonville, FL 32216





City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Department Amount Item Key 4435 Account

Subject A SPECIAL EXCEPTION TO PERMIT A SANDWICH SHOP IN LIGHT AND

WAREHOUSE INDUSTRIAL (IND- 1) ZONING AT 4490 US HIGHWAY 1 SUITE

101

Background:

Section 3.03.02, Table 3-4 of the City's Unified Land Development Code identifies allowable uses as listed within nonresidential and mixed-use districts. Table 3-4 specifies that a *sandwich shop (and other similar eateries)* require a Special Exception approval within the Light and Warehousing Industrial (IND-1) zoning. The basis for such requirements are largely to maintain a City's industrial base, which contributes to the City's economy and employment base.

Given the fact that the preponderance of the subject tract is already dedicated to industrial uses, as well as adjacent and planned future development currently under construction, the introduction of a sandwich shop is supportable as a complementary to the existing uses onsite by serving the daily needs of those that visit and work onsite and in the surrounding area.

The proposed use also is compatible with the expansive mixed-use character of US 1. US 1 is one of the City's major roadway corridors. This roadway is a major arterial, with a mixed character, well equipped to provide current and future retail, restaurant, personal service and office opportunities as the City continues to grow and develop.

The applicant is seeking to offer a service and benefit to nearby businesses and workers in the area, and those that pass through the area by providing good quality "take out" food, sandwiches and subs. The applicant has experience in the restaurant business and sees this location as underserved, with a growing demand and need of this type service.

Recommended Action:

Planning Staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Application No. 3373 to allow a Special Exception for a "Sandwich Shop" in Light Warehousing and Industrial (IND-1) zoning.



COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT FOR APPLICATION #3773

October 17, 2018

OVERVIEW

Project # 2010070006 Applicant: Jason Sultan

Property Description: Sand Lake subdivision, lot 1, 5.0 acre & Lot 2 5. AC OR 900 PG

1673 OR 1056 PG 1131-CD

Property Owner: Tearoc of Florida Inc.

FLUM designation: Mixed Use

Zoning designation: Light and Warehousing Industrial (IND-1)

Current Use: Vacant

Property Tax ID: 22-11-30-5545-00000-0010 (limited to 1000 SF footprint, Ste. 101)

Property Location: 4490 US Hwy 1, Suite 101

Requested Action: Special Exception for Sandwich Shop, as required with Light

Warehousing and Industrial (IND-1) zoning

Recommendation: Approval

ANALYSIS

REQUESTED ACTION

Approve a Special Exception to allow a *sandwich shop* within Light Warehousing and Industrial (IND-1 zoning) at 4490 US HWY 1, Suite 101.

BACKGROUND/SITE HISTORY

Section 3.03.02, Table 3-4 of the City's Unified Land Development Code identifies allowable uses as listed within nonresidential and mixed-use districts. Table 3-4 specifies that a sandwich shop (and other similar eateries) require a Special Exception approval within the Light and Warehousing Industrial (IND-1) zoning. These other associated uses include cafeterias, coffee and donut shops, snack bars, delicatessens and bakeries when located within an IND-1 zoning district.

The rationale behind such restrictions are related to the importance of industrial districts as generators of the City's economic and employment base. Industrial districts are infrastructure intensive and generally focused on warehousing, repair, service industries and other similar production and contracting uses. Oftentimes, the price per square foot to rent industrial is less than that of retail. As a result, there is a bonafide public interest in ensuring that sufficient acreage and tenant space be available for industrial-related uses.

Given the fact that the preponderance of the subject tract is already dedicated to industrial uses, as well as adjacent and planned future development currently under construction, the introduction of a sandwich shop is supportable as a complementary to the existing uses onsite by serving the daily needs of those that visit and work onsite and in the surrounding area.

The proposed use also is compatible with the expansive mixed-use character of US 1. US 1 is one of the City's major roadway corridors. This roadway is a major arterial, with a mixed character, well-equipped to provide current and future retail, restaurant, personal service and office opportunities as the City continues to grow and develop.

The applicant's September 27, 2018 Letter to the Planning Land Development Regulation Board states the intention of the application. The applicant is seeking to offer a service and benefit to nearby businesses and workers in the area, and those that pass through the area by providing good quality "take out" food, sandwiches and subs. The applicant has experience in the restaurant business and sees this location as underserved, with a growing demand and need of this type of service.

If approved, the applicant will open the "Knuckle Sandwich Shop" in a 1000 SF tenant space referred to as Suite 101.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map		
(FLUM)	Mixed Use	No change proposed
	Industrial and Light	
Zoning District	Warehousing	No change proposed
Overlay District	NA	NA
Use	Vacant	Sandwich Shop
	1000 SF, Suite 101 on a	
	5 acre site, with 6 existing buildings &	No change proposed to
Acreage	future development planned.	existing building configuration.
Primary Access	US Hwy 1	US Hwy 1
Total Unit Size	1000 SF, Ste 101	1000 SF, Ste 101

SURROUNDING ZONING AND LAND USES:

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

LOCATION	FLUM	ZONING
NORTH	Residential	Duplex (DPX)
SOUTH	Mixed Use	General Commercial (COM-2)
EAST	Mixed Use	General Commercial (COM-2)
WEST	Mixed Use	General Office (OFC-2)

The Unified Land Development Code, Chapter 2, and Part II, Section 2.05.05 states: When reviewing a development order application, the approval authority shall determine whether sufficient factual data was available to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:

A. The proposed development must not be in conflict with or contrary to the public interest;

Staff Finding: The proposed sandwich shop use will serve the existing and nearby area businesses, as well as those residents that commute and pass through the area.

If approved, the project must comply with all applicable requirements of the City's Building and Fire Codes.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Staff Finding: The request is consistent with the following objectives and policies of the Comprehensive Plan.

Chapter 1 Future Land Use Element:

- Objective 1.1.4 Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.
- Policy 1.1.4.5 Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Staff Finding: The Mixed Use corridor designation offers the residents and visitors to Palm Coast an array of retail, professional office and personal services opportunities and uses. The proposed use is consistent with the developing needs of a growing transportation corridor. US Hwy 1 is a growing urban corridor offering services to urban and rural residents and commuters.

• Goal 1.4 – Economic Development – Pursue an economic development program to expand (the City's) economic base and to provide adequate, diverse employment and business opportunities.

- Objective 1.4.2 Create Employment Centers and Jobs
- Policy 1.4.2.1 The City shall provide an appropriate balance of commercial, retail, office, and industrial land uses on the FLUM to balance jobs and housing.

Staff Finding: The site is located in Mixed Use FLUM designation that represents existing and future mixed-use corridors and employment centers throughout the City. The purpose of the mixed-use designation is to provide a range of general retail, services and office uses to the surrounding businesses and residents. The mixed-use designation also offers opportunities for residents to work, shop, and perform a range of daily activities near to home or work within reasonably close proximity to residential dwellings.

Small businesses, along with a mix of professional services and development, are an economic driver for local jobs and a favorable business climate. Although this request is located in industrial zoning, the impact of a 1000 SF retail type use is de minimis in nature.

C. The proposed development must not impose a significant financial liability or hardship for the City.

Staff Finding: The applicant is responsible for complying with applicable land development, permits and building codes related to this change of uses.

Therefore, should the Special Exception be approved no significant financial liability or hardship will be created for the City.

<u>Chapter 5 - Infrastructure (Water, Sewer, Drainage, Aquifer Recharge, Waste</u> Disposal) Element:

Staff Findings: The City of Palm Coast serves the development with water and sewer. The City does not anticipate providing any upgrades to its system in order to provide service for the Special Exception.

The proposed use is within an existing "flex-use" building. Stormwater and drainage are already provided for.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Staff Finding: Approving a Special Exception for a "sandwich shop" in a Mixed Use corridor is consistent with the intent of the corridor and will not in itself create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Staff Finding: Any business on-site must comply with the requirements of all other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.07.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.07.03 states: "No application for a special exception use shall be approved unless the Planning and Land Development Regulation Board finds that the request meets the findings listed in Subsection 2.05.05 and the following:

A. Is consistent with the specific requirements for that particular use as set forth in this IDC:

Staff Finding: The proposed location is at 4490 US Hwy 1, Suite 101. Currently, the site is vacant This approval will allow a new business to operate offering food and sandwiches and subs, serving nearby businesses, workers, residents and those that pass through the area.

B. Meets the concurrency requirements of this LDC;

Staff Finding: The tenant space is currently vacant. The location is within an existing "flex space" structure.

C. Is compatible with the surrounding neighborhoods and promotes the value of surrounding land, structures or buildings.

Staff Finding: The proposed use is within an existing building. The introduction of a food related use in this predominantly industrial location would serve existing and nearby businesses and workers, as opposed to additional vehicle trips in search of a bite to eat.

a. Compatibility shall be further reviewed in light of the following components:

Architectural design;	The proposed building is existing and is the proposed tenant space.
Fencing and screening, landscaping;	No change is proposed to the exterior of the building so no landscaping review will be needed.
Noise reduction, sign and light control;	The location of this use is within an industrial area so no impact is anticipated.
	Hours of the store will be those of conventional retail stores.
	Signage also will be addressed in accordance with Chapter 12 of the ULDC.
Storm drainage, sanitation collection;	The proposed location of this business is within an existing flex space structure. The City does not provide sanitation. Since there is already existing

	development onsite, this service has been established.
Police and fire protection;	The City does not provide police services so no review was made. As with all businesses, a fire inspection will be required.
On and off-site traffic control	The proposed location is within an existing structure and development. No change is proposed to the site as a result of this application.
Off-street parking and loading; and	Primary access to the site will be US Hwy 1. No parking concerns are anticipated.
Other	The applicant's letter to the Planning Board establishes the intent of the application – to serve existing and area wide businesses and residents and those that pass by the area by offering quality food.

SUMMARY

US Hwy 1 is suitable for the mix of uses as it continues to grow and develop concurrent with the City's growth. US Hwy 1 is an industrial and mixed-use corridor where the surrounding businesses, workers and residents can benefit by the introduction of a quality eating opportunity.

PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.07 requires only that the applicant notify adjacent property owners of the PLDRB meeting date 14 days in advance of the public hearing. The required letter notifications to the adjacent property owners were sent via Certified Mail, on or before September 28, 2018. Neither the ULDC nor state law requires signs to be posted, or newspaper ads to be placed. Additionally, no Neighborhood Meeting is required for Special Exception applications.

To date, the Planning division did not receive any adverse communications from adjacent businesses or members of the public regarding this application.

RECOMMENDATION

Planning Staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Application No. 3373 to allow a Special Exception for a "Sandwich Shop" in Light Warehousing and Industrial (IND-1) zoning.

9/27/18

Dear Mr Chair and members of the planning land development regulation board.

My name 15 Jason Sultan. Ive been married for over 20 years and I have three daughters. We have lived in Palm Coast for 12 years in the R section. I think a family owned business is great for this city and the location where I want to open up has no restaurants in a 5 miles radius. Alot of businesses have to travel far for food or drinks. I have 10 years experience in restaurant/cooking. The managed in a restaurant and I have be also owned a convenience store with my dad in Daytona Beach that we also cooked out of. I have been cooking for several years prior to cooking in our convenience store. We need more different food places in Palm Coast. I feel that a sub shop in this area would benefit the businesses and people in this area and also people driving home from work or too work: Thank You.

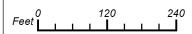
		If I receive this approval I hope to open my sub shop as Knuckles Sandwich Subs. L'LC.
		I'm here to answer any questions.
and the second s		
		Sincerely yours. Igson Sultany
		Igson Sultan
		Cowar Steller
		386-864-4899 23 Raemoor Drive
		Palm Coast FL 32164
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	Mr. S	



Location Map (Large Scale)



Subject Site

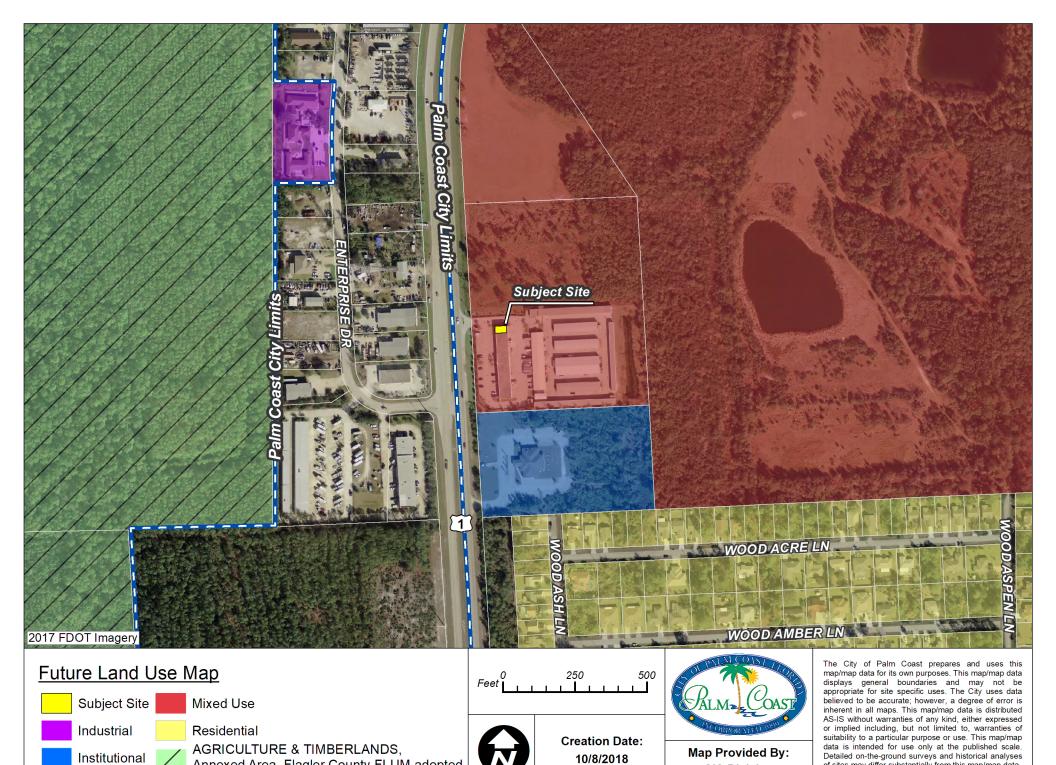




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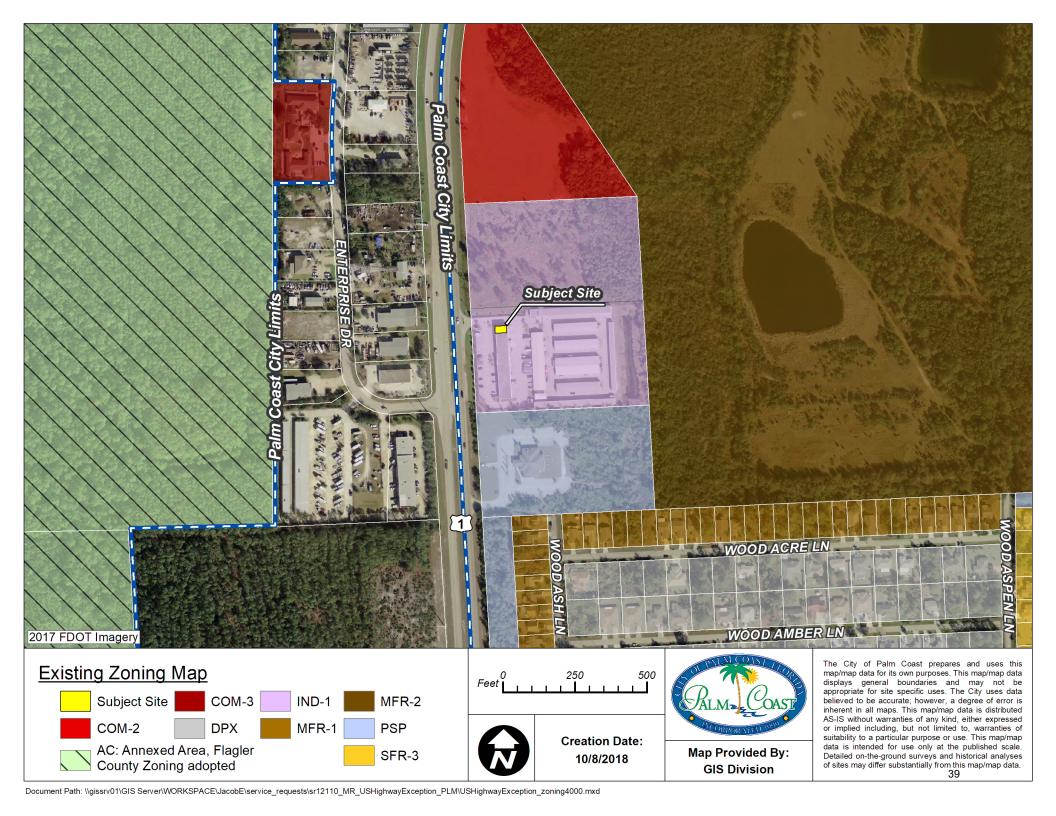
Map Provided By: GIS Division The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



of sites may differ substantially from this map/map data.

GIS Division

Annexed Area, Flagler County FLUM adopted





NOTIFICATION AFFIDAVIT for VARIANCE / SPECIAL EXCEPTION

COUNTY OF FLAGLER X STATE OF FLORIDA X	
Before me this <u>Al</u> day of <u>SEPTEMBER</u> , 20 18 personally	appeared
Jason Sultar	who after providing
FL. Drivers License	as identification and
whodid,did not take an oath, and who being duly	sworn, deposes and says as follows:
"I have read and fully understand the provisions of this instrument	t."
Each abutting property owner (as defined in the Unifi boundary lines of Application # , has been material fourteen (14) calendar days before the hearing date notified the, Planning & Land Development Regular	ailed a letter by certified mail at least ying them of the date, time, and place
2. No other documentation was provided in the envelope with	h the notification letter.
Casastello	
Signature of Responsible Party	
Tason Sullan Printed Name	
23 Rasmool Drup Palm Coast Fi 3	2164
Mailing Address	
Signature of Person Taking Acknowledgement	OF AL
Catherine Carneiro CATHERINE CARNEIRO Notary Public - State of Flor	SEAL rida
Name of Acknowledger (Typed, Printed of Acknowledger (Typed, P	7 222

This document, once executed, must be returned to a Land Development Technician in the City of Palm Coast Community Development Department at least seven (7) days prior to the hearing date. Failure to provide document by that time will result in the application not being placed on the agenda for a public hearing.



Planning Division

160 Lake Avenue Palm Coast, FL 32164 386-986-3736

September 27, 2018

RE: Request for Special Exception; Application No. 3773

Dear Sir or Madam,

The Community Development Department, in accordance with Section 2.05.03 of the City of Palm Coast Unified Land Development Code herein advises you that:

A request for a Special Exception to allow a sandwich shop in Industrial-1 zoning has been made by JASON SULTAN of Palm Coast Section 22, Block 0, Lot 0010, Tax Parcel ID No.: 22-11-30-5545-00000-0010, located at 4490 US HWY 1, Suite 101.

This request is to be heard before the Planning and Land Development Regulation Board (PLDRB). You are hereby notified that a public hearing, required by law, will be held at the Palm Coast City Hall Community Wing, 160 Lake Avenue, Palm Coast, Florida, on Wednesday, October 17,2018 beginning at 5:30 pm or as soon thereafter as possible.

You are welcome to attend and express your opinion or place concerns in writing and mail them to the address listed below on this letter.

Cordially,

Ada Meehan

IDA MEEHAN Project Manager

NOTE: Pursuant to Section 286.0105 of Florida Statutes the City of Palm Coast Community Development Department hereby notifies all interested persons that if a person decides to appeal any decision made by the PLDRB with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in these proceedings should contact Angela Tagliamonte at 386-986-3736 at least 48 hours prior to the hearing. To obtain the decision of this hearing, please contact the Planning Division the day after the above public hearing during the afternoon.



palmcoastgov.com

USPS Tracking FAQs > (https://www.usps.com/faqs/uspstracking-faqs.htm)

Track Another Package +

Tracking Number: 70173040000076145795

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Expected Delivery by

MONDAY

OCTOBER 8:00pm ()

© Delivered

October 1, 2018 at 12:48 pm Delivered, Left with Individual BUNNELL, FL 32110

Get Updates ✓

Text & Email Updates

Tracking History

October 1, 2018, 12:48 pm Delivered, Left with Individual BUNNELL, FL 32110

Your item was delivered to an individual at the address at 12:48 pm on October 1, 2018 in BUNNELL, FL 32110.

October 1, 2018

September 29, 2018, 8:22 pm
Arrived at USPS Regional Facility
LAKE MARY FL DISTRIBUTION CENTER

September 29, 2018, 12:05 am
Departed USPS Regional Facility
ORLANDO FL DISTRIBUTION CENTER

September 28, 2018, 11:32 pm
Arrived at USPS Regional Facility
ORLANDO FL DISTRIBUTION CENTER

September 28, 2018, 5:17 pm Departed Post Office BUNNELL, FL 32110

September 28, 2018, 8:40 am USPS in possession of item BUNNELL, FL 32110

Product Information

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See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

U.S. Postal Service" CERTIFIED MAIL® RECEIPT 5795 Domestic Mail Only For delivery information, visit ou BUNNELLE FE 32110 Certified Mail Fee 0315 \$3.45 POST OUA \$0.00 Return Receipt (electronic) Certified Mail Restricted Delivery \$Q.QQ Adult Signature Required \$0.00 Adult Signature Restricted Delivery \$ Postage \$0.50 \$ Total Postage and Fees + Furmiture People 7017 apery 32110 (Estimated Delivery Date) (Monday 10/01/2018) \$3.45 Centified (@@USPS Certified Mail #) lneiqs8 (70173040000076145795) t pavim/ Total \$3.95 MLAND Cash \$4.00 (\$0.05)Change Text your tracking number to 28777 (2USPS) to get the latest status. melae? Standard Message and Data rates may PERMITE!

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or scan this code with your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS

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Product

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BUNNELL 704 E MOODY BLVD **BUNNELL** FL 32110-5921 1112000315 09/28/2018 (800)275-8777 8:41 AM **,我们还是我们的有效,我们还是我们的现在分词,我们就是我们的,我们就是我们的,我们就是我们的,我们就是我们的,我们就是我们的,我们就是我们的,我们就是我们的** Product Sale Final Description Qty Price 7017 First-Class 1 \$0.50 Mail Letter (Domestic) (BUNNELL, FL 32110) (Weight: 0 Lb 0.20 0z) (Estimated Delivery Date) Monday 10/01/2018) Centified \$3.45 (@@USPS Certified Mail #) (70173040000076145795) Total \$3.95 Cash \$4.00 Change (\$0.05)

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

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or call 1-800-410-7420.

YOUR OPINION COUNTS

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City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Department
Item KeyPLANNING
4188Amount
Account
#

Subject A SPECIAL EXCEPTION REQUEST FOR AUTOMOTIVE PARTS IN GENERAL COMMERCIAL (COM-2) ZONING AT 4835 PALM COAST PARKWAY NW.

Background:

Section 3.03.02, Table 3-4 of the City's Unified Land Development Code identifies allowable uses within nonresidential and mixed-use districts. The Table specifies that Automotive Parts requires a Special Exception within General Commercial (COM-2) zoning. Automotive Parts is designated as a separate use in Table 3-4 under Retail Sales and Services. In General Commercial (COM-2), the zoning of the subject tract, Special Exception approval is required to permit Automotive Parts.

The proposed use is compatible with the expansive mixed use character of Palm Coast Parkway NW. Palm Coast Parkway NW is one of the City's major road corridors. This roadway is largely built-out, urban in nature, consisting of a variety of retail, restaurant, personal service and office uses that support the extensive residential uses in the area.

If approved, the applicant will construct a 7,402 SF automotive parts store with 27 parking spaces. The current concept plan depicts the proposed automotive parts store as being an O'Reilly.

Section 5.02.04 of the ULDC requires the use of joint driveways and/or cross access easements in order to minimize the number and maximize the spacing of access connections. At the time of this report, the applicant is requesting a "left in left out" entrance onto Palm Coast Parkway NW. The City has concerns with the placement and design of the proposed entrance onto Palm Coast Parkway NW, and is recommending a different placement of the entrance. See Recommendation #4.

The application, if approved, also will require a nonstatutory lot split and administrative Technical Site Plan approval. Access and easements and are reviewed under these processes.

Recommended Action:

Approve a Special Exception to allow Automotive Parts within General Commercial (COM-2 zoning) at 4835 Palm Coast Parkway NW, subject to the following conditions:

- 1) Future development for this use be limited to up to a 7500 SF building consistent with the applicant's concept plan.
- 2) Any proposed use of this Special Exception shall have Technical Site Plan approval.
- 3) This Special Exception approval excludes onsite automotive repairs.
- 4) A left in will only be permitted at the property line between Lot-12 and Lot-11 with the ability for an additional left out after further traffic analysis with a Master Site plan or

comprehensive traffic study considering buildout of Lot-10, Lot-11, Lot12 and Lot 13 is submitted and considered.



COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT FOR APPLICATION #3740

October 17, 2018

OVERVIEW

Project # 2018080049 Applicant: Hutton St 17, LLC.

PropertyLots 3 & 4, Parcel 1 Amended Plat of Belle Terre, Section-13, **Description:**Reserved Parcel Block - N, MB 27, Page 57, Public Records of

Flagler County;

Property Owner: Green Coast LLC

FLUM designation: Mixed Use

Zoning designation: General Commercial (COM-2)

Current Use: Vacant

Property Tax ID: 14-11-30-5538-00000-0120 Property Location: 4835 Palm Coast Parkway NW

Requested Action: Special Exception for Automotive Parts as required in General

Commercial (COM-2) zoning

Recommendation: Approval with conditions.

ANALYSIS

REQUESTED ACTION

Approve a Special Exception to allow Automotive Parts within General Commercial (COM-2 zoning) at 4835 Palm Coast Parkway NW, subject to the following conditions:

- 1) Future development for this use be limited to up to a 7500 SF building consistent with the applicant's concept plan.
- 2) Any proposed use of this Special Exception shall have Technical Site Plan approval.
- 3) This Special Exception approval excludes onsite automotive repairs.
- 4) A left in will only be permitted at the property line between Lot-12 and Lot-11 with the ability for an additional left out after further traffic analysis with a Master Site plan or comprehensive traffic study considering buildout of Lot-10, Lot-11, Lot12 and Lot 13 is submitted and considered.

BACKGROUND/SITE HISTORY

Section 3.03.02, Table 3-4 of the City's Unified Land Development Code identifies allowable uses within nonresidential and mixed-use districts. The Table specifies that Automotive Parts requires a Special Exception within General Commercial (COM-2) zoning.

Automotive Parts is designated as a separate use in Table 3-4 under Retail Sales and Services. In General Commercial (COM-2), the zoning of the subject tract, Special Exception approval is required to permit Automotive Parts.

The proposed use is compatible with the expansive mixed use character of Palm Coast Parkway NW. Palm Coast Parkway NW is one of the City's major road corridors. This roadway is largely built-out, urban in nature, consisting of a variety of retail, restaurant, personal service and office uses that support the extensive residential uses in the area.

The applicant's June 28, 2018 Letter to the Planning Land Development Regulation Board, states that the applicant is seeking to meet the growing community-wide demand for retail, services, businesses and employment opportunities.

If approved, the applicant will construct a 7,402 SF automotive parts store with 27 parking spaces. The current concept plan depicts the proposed automotive parts store as being an O'Reilly.

Access Issue/Basis for Recommendation #4

At the time of the staff report, the applicant's request is to obtain a two- way access point onto Palm Coast Parkway NW, and a proposed joint use, two way access point onto Bridgehaven Drive. The proposed "left in" and "left out" onto Palm Coast Parkway NW is approximately 150 feet away from the intersection of Bridgehaven and Palm Coast Parkway NW.

The concern is that the applicant's proposed "left out" access onto Palm Coast Parkway NW is too close to the intersection and generally not consistent with the City's design requirements for joint use access and cross access easements. The applicant's traffic study shows that 20% of traffic will head north, crossing two lanes of Palm Coast Parkway traffic. Adjoining future development, under the proposed concept plan, will add more trips to this difficult traffic movement.

Staff is recommending that the proposed two way access point onto Palm Coast Parkway NW be located east of the site plan concept plan site on the existing parcel lot line and that the access be shared with the adjoining lot to the east. This is consistent with the City's "joint use" access design requirements and will allow future access to be shared in a more centralized way by the adjacent parcel on Palm Coast Parkway NW, as well as any additional future development on the subject parcel.

This is consistent with *S5.02.04* of the ULDC that states "when nonresidential developments are proposed to front on public streets, the City shall require the use of joint driveways and/or cross access easements in order to minimize the number and maximize the spacing of access connections. Whenever cross-access corridors or coordinated or joint parking designs are provided to accommodate access management, each applicant for development approval shall provide such easements or agreements as may be necessary to ensure that adjoining properties shall be appropriately connected in order to implement a unified system allowing general cross-

access to and from the other properties in the affected area. Such easements or agreements shall be recorded in the Public Records of Flagler County and shall constitute a covenant running with the land."

The application, if approved, also will require a nonstatutory lot split and administrative Technical Site Plan approval. Easements are reviewed under these processes.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map		
(FLUM)	Mixed Use	No change proposed
	General Commercial	
Zoning District	(COM-2)	No change proposed
Overlay District	Palm Coast Parkway	Palm Coast Parkway
		Automotive Parts – Retail
Use	Vacant	Sales and Services.
		1.05 acres (proposed
Acreage	2.7 acres (entire parcel)	concept plan)
		Palm Coast Parkway NW &
Primary Access	none	Bridgehaven Drive
Total Unit Size	NA	SF 7,402 SF

SURROUNDING ZONING AND LAND USES:

LOCATION	FLUM	ZONING
NORTH	Residential	Duplex (DPX)
SOUTH	Mixed Use	General Commercial (COM-2)
EAST	Mixed Use	General Commercial (COM-2)
WEST	Mixed Use	General Office (OFC-2)

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

The Unified Land Development Code, Chapter 2, and Part II, Section 2.05.05 states: When reviewing a development order application, the approval authority shall determine whether sufficient factual data was available to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:

A. The proposed development must not be in conflict with or contrary to the public interest;

Staff Finding: The proposed automotive parts use is not inconsistent with the surrounding office, retail, service-related character of the Palm Coast Parkway mixed-use corridor.

If approved, the project must comply with all applicable requirements of the City's Building and Fire Codes, the Land Development Code and the Comprehensive Plan. In addition, the applicant will be required to secure TIER 1 Technical Site Plan approval to proceed.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Staff Finding: The request is consistent with the following objectives and policies of the Comprehensive Plan.

Chapter 1 Future Land Use Element:

- Objective 1.1.4 Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.
- Policy 1.1.4.5 Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Staff Finding: The Mixed Use corridor designation offers the residents and visitors to Palm Coast an array of retail, professional office, and personal services opportunities and uses. The existing development along Palm Coast Parkway NW reflects an established mix of retail and services, bounded by well-established residential uses to the north and south. The proposed use is consistent with the developing needs of a growing transportation corridor.

- Goal 1.4 Economic Development Pursue an economic development program to expand (the City's) economic base and to provide adequate, diverse employment and business opportunities.
- Objective 1.4.2 Create Employment Centers and Jobs
- Policy 1.4.2.1 The City shall provide an appropriate balance of commercial, retail, office, and industrial land uses on the FLUM to balance jobs and housing.

Staff Finding: The site is located in Mixed Use FLUM designation that represents existing and future mixed-use corridors and employment centers throughout the City. The purpose of the mixed-use designation is to provide a range of general retail, professional services and offices. The mixed-use designation also offers opportunities for residents to work, shop, and perform a range of daily activities near to home or work within reasonably close proximity to residential dwellings.

Small businesses, along with a mix of professional services and development, are an economic driver for local jobs and a favorable business climate.

C. The proposed development must not impose a significant financial liability or hardship for the City.

Staff Finding: The applicant is responsible for complying with applicable land development, permits and building codes related to improvements

Therefore, should the Special Exception be approved no significant financial liability or hardship will be created for the City.

• <u>Chapter 5 - Infrastructure (Water, Sewer, Drainage, Aquifer Recharge, Waste Disposal) Element:</u>

Staff Findings: The City of Palm Coast serves the development with water and sewer. The City does not anticipate providing any upgrades to its system in order to provide service for the Special Exception.

Stormwater and drainage will be addressed as part of TIER 1 Technical Site Plan Approval. The proposed site plan depicts stormwater and detention treatment to the rear of the lot, which will also serve as a buffer.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Staff Finding: Approving a Special Exception for Automotive Parts in a General Commercial (COM-2) zoning district within a Mixed Use corridor will not in itself create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Staff Finding: Any business on-site must comply with the requirements of all other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.07.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.07.03 states: "No application for a special exception use shall be approved unless the Planning and Land Development Regulation Board finds that the request meets the findings listed in Subsection 2.05.05 and the following:

A. Is consistent with the specific requirements for that particular use as set forth in this LDC;

Staff Finding: The proposed location is 4835 Palm Coast Parkway NW. Currently the site is vacant Approval of this special exception will allow a new business to be constructed offering automotive part sales.

B. Meets the concurrency requirements of this LDC;

Staff Finding: The property currently is vacant. Any concurrency requirements will be reviewed as part of the TIER 1 Technical Site Plan process.

C. Is compatible with the surrounding neighborhoods and promotes the value of surrounding land, structures or buildings.

Staff Finding: The proposed concept plan demonstrates a level of functionality with respect to meeting the City's code. More detail would be required and reviewed during the TIER 1 Technical Site Plan review. Development of this site is required to meet all applicable ULC requirements including Chapter 12- Signs, and Chapter 13-Architectural Design Requirements.

a. Compatibility shall be further reviewed in light of the following components:

Architectural design; Fencing and screening, landscaping;	The proposed building will be reviewed at site plan for consistency with Chapter 13 of the ULDC. The applicant understands that the City's standards may not permit a number of common franchise prototypes and that the City has architectural, including materials and color requirements. The subject site will comply with the City's landscaping requirements in Chapter 11 of the ULDC.
Noise reduction, sign and light control;	The retail nature of this store will be for automotive parts, but will not include any onsite repairs. Hours of the store will be those of conventional retail stores. Signage also will be addressed in accordance with Chapter 12 of the ULDC.
Storm drainage, sanitation collection;	Storm drainage will be addressed during site plan review.
Police and fire protection;	The City does not provide police services so no review was made. Fire standards will be addressed as part of the TIER 1 Technical Site Plan process.
On and off-site traffic control	Sidewalk connectivity will be addressed as part of TIER 1 Technical Site plan review.
Off-street parking and loading; and	Primary access to the site will be via Palm Coast Parkway NW. and Bridgehaven Drive. The onsite parking standards will meet the requirements of Chapter 5 ULDC. At the time of this report, there is an issue related to the design and placement of the Palm Coast Parkway NW entrance.
Other	The applicant's letter to the Planning Board establishes the intent recognizes the growth occurring in the City and the need for this proposed retail site.

SUMMARY

This portion of Palm Coast Parkway is suitable for the retail sales of automotive parts and other specialized forms of retail. Palm Coast Parkway is a mixed-use corridor where the surrounding residents have a reasonable expectation of nearby services and retail opportunities. If approved, staff will work with the applicant to ensure the TIER 1 Technical Site Plan meets all of the applicable ULDC requirements.

PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.07 requires only that the applicant notify adjacent property owners of the PLDRB meeting date 14 days in advance of the public hearing. The required letter notifications to the adjacent property owners were sent via Certified Mail, on or before September 20, 2018. Neither the ULDC nor state law requires signs to be posted, or newspaper ads to be placed. Additionally, no Neighborhood Meeting is required for Special Exception applications.

To date, the Planning Division did not receive any adverse communications from adjacent businesses or members of the public regarding this application.

RECOMMENDATION

Planning Staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Application No. 3740 to allow a Special Exception for Automotive Parts within General Commercial (COM-2 zoning *subject to conditions*:

- 1) Future development for this use be limited to up to a 7500 SF building consistent with the applicant's concept plan.
- 2) Any proposed use of this Special Exception shall have Technical Site Plan approval.
- 3) This Special Exception approval excludes onsite automotive repairs.
- 4) A left in will only be permitted at the property line between Lot-12 and Lot-11 with the ability for an additional left out after further traffic analysis with a Master Site plan or comprehensive traffic study considering buildout of Lot-10, Lot-11, Lot12 and Lot 13 is submitted and considered.



August 20, 2018

Planning and Land Development Regulation Board City of Palm Coast 160 Lake Avenue Palm Coast, FL 32164

Project Name: O'Reilly - Palm Coast Parkway & Bridgehaven Drive

Parcel Number: 14-11-30-5538-00000-0120

Dear Members of the Planning and Land Development Regulation Board,

On Behalf of HUTTON ST 17, LLC, the Applicant, we are pleased to submit the enclosed application for a Special Exception. The Applicant is proposing the construction of a 7,402 SF O'Reilly Auto Parts Retail building, access driveways, at-grade parking and on-site utility connections. The project is located at the southwest corner of the intersection of Palm Coast Parkway (West Bound) and Bridgehaven Drive in Palm Coast, FL; which lies within the Palm Coast Parkway Overlay Zone and is Zoned COM-2. The site is presently vacant/undeveloped.

The purpose of the COM-2 (General Commercial) District is to provide areas for general commercial and office uses to meet the community-wide demand for retail, services, business, and employment opportunities. The proposed O'Reilly Auto Parts project will not only meet the retail automotive parts needs of the surrounding community but also will comply with the zoning and overlay requirements for this site.

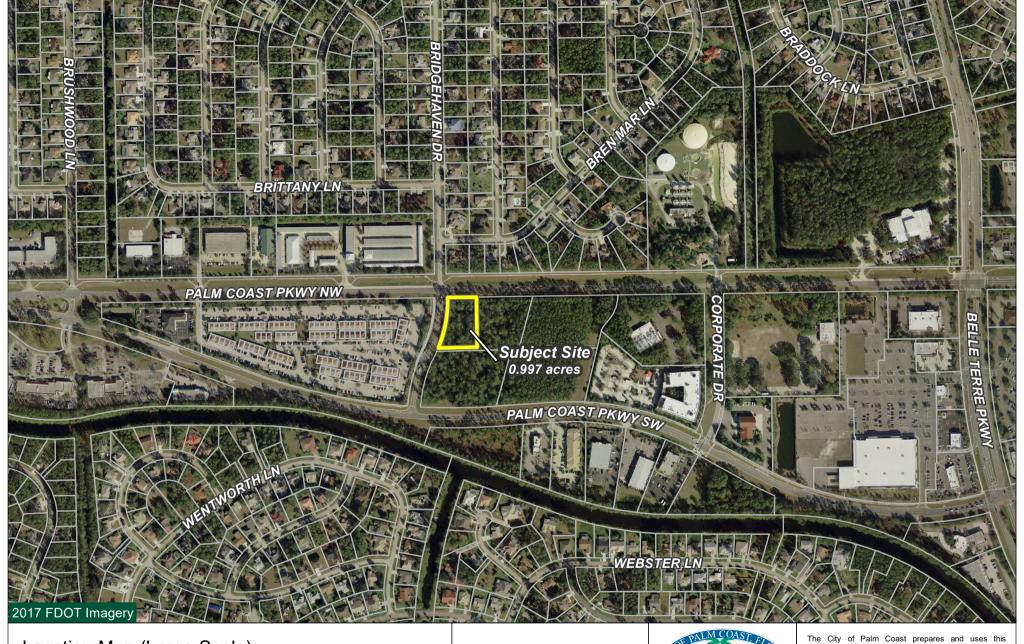
As stated above, enclosed and attached is the Special Exception application along with Site Plans and supporting documentation. We ask that you please review the enclosed submission for consideration of approval. Should you have any questions or would like to discuss the project at any time during your review, please contact us at (813) 812-4100.

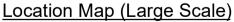
Sincerely,

BOHLER ENGINEERING

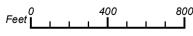
Ben F. Prewitt, P.E. Project Manager

cc: File









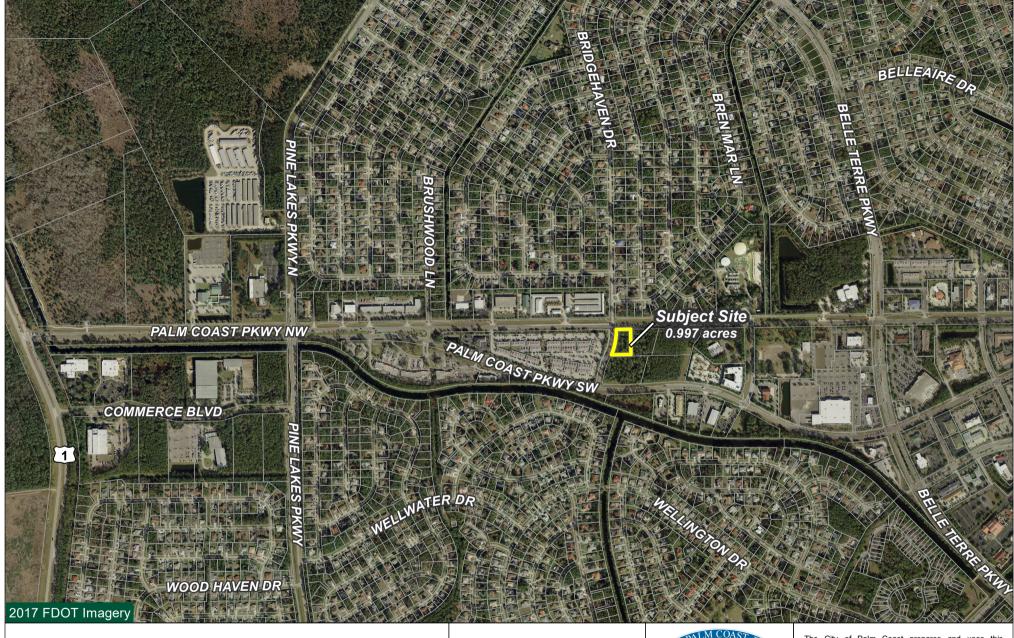


Creation Date: 9/6/2018



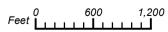
Map Provided By: GIS Division

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



Location Map (Small Scale)





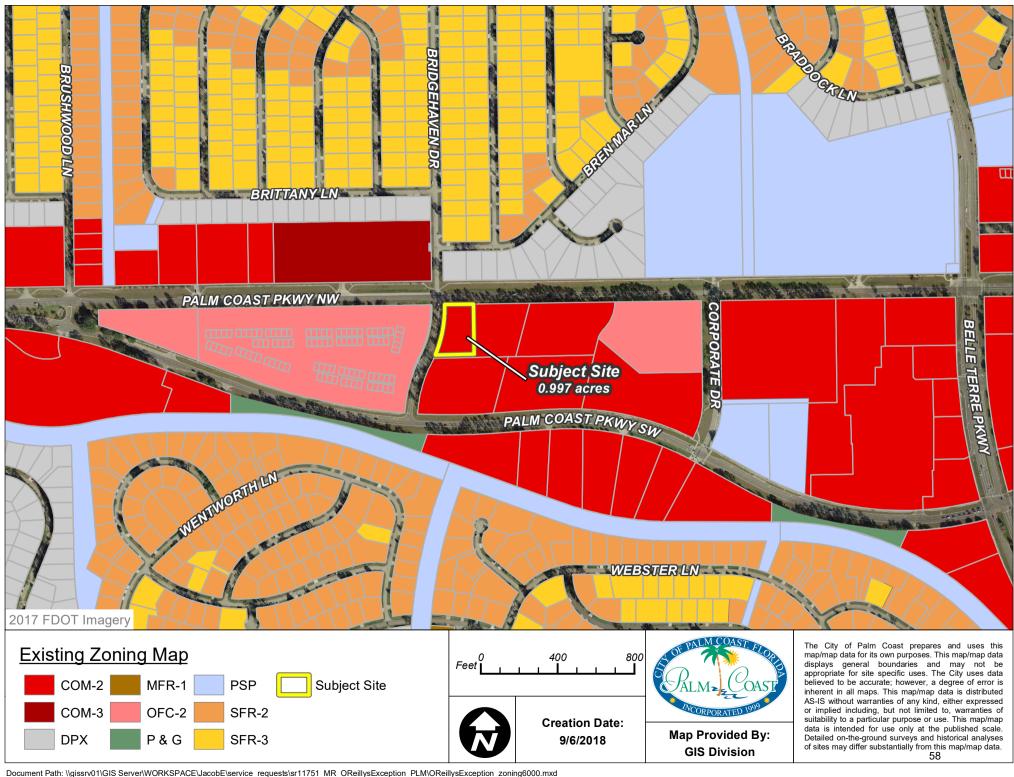


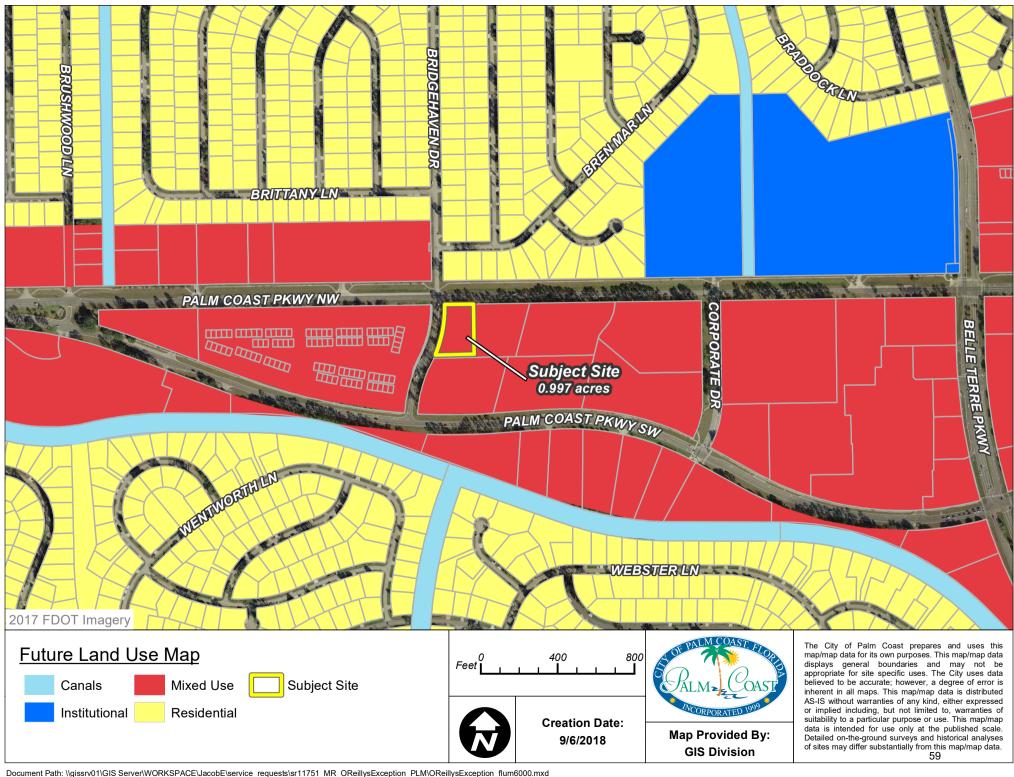
Creation Date: 9/6/2018

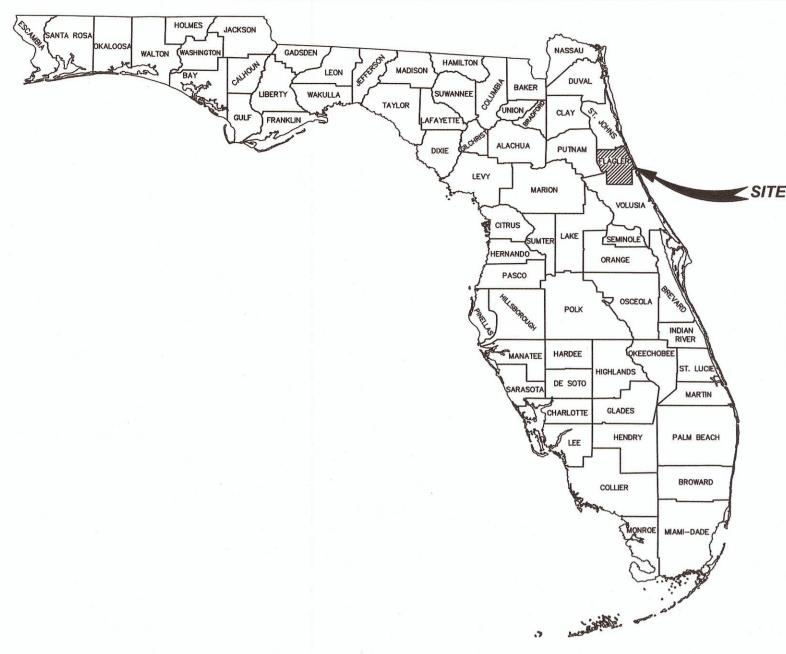


Map Provided By: GIS Division

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- MITERED END SECTION

- METAL LIGHT POLE

- MILES PER HOUR

NATURAL GROUND

- NATIONAL GEODETIC SURVEY

PROFESSIONAL SURVEYORS

- NATIONAL SOCIETY OF

- METAL POWER POLE

- NORTH AMERICAN VERTICAL DATUM

NATIONAL GEODETIC VERTICAL DATUM

MANHOLE

- OUTSIDE DIAMETER - OFFICIAL RECORDS BOOK

 OFFICIAL RECORDS - OVERHEAD UTILITY LINES - OVERHEAD TRAFFIC LINES

- POINT OF CURVATURE

- POINT OF INTERSECTION

- POINT OF COMMENCEMENT

- POINT OF REVERSE CURVATURE

PERMANENT REFERENCE MONUMENT

PROFESSIONAL SURVEYOR & MAPPER

- UTILITY EASEMENT

WOOD LIGHT POLE

WOOD POST FENCE

WOOD POWER POLE

WATER METER

WORK PROGRAM

WATER VALVE

UNKNOWN

- WITH

- TRAFFIC SIGNAL BOX

SPECIAL EASEMENT

TANGENT BEARING

TOWNSHIP 11 SOUTH

- POINT OF BEGINNING

- POINT OF TANGENCY

- POLYVINYL CHLORIDE PIPE

- REINFORCED CONCRETE PIPE

- REGISTERED LAND SURVEYOR

- RECLAIMED WATER METER

- SANITARY SEWER MANHOLE

- STORM DRAINAGE MANHOLE

- OVERHEAD TRAFFIC SIGNAL LINES

- TRAFFIC SIGNAL SUPPORT POLE

- UNDERGROUND CABLE TV LINES

- UNDERGROUND TELEPHONE LINES

- UNDERGROUND WATER LINE

- UNDERGROUND RECLAIM WATER LINE

- POINT OF COMPOUND CURVATURE

- PERMANENT CONTROL POINT

- PROPOSED FINISHED FLOOR

EXCEPTIONS PER TITLE FIRST AGENCY, INC. TITLE COMMITMENT NO.: 2043618-T COMMITMENT DATE MAY 25, 2018 AT 7:59 A.M.

- (10) EASEMENTS RESTRICTIONS CONDITIONS AND ALL OTHER MATTERS AS SHOWN ON THE PLAT OF ST. JOE CORPORATE PARK RECORDED AUGUST 20, 2001 IN PLAT BOOK 32, PAGES 81-83, IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)
- (11) DEDICATION AND RESERVATION RECORDED FEBRUARY 20, 1987 IN OFFICIAL RECORD 305, PAGE 184, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)
- 12. DRAINAGE EASEMENT TO PALM COAST COMMUNITY SERVICE CORPORATION RECORDED FEBRUARY 21, 2001 IN OFFICIAL RECORD 729, PAGE 54, IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. (DOES NOT AFFECT SUBJECT PARCEL) (NOT PLOTTABLE)

Abbreviation Legend

ADA		AMERICAN LAND TITLE ASSOCIATION	MPP		METAL POWER PO
ALTA APPROX	_	AMERICAN LAND TITLE ASSOCIATION APPROXIMATE	N/A		NOT APPLICABLE
ARV		AIR RELEASE VALVE	NAVD		NORTH AMERICAN
AVE		AVENUE	NAD		NORTH AMERICAN
AVG		AVERAGE	NG		NATURAL GROUN
(BB)		BEARING BASIS	NGS		NATIONAL GEODE
BFP'		BACK FLOW PREVENTER	NGVD		NATIONAL GEODE
BLK		BLOCK	N & D		NAIL AND DISK
BLDG		BUILDING	NO.		NUMBER
BLVD		BOULEVARD	NR		NON-RADIAL
BM		BENCH MARK	NSPS		NATIONAL SOCIET
BOC BOW		BACK OF CURB BACK OF WALK	NT		NON-TANGENT
BSL		BUILDING SETBACK LINE	NTS		NOT TO SCALE
BWF		BARBED WIRE FENCE	OD		DUTSIDE DIAMETE
C-X		DENOTES SHEET NUMBERING FOR ENGINEERING PLANS	ORB	- (OFFICIAL RECORD
(C)	_	CALCULATED	OR		OFFICIAL RECORD
Ċ		CHORD	OUL		OVERHEAD UTILIT
CATV		CABLE TELEVISION RISER	OTL		OVERHEAD TRAFF
CB		CABLE TELEVISION RISER CHORD BEARING CONCRETE BLOCK STRUCTURE	(P) PB		PLAT PLAT BOOK
CBS C.C.R.			PC		POINT OF CURVA
C&G		CERTIFIED CORNER RECORD CURB & GUTTER	PCC		POINT OF COMPO
CI		CATCH INLET	PCP		PERMANENT CON
C/L		CENTERLINE	PFF		PROPOSED FINISH
CLF		CHAIN LINK FENCE	PG		PAGE
CM	-	CONCRETE MONUMENT	PGS		PAGES
CMP		CORRUGATED METAL PIPE	PI		POINT OF INTERS
CO		CLEANOUT	PK		PARKER KAYLON
CONC		CONCRETE	POB POC		POINT OF BEGINN POINT OF COMME
COR CRPP		CORNER	POL		POINT ON LINE
CKPP		CORRUGATED PLASTIC PIPE COUNTY UTILITY EASEMENT	PP		POWER POLE
CWS		CROSSWALK SIGNAL	PRC		POINT OF REVER
Δ		DELTA	PRM	- F	PERMANENT REFE
(D)		DESCRIPTION	PSM		PROFESSIONAL S
ĎΒ	-	DEED BOOK	PT		POINT OF TANGE
DBH		DIAMETER AT BREAST HEIGHT IN INCHES	PVC PVMT		POLYVINYL CHLO
DE	-	DRAINAGE EASEMENT	R30E		PAVEMENT RANGE 30 EAST
DEPT		DEPARTMENT	R		RADIUS
DIP DR		DUCTILE IRON PIPE DRIVE	RAD		RADIAL
D/U		DRAINAGE AND UTILITY EASEMENT	RCP		REINFORCED CON
(E)		ENGINEERING PLAN	REC		RECOVERED
EJB		ELECTRIC JUNCTION BOX	REV		REVISION
EL		UNDERGROUND ELECTRICAL LINES	RP	100	RADIUS POINT
ELEC		ELECTRIC	R/W		RIGHT-OF-WAY
ELEV	-	ELEVATION	RLS RP		REGISTERED LANI RADIUS POINT
ELLIP		ELLIPTICAL	RWL	- 1	INDERGROUND R
EOI		END OF INFORMATION	RWM	- F	RECLAIMED WATE
EOP FB		EDGE OF PAVEMENT FIELD BOOK	SE		SPECIAL EASEME
FDOT		FLORIDA DEPARTMENT OF TRANSPORTATION	SEC 14		SECTION 14
FF	****	FINISH FLOOR	SMH		SANITARY SEWER
FGI		FLAT GRATE INLET	(SP)		STATE PLANE
FGLP		FIBERGLASS LIGHT POLE	SQ		SQUARE
FHYD		FIRE HYDRANT	SQ FT ST		SQUARE FEET
FM		FORCE MAIN	STMH		STREET STORM DRAINAGE
FND		FOUND	S/W		SIDEWALK
FP&L FS		FLORIDA POWER AND LIGHT FLORIDA STATUTES	TB		TANGENT BEARIN
(G)		GRID (STATE PLANE)	T11S		TOWNSHIP 11 SO
GL		UNDERGROUND GAS LINES	TELE		ELEPHONE
GOV'T		GOVERNMENT	TL		OVERHEAD TRAFF
GPR		GROUND PENETRATING RADAR	TOB		TOP OF BANK
GTMH	_	GREASE TRAP MANHOLE	TOE		TOE OF SLOPE
HDPE	_	HIGH DENSITY POLYETHYLENE PIPE	TR TRANS		ELEPHONE RISE
HWF	_	HOG WIRE FENCE	TSB		RANSFORMER RAFFIC SIGNAL
ID		IDENTIFICATION	TSSP		RAFFIC SIGNAL
ICV		IRRIGATION CONTROL VALVE	TVL		INDERGROUND C
INFO INV		INFORMATION INVERT	(TYP)	7	TYPICAL
ID ID		IDON DIDE	ÙE		JTILITY EASEMEN

- IRON PIPE

- IRON ROD

IRRIGATION

LIGHT POLE

- MEASURED

MAP BOOK

MAILBOX

MBX

- ARC LENGTH

IRON PIPE & CAP

- IRON REBAR & CAP

LICENSED BUSINESS NUMBER

- ACTUAL

AIR CONDITIONER

- AMERICANS WITH DISABILITIES ACT

- AMERICAN CONGRESS ON SURVEYING & MAPPING

Line Legend: NOT TO SCALE

1	= 1 FOOT CONTOURS
5	= 5 FOOT CONTOURS
	= ADJOINER PROPERTY LINES
xx	= BARBED WIRE FENCE
\	= BROKEN LINE
UC	= BURIED CABLE
исту	= BURIED CABLE TELEVISION
UE	= BURIED ELECTRIC
UFO	= BURIED FIBER OPTICS
UG	= BURIED GAS
URW	= BURIED RECLAIMED WATER LINE
SAN	= BURIED SANITARY LINES
FM	= BURIED SANITARY SEWER FORCE MAIN LINE
—— тс ——	= BURIED TRAFFIC CONTROL
UT	= BURIED TELEPHONE LINE
UW	= BURIED WATER LINES
	= CENTER LINE R/W
oo	= CHAIN LINK FENCE
	= EASEMENT LINES (EXISTING)
	= EASEMENT LINES (PROPOSED)
EOW	= EDGE OF WATER LINES
	= EXISTING DRAINAGE PIPES
5	= EXISTING DRAINAGE PIPES (OUTFALL NOT LOCA
FW	= FIRE WATER MAIN LINES
нw	= HOT WATER SUPPLY LINES
IRR	= IRRIGATION LINES

---- oπ = OVERHEAD TRAFFIC LINES

— OHU — = OVERHEAD UTILITY LINES

____ = RAILROAD TRACKS

____ = SECTION LINES

· · · · = TREE LINES

_____ = VINYL FENCE

_____ = WOOD FENCE

_____ = WETLAND LINE

____ TRAV ___ = TRAVERSE LINES

____ = RIGHT-OF-WAY LINES

= STONE WALL LINES

____ TOB ____ = TOP OF BANK LINES

___ TOE ___ = TOE OF SLOPE LINES

___ UNK ___ = UNKNOWN BURIED LINES

- CLEAN OUT - CONCRETE MITERED END SECTION - CONCRETE RIP RAP - CONCRETE UTILITY POLE - COUNTY ROAD SYMBOL -- - DUAL SUPPORT SIGN E – ELECTRICAL MANHOLE - ELECTRICAL JUNCTION BOX — ELECTRIC OUTLET ELECTRIC RISER - FIRE HYDRANT - FLOOD LIGHT FOUND CONCRETE MONUMENT (AS NOTED) — FOUND IRON PIPE (AS NOTED) FOUND IRON REBAR (AS NOTED) FOUND/SET NAIL (AS NOTED) CATED) GAS VALVE GT) - GOPHER TORTOISE HOLE - GRATE INLET G – GREASE TRAP MANHOLE ← − GUY ANCHOR 4 - HANDICAP PARKING SPACE 一 INTERSTATE SYMBOL - IRRIGATION CONTROL VALVE ☆ - LIGHT POLE □⊕□ - LIGHT POLE (DUAL) □⊕□ - LIGHT POLE (TRIPLE) - LIGHT POLE (QUAD) - MAILBOX , - MONITOR WELLS — NAIL & DISC (AS NOTED)

- PULL BOX (AS NOTED)

- CABLE TV RISER

- CENTRAL ANGLE

- BRICK PAVERS

- CONCRETE

BORING HOLE LOCATION

- RECLAIMED WATER METER - RECLAIMED WATER VALVE □ ROOF DRAIN S - SANITARY SEWER MANHOLE Sign Legend - SANITARY SEWER VALVE - SCHEDULE B ITEM NUMBER (8) (R1) ____ ROW NUMBER SIGN ← GROUND LIGHT (B) — BUS STOP SIGN -- SECTION CORNER (DE) — DEAD END SIGN (DNE) - DO NOT ENTER SIGN (R5-1) - 5/8" IR&C LB #7143 (HC) - HANDICAP SIGN - - SIGN (HC) ___ DUAL HANDICAP SIGN - SITE BENCH MARK (KR) — KEEP RIGHT SIGN D - STORM SEWER MANHOLE (LTO) - LEFT TURN ONLY J - STRIPING (DIRECTIONAL) (ME) - MEDIAN SIGN ■ - TELEPHONE CABLE RISER (ND) — NO DUMPING SIGN ① - TELEPHONE MANHOLE - TELEPHONE JUNCTION BOX (NL) — NO LEFT TURN SIGN (R3-2) - TEST HOLE (NLI) - NO LITTERING SIGN ▼ - TRAFFIC SIGNAL BOX (NO) - NO OUTLET SIGN TRAFFIC SIGNAL SUPPORT POLE O NO PARKING FIRE LANE SIGN ₩ - WATER METER (NOR) - NO RIGHT TURN SIGN (R3-1) WS - WATER SERVICE (NTT) - NO THRU TRAFFIC SIGN — WATER SPIGOT WS - WATER SPRINKLER (NOT) - NO TRUCKS (R5-2) WATER VALVE (NP) - NO PARKING SIGN W - WELL (1W) $\overline{}$ ONE WAY SIGN (R6-2) △ - WETLAND FLAG (PE) — PEDESTRIAN CROSSING SIGN (RTO) - RIGHT TURN ONLY (U) - UNKNOWN MANHOLE (SL) - SPEED LIMIT SIGN BB - CONCRETE PAVERS (ST) $- \circ$ STOP SIGN (R1-1) - DETECTABLE WARNING AREA

(SS) - STREET SIGN

(U) - UNKNOWN SIGN

(WL) — WEIGHT LIMIT SIGN

(WW) WRONG WAY SIGN

(Y) TO YIELD SIGN

(TZ) - TOW AWAY ZONE SIGN

(TE) — TRUCK ENTRANCE SIGN

BOUNDARY & TOPOGRAPHIC SURVEY ALSO BEING AN ALTA/NSPS LAND TITLE SURVEY

4835 PALM COAST PARKWAY NORTHWEST LYING IN

SECTION 14-TOWNSHIP 11 SOUTH-RANGE 30 EAST CITY OF PALM COAST FLAGLER COUNTY, FLORIDA

HUTTON

Legal Description: (AS PREPARED BY SURVEYOR)

A PORTION OF LOT 12, ST. JOE CORPORATE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 32, PAGES 81 THROUGH 83, INCLUSIVE OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA AND LYING IN SECTION 14, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PALM COAST PARKWAY WITH THE EASTERLY RIGHT-OF-WAY LINE OF BRIDGEHAVEN DRIVE ALSO BEING THE WESTERLY LINE OF LOT 12, ST. JOE CORPORATE PARK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 12, AS RECORDED IN MAP BOOK 32, PAGES 81 THROUGH 83, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 89*08'27" EAST, A DISTANCE OF 149.59 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN SOUTH 00°49'19" EAST, A DISTANCE OF 260.61 FEET; THENCE RUN SOUTH 88'50'28" WEST, A DISTANCE OF 202.58 FEET TO A POINT ON THE AFORE SAID EASTERLY RIGHT-OF-WAY LINE; THENCE RUN ALONG SAID RIGHT-OF-WAY LINE AND A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 627.99 FEET, A CENTRAL ANGLE OF 23°44'40", AN ARC LENGTH OF 260.25 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 11°00'47" EAST FOR A CHORD DISTANCE OF 258.39 FEET TO A POINT OF TANGENCY: THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 00°51'33" WEST, A DISTANCE OF 8.81 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE BEING THE POINT OF

CONTAINING 43,415 SQUARE FEET OR 0.997 ACRE MORE OR LESS.

2 - PARKING SPACES (2)

A - REVISION NUMBER (3)

□□□ - CONCRETE LIGHT POLE (DUAL)

- CONCRETE LIGHT POLE (TRIPLE)

□ - CONCRETE LIGHT POLE (QUAD)

1 - WIRE HEIGHTS (SEE CHART)

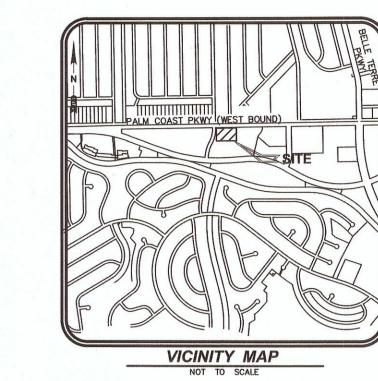
→ CROSSWALK SIGNAL POLE

- UNKNOWN RISER

∠ VENT (AS NOTED)

Symbol Legend:

NOT TO SCALE



Survey Notes:

- 1. "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- 2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 3. THE SITE BENCHMARKS FOR THIS TOPOGRAPHIC SURVEY ARE DISPLAYED ON THE RESPECTIVE SURVEY FILE. THESE BENCHMARKS ARE BASED ON A CLOSED VERTICAL CONTROL LOOP HAVING AN ACTUAL ERROR OF CLOSURE OF 0.0103' WHICH MEETS THE ALLOWABLE CLOSURE OF 0.048'. THIS FIELDWORK WAS PERFORMED USING A NIKON LEVEL MODEL #AS-2 AND REFERENCES THE FOLLOWING PUBLISHED BENCHMARKS AS ESTABLISHED BY THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD '88) AND SAID ELEVATIONS ARE BASED ON VERTICAL CONTROL BENCHMARKS SUPPLIED BY NGS DATA SHEETS PUBLISHED AT WWW.LABINS.ORG AS FOLLOWS:
 - A) DESIGNATION #195 72 B18, PID # AQ0533, SURVEY DISK IN 4"X4" CONCRETE MONUMENT STAMPED "195 72 B18". ELEVATION = 26.10 (NAVD '88)
 - B) DESIGNATION #195 72 B19, PID # AQ0497, SURVEY DISK IN 4"X4" CONCRETE MONUMENT STAMPED "195 72 B19". ELEVATION = 27.90 (NAVD '88)
- SITE BENCHMARKS ARE AS SHOWN ON SHEET 2 OF 2.
- 4. THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 2 OF 2.
- 5. THE LAST DAY FIELD WORK WAS PERFORMED WAS 6/28/18; ALL BOUNDARY CORNERS WERE RECOVERED OR SET AS NOTED
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY SURVEYOR.
- 7. BEARINGS SHOWN HEREON ARE RELATIVE TO THE SOUTHERLY RIGHT-OF-WAY LINE OF PALM COAST PARKWAY (WEST BOUND), ACCORDING TO THE PLAT OF ST. JOE CORPORATE PARK AS RECORDED IN MAP BOOK 32, PAGES 81-83 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AS BEING NORTH 89'08'27" EAST.
- 8. HAVING CONSULTED THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 12035C0136E, CITY OF PALM COAST, MAP REVISED JUNE 6, 2018. THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X, WHICH ARE AREAS OF MINIMAL FLOOD HAZARD (NAVD '88), THIS DETERMINATION WAS BASED ON A GRAPHIC INTERPOLATION OF SAID MAP AND NOT ON ACTUAL FIELD MEASUREMENTS.
- THE APPARENT USE OF THE LAND, AS CLASSIFIED BY THE STANDARDS OF PRACTICE SET FORTH IN RULE CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FS 472.027, ESTABLISHES THAT THE MINIMUM RELATIVE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY MEET THE HORIZONTAL CONTROL ACCURACY OF 1'/10,000 FEET FOR A COMMERCIAL/HIGH RISK SURVEY. THE MEASUREMENTS AND CALCULATIONS OF THE CLOSED GEOMETRIC FIGURES WERE FOUND TO MEET THIS ACCURACY REQUIREMENT. THE EQUIPMENT USED TO VERIFY THE HORIZONTAL CONTROL ON THE SUBJECT SURVEY WAS A TOPCON TOTAL STATION MODEL# GPT-3005W, AND A TOPCON GPS HIPER PRO.
- 10. HORIZONTAL WELL-IDENTIFIED FEATURES IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.05 (FT). THE EQUIPMENT USED TO LOCATE THE FEATURES WAS A TOPCON TOTAL STATION
- 11. UNLESS OTHERWISE NOTED, ALL RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION CONTAINED IN THE COMMITMENT FOR TITLE INSURANCE BY TITLE FIRST AGENCY, INC., COMMITMENT NO. 2043618-T, COMMITMENT DATE MAY 25, 2018 AT 7:59 A.M., AND WAS PROVIDED BY THE CLIENT.
- 12. NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS SHOWN.
- 13. THIS SURVEY DOES NOT IDENTIFY THE LIMITS OR EXTENT OF POTENTIAL JURISDICTIONAL WETLAND BOUNDARIES.
- 14. FENCES EXISTING ON, OVER OR ADJACENT TO SUBJECT PROPERTY, ARE DISPLAYED HEREON; OWNERSHIP WHETHER SINGULAR OR JOINT WAS NOT DETERMINED BY THIS SURVEY.
- 15. VERTICAL FEATURE ACCURACY: "ELEVATIONS OF WELL-IDENTIFIED FEATURES CONTAINED IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 0.05 (FT)."
- 16. DIMENSIONS ARE SHOWN RELATIVE TO UNITED STATES STANDARD FEET AND DECIMALS THEREOF, UNLESS THE OBJECT SHOWN IS COMMONLY IDENTIFIED IN INCHES, I.E. TREE DIAMETER, PIPE DIAMETER, ETC. TREES DEPICTED ARE COMMON NAMES AND MEASURED AND LABELED AS DIAMETER AT BREAST HEIGHT IN INCHES.
- 17. CERTAIN INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR AS NOTED OR DISPLAYED HEREON.
- 18. THE UNDERGROUND UTILITIES DEPICTED BY PIPE LINETYPES ARE APPROXIMATE IN NATURE BASED UPON AN INSPECTION OF THE MANHOLE, GRATE, ETC. OF EACH FACILITY. EXISTING PIPES WERE NOT LAMPED OR REMOTELY VIEWED FOR DIRECTION,
- 19. AT THE TIME OF THIS SURVEY THE CITY OF PALM COAST AND/OR UTILITY COMPANIES WERE UNABLE TO FIELD LOCATE THE EXISTING UTILITIES (I.E. FORCE MAIN, WATER LINES GAS LINES, ETC.) AND THEREFORE IT IS NOT DISPLAYED ON THIS SURVEY. CALL SUNSHINE DESIGN TICKET # 178810681 WAS CALLED IN ON 6/27/18.

Index of Sheets

ALTA/NSPS LAND TITLE SURVEY (COVER SHEET) ALTA/NSPS LAND TITLE SURVEY (BOUNDARY & TOPOGRAPHIC SURVEY)

Reference Material

1) ST. JOE CORPORATE PARK AS RECORDED IN MAP BOOK 32, PAGES 81-83 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

2) SP-1 CONCEPTUAL SITE PLAN AS PREPARED BY HUTTON, DATED 03/07/2018.

THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 THROUGH 2 OF

Eng. = ENGINEERING L.B. = LICENSED BUSINESS

C.O.A. = CERTIFICATE OF AUTHORIZATION Arch.= ARCHITECTURAL

Landscp. = LANDSCAPE N/A = NOT APPLICABLE Lic. = LICENSE

No. = NUMBER P.O. = POST OFFICE © = COPYRIGHT

Surveyor's Certification:

Certified to: Hutton This is to certify that this map or plat and the survey on which it is based were made

in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-5, 6(a), 8, 11, 13, 14 and 16-21 of Table A thereof. The field work was completed on June 26, 2018.

I hereby certify that the attached "ALTA/NSPS Land Title Survey" of the hereon-described property is true and correct to the best of my knowledge, information and belief as surveyed in the field on June 26 2018. I further certify that this "Boundary & Topographic Survey" meets the standards of practice set forth in Rule Chapter 5 of the Florida Administrative Code, pursuant to FS 472.027.

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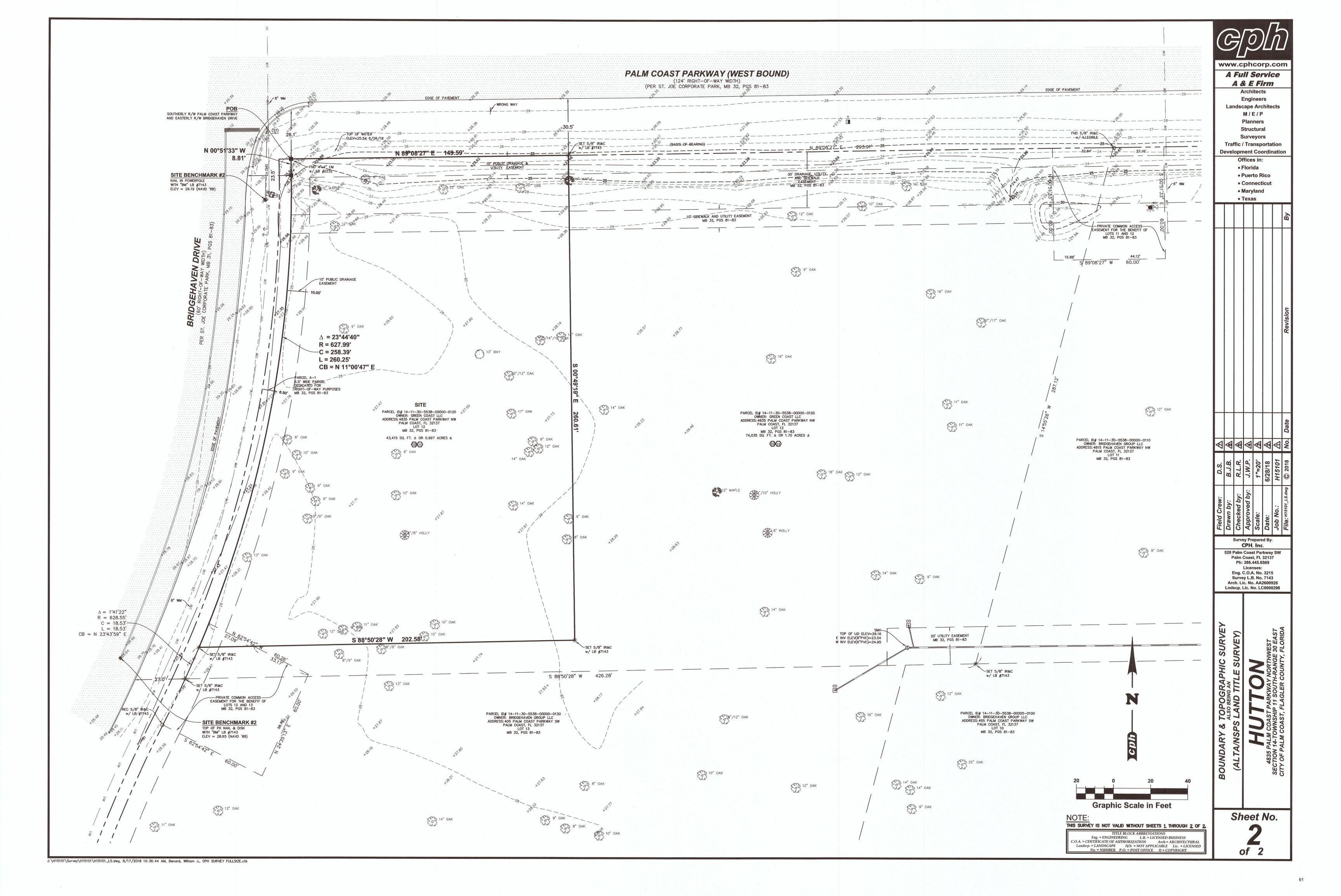
Survey Prepared By CPH, Inc. 520 Palm Coast Parkway SW

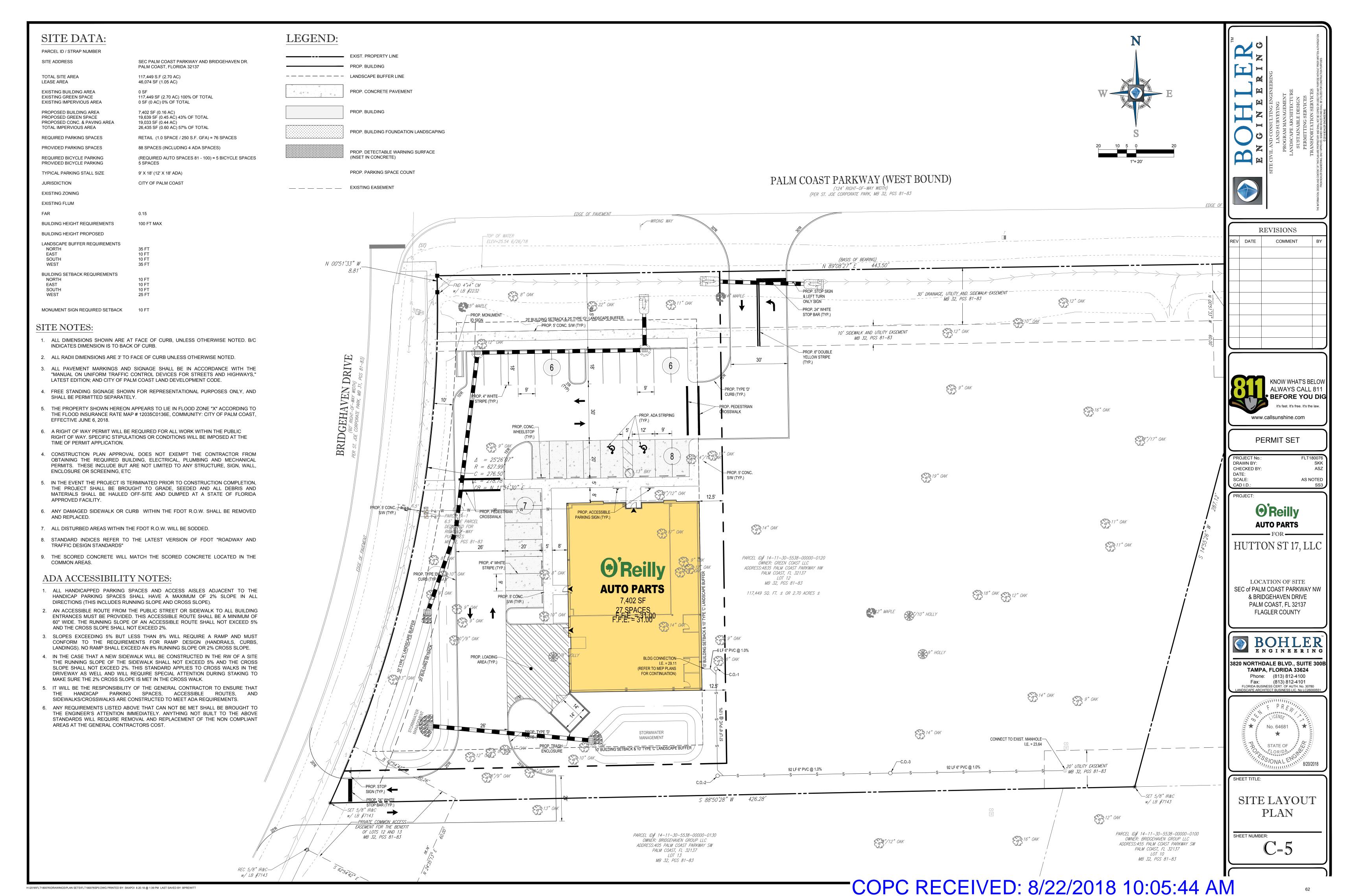
Palm Coast, FL 32137 Ph: 386.445.6569 Eng. C.O.A. No. 3215 Survey L.B. No. 7143 Arch. Lic. No. AA2600926 Lndscp, Lic. No. LC0000298

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of





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MINOR TRAFFIC REVIEW O'Reilly – Palm Coast Parkway NW and Bridgehaven Drive

Prepared for: Bohler Engineering

Minor Traffic Review O'Reilly – Palm Coast Parkway NW and Bridgehaven Drive

July 2018

Prepared for:
Bohler Engineering

Prepared by:
Whitehouse Group Inc.
301 East Jackson Street
Suite 3300
Tampa, FL 33602
Ph: (813) 359-8770

Project No. T0149.00

Vicki L. Castro, P.E. P.E. No. 47128

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Conceptual Site Plan Trip Generation City of Palm Coast AADT Report

INTRODUCTION

The purpose of this report is to provide the Minor Traffic Review for the property located south of Palm Coast Parkway NW and east of Bridgehaven Drive in City of Palm Coast, Florida, as shown in Figure 1.

PROJECT DESCRIPTION

The project is proposed to be develop for up to 7,402 square feet of auto parts sales. The site is currently vacant. The access for the project is proposed to be the following:

- One (1) left-in/left-out access to Palm Coast Parkway NW
- One (1) full access to Bridgehaven Drive.

A conceptual site plan is included in the Appendix of this report.

ESTIMATED DAILY PROJECT TRAFFIC

The trip rates utilized in this report were obtained from the latest computerized version of "OTISS" which utilizes the Institute of Transportation Engineers' (ITE) Trip Generation, 10th Edition, 2017, as its database. Based on these trip rates, it is estimated that the proposed project will attract approximately 410 daily trip ends, as shown in Table 1.

Studies contained in the ITE Trip Generation Handbook, 3rd Edition, indicate that a percentage of the project trips already exist on the adjacent roadways – passerby capture. Therefore, the new daily trip ends attracted to the proposed project would be 234 trip ends, as shown in Table 1.

Figure 1. Project Location

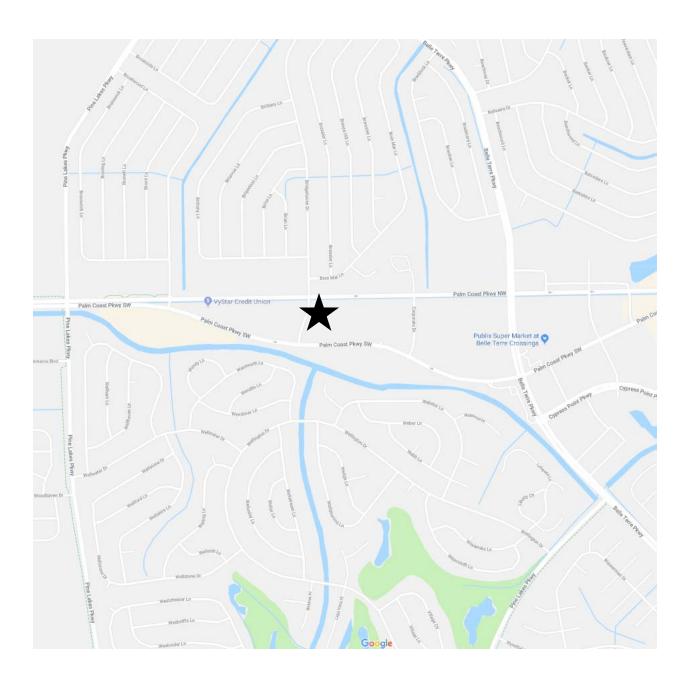


Table 1. Estimated Daily Project Traffic

		Daily								
	ITE		Trip	Passerby	New Daily					
<u>Land Use</u>	<u>LUC</u>	<u>Size</u>	<u>Ends (1)</u>	Capture (2)	Trip Ends					
Auto Parts Sales	843	7,402 SF	410	1 <i>7</i> 6	234					

(1) Source: ITE <u>Trip Generation</u>, 10th Edition, 2017.

(2) Source: ITE <u>Trip Generation Handbook</u>, 3rd Edition. - 43%

ESTIMATED AM PEAK HOUR PROJECT TRAFFIC

Again, based on data contained in the ITE <u>Trip Generation</u>, 10th Edition, the proposed project would attract approximately 19 trip ends during the AM peak hour with 10 inbound and 9 outbound, as shown in Table 2.

As previously stated, studies contained in the ITE Trip Generation Handbook, 3rd Edition, indicate that a percentage of the project trips already exist on the adjacent roadways – passerby capture. Therefore, the new AM peak hour trip ends attracted to the proposed project would be 11 trip ends with 6 inbound and 5 outbound, as shown in Table 2.

ESTIMATED PM PEAK HOUR PROJECT TRAFFIC

Again, based on data contained in the ITE Trip Generation, 10th Edition, during the PM peak hour, the proposed project would attract approximately 36 trip ends during the PM peak hour with 17 inbound and 19 outbound, as shown in Table 3

As previously stated, studies contained in the ITE <u>Trip Generation Handbook</u>, 3rd Edition, indicate that a percentage of the projects trips already exist on the adjacent roadways – passerby capture. Therefore, the new PM peak hour trip ends attracted to the proposed project would be 21 trip ends with 10 inbound and 11 outbound, as shown in Table 3.

Table 2. AM Peak Hour Project Traffic

			AM Peak Hour			Passer	by	New	AM Pe	ak Hour	
	ITE		Trip Ends (1)			apture	(2)		Trip E	nds	
<u>Land Use</u>	<u>LUC</u>	<u>Size</u>	<u>ln</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>ln</u>	<u>Out</u>	<u>Total</u>
Auto Parts Sales	843	7,402 SF	10	9	19	4	4	8	6	5	11

- (1) Source: ITE <u>Trip Generation</u>, 10th Edition, 2017.
- (2) Source: ITE Trip Generation Handbook, 3rd Edition. 43%

Table 3. PM Peak Hour Project Traffic

			PM Peak Hour			Passer	by	New	PM Pe	ak Hour		
	ITE			Trip Ends (1)			apture	∍ (2)		Trip E	nds	
<u>Land Use</u>	<u>LUC</u>	<u>Size</u>	<u>ln</u>	<u>Out</u>	<u>Total</u>	<u>ln</u>	<u>Out</u>	<u>Total</u>	<u>ln</u>	<u>Out</u>	<u>Total</u>	
Auto Parts Sales	843	7,402 SF	1 <i>7</i>	19	36	7	8	15	10	11	21	

(1) Source: ITE <u>Trip Generation</u>, 10th Edition, 2017.

(2) Source: ITE <u>Trip Generation Handbook</u>, 3rd Edition. - 43%

ANALYSIS PERIOD

This analysis will include the PM peak hour.

PROJECT TRIP DISTRIBUTION / ASSIGNMENT

The following distribution of the PM peak hour trip ends was based on the existing traffic and development patterns with hand assignment to the local network:

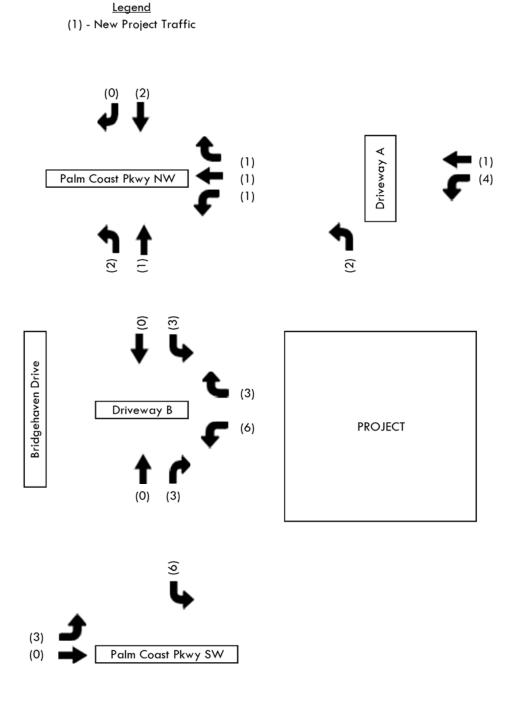
- 50% to and from the east (via Palm Coast Parkway NW)
- 30% to and from the west (via Palm Coast Parkway SW)
- 20% to and from the north (via Bridgehaven Drive).

Table 4 shows the distribution of the PM peak hour new project trip ends. Figure 2 illustrates the new project trip ends on the adjacent roadway network for the PM peak hour.

Table 4. Estimated Peak Hour Project Traffic Distribution

Time	East	(50%)	West (30%)		North	(20%)	Total		
<u>Period</u>	<u>ln</u>	<u>Out</u>	<u>ln</u>	<u>Out</u>	<u>ln</u>	<u>Out</u>	<u>ln</u>	<u>Out</u>	
PM	5	6	3	3	2	2	10	11	

Figure 2. Peak Hour New Project Traffic



LINK ANALYSIS

A link analysis was conducted for the following segments:

- Palm Coast Parkway SW (eastbound) from Pine Lakes Parkway to Belle Terre Parkway
- Palm Coast Parkway NW (westbound) from Belle Terre Parkway to Pine Lakes Parkway.

Table 5 presents the results of the analysis. According to results shown in the table, there currently is excess capacity along all segments and operate at Level of Service C. With the addition of the project traffic, it is estimated that all segments should continue to operate at Level of Service C, as shown in Table 5.

Table 5. Peak Season Link Analysis

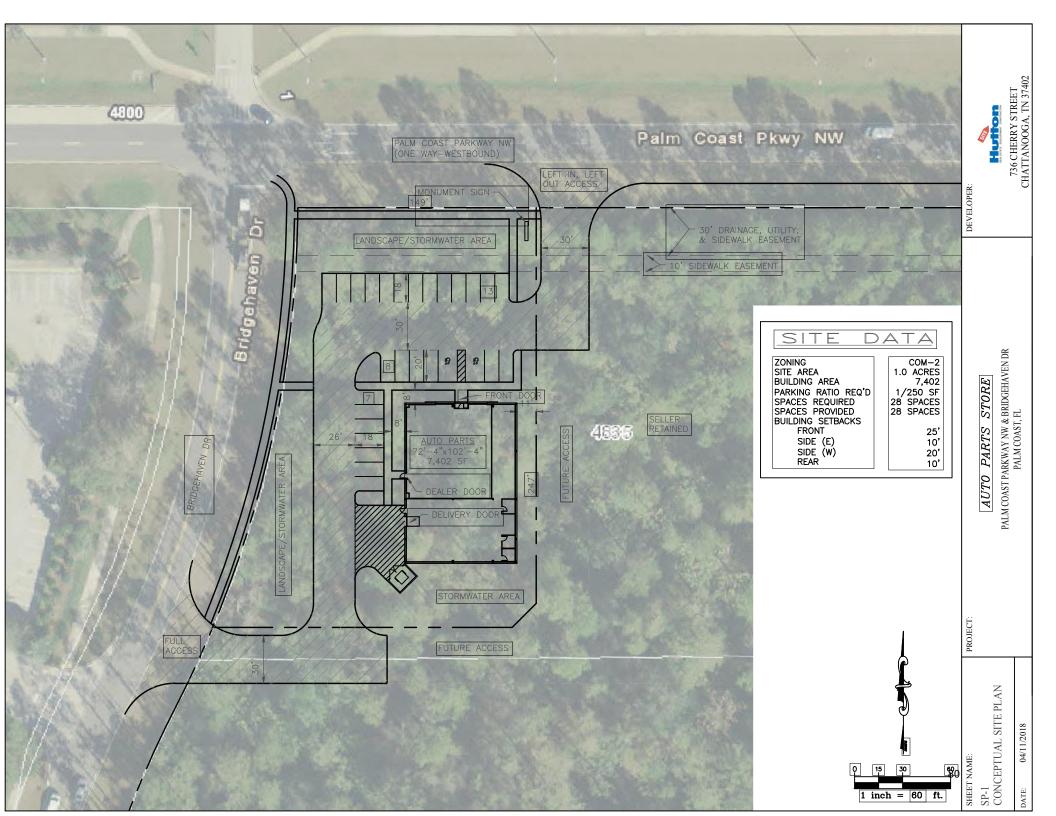
						2017			
					Peak Hour	Peak Hour			
			Link	LOS	Two-way	Two-way	Project	Available	LOS with
<u>Roadway</u>	<u>From</u>	<u>To</u>	No.	$\underline{Standard}$	Capacity (1)	Traffic (2)	<u>Traffic</u>	<u>Capacity</u>	Project Trips
Palm Coast Pkwy SW (EB)	Pine Lakes Pkwy	Belle Terre Pkwy	2815 EB	D	1,895	954	6	935	С
Palm Coast Pkwy NW (WB)	Belle Terre Pkwy	Pine Lakes Pkwy	2810 WB	D	1,895	1,665	5	225	С

(1) Source: FDOT LOS Tables $(39,000 - 10\%) \times 0.6) \times .09 = 1,895$

(2) Source: City of Palm Coast AADT and assuming 9% of daily occurs during the PM peak hour.

Palm Coast Pkwy SW (EB): $10,600 \times 0.09 = 954$ Palm Coast Pkwy NW (WB): $18,500 \times 0.09 = 1,665$

CONCEPTUAL SITE PLAN



TRIP GENERATION

PERIOD SETTING

Analysis Name : Daily

Project Name: OReillys - Palm Coast No:

Date: 7/2/2018 City:

State/Province: Zip/Postal Code: Country: Client Name:

Analyst's Name: Edition: ITE-TGM 10th Edition

Independent Land Use Size **Time Period** Method Entry Exit Total Variable 843 - Automobile Parts 1000 Sq. Ft. GFA 7.41 Weekday Average 205 205 410 Sales (General 55.34 50% 50%

Urban/Suburban)

TRAFFIC REDUCTIONS

Land Use Entry Adjusted Entry Exit Reduction Adjusted Exit Reduction

843 - Automobile Parts Sales 0 % 205 0 % 205

EXTERNAL TRIPS

Land UseExternal TripsPass-by%Pass-by TripsNon-pass-by Trips843 - Automobile Parts Sales41043176234

ITE DEVIATION DETAILS

Weekday

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips 843 - Automobile Parts Sales (General Urban/Suburban)

ITE does not recommend a particular pass-by% for this case.

SUMMARY

Total Entering	205
Total Exiting	205
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	0
Total Exiting Internal Capture Reduction	0
Total Entering Pass-by Reduction	88
Total Exiting Pass-by Reduction	88
Total Entering Non-Pass-by Trips	117
Total Exiting Non-Pass-by Trips	117

PERIOD SETTING

Analysis Name : AM Peak Hour

Project Name : OReillys - Palm Coast No :

Date: 7/2/2018 City:

State/Province: Zip/Postal Code: Country: Client Name:

Analyst's Name: Edition: ITE-TGM 10th Edition

Independent Land Use Size **Time Period** Method **Entry Exit** Total Variable 843 - Automobile Parts 1000 Sq. Ft. GFA 7.41 Weekday, Peak Average 10 9 19 53% Sales (General Hour of Adjacent 2.59 47% Street Traffic, Urban/Suburban) One Hour Between 7 and 9 a.m.

TRAFFIC REDUCTIONS

Land UseEntry ReductionAdjusted EntryExit ReductionAdjusted Exit843 - Automobile Parts Sales0 %100 %9

EXTERNAL TRIPS

Land UseExternal TripsPass-by%Pass-by TripsNon-pass-by Trips843 - Automobile Parts Sales1943811

ITE DEVIATION DETAILS

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips 843 - Automobile Parts Sales (General Urban/Suburban)

ITE does not recommend a particular pass-by% for this case.

SUMMARY Total Entering 10 **Total Exiting** 9 **Total Entering Reduction** 0 **Total Exiting Reduction** 0 **Total Entering Internal Capture Reduction** 0 **Total Exiting Internal Capture Reduction** 0 **Total Entering Pass-by Reduction** 4 **Total Exiting Pass-by Reduction** 4 **Total Entering Non-Pass-by Trips** 6 **Total Exiting Non-Pass-by Trips** 5

PERIOD SETTING

Analysis Name : PM Peak Hour

Project Name: OReillys - Palm Coast No:

Date: 7/2/2018 City:

State/Province: Zip/Postal Code: Country: Client Name:

Analyst's Name: Edition: ITE-TGM 10th Edition

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
843 - Automobile Parts Sales (General Urban/Suburban)	1000 Sq. Ft. GFA	7.41	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	•	17 47%	19 53%	36

TRAFFIC REDUCTIONS

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
843 - Automobile Parts Sales	0 %	17	0 %	19

EXTERNAL TRIPS

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
843 - Automobile Parts Sales	36	② 43	15	21

ITE DEVIATION DETAILS

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips No deviations from ITE.

SUMMARY	
Total Entering	17
Total Exiting	19
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	0
Total Exiting Internal Capture Reduction	0
Total Entering Pass-by Reduction	7
Total Exiting Pass-by Reduction	8
Total Entering Non-Pass-by Trips	10
Total Exiting Non-Pass-by Trips	11

CITY OF PALM COAST ROADWAY NETWORK DATABASE - 2014

	CITY OF PALM COAST AVERAGE ANNUAL DAILY TRAFFIC (AADT)									
	AADT									
Link Number	Link Description	1997	2002	2004	2006	2008	2011	2013	2015	2017
	Belle Terre Parkway Matanzas Woods Parkway to Bird of Paradise Drive	6,000	3,800	4,700	7,700	5,300	6,200	7,400	8,600	6,600
1205	Bird of Paradise Drive to Pine Lakes Parkway	-	3,800	11,000	15,000	12,000	11,000	15,300	14,800	14,100
	Pine Lakes Parkway to Bellaire Drive Bellaire Drive to Palm Coast Parkway(WB)	10,500	10,500 15,500	12,500 17,000	16,000 20,500	13,000 15,000	13,000 16,500	15,800 18,700	15,700 18,000	14,700 17,400
	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)	9,500	14,000	17,500	18,500	9,300	23,000	18,500	23,000	24,700
	Palm Coast Parkway (EB) to Cypress Point Parkway	11,500	12,000	15,000	21,000	14,000	19,500	21,300	20,700	21,100
	Cypress Point Parkway to Pine Lakes Parkway	17,500	26,000	30,000	41,500	31,000	26,000	32,400	34,700	34,000
	Pine Lakes Parkway to Parkview Drive (S) Parkview Drive (S) to White View Parkway	1,300	16,000 16,000	22,500 20,500	33,000 40,000	21,000 20,500	21,000 18,000	24,000 24,200	25,000 24,900	26,300 22,800
	White View Parkway to Rymfire Drive - Northbound	10,000	14,500	18,500	25,500	18,500	19,500	22,200	23,900	23,500
	Rymfire Drive to Royal Palms Parkway - northbound	-	13,500	17,500	26,000	20,000	23,500	25,100	26,000	25,700
	Royal Palms Parkway to East Hampton Boulevard	-	14,500	19,500	25,500	22,000	19,000	24,000	25,500	25,400
	East Hampton Boulevard to SR 100 Belle Terre Blvd.	8,800	13,000	12,000	21,500	19,000	20,500	24,100	22,800	22,000
	SR 100 to Zebulas Trail	-	6,800	5,300	6,000	5,900	4,900	5,400	6,700	8,400
	Zebulas Trail to Zaun Trail	-	3,400	5,300	4,700	5,900	4,800	6,200	5,600	•
	Zaun Trail to Citation Parkway	-	2,500	3,300	3,700	4,700	3,200	3,500	5,200	4,000
	Citation Parkway to US 1 Bird of Paradise Drive	-	1,700	3,500	4,200	4,200	2,900	3,600	3,600	3,800
	Matanzas Woods Parkway to Birchwood Drive	-	700	1,000	1,000	1,600	2,100	2,200	2,100	2,900
	Birchwood Drive to Belle Terre Parkway	-	3,000	2,400	1,500	2,800	3,000	4,100	4,000	3,000
	Bulldog Drive									
	SR 100 to Central Avenue Central Avenue	-	-	-	-	-	1,700	1,700	2,900	2,800
	Belle Terre Parkway to Market Avenue	_	-	-	-	-	4,700	4,900	5,400	3,200
	Market Avenue to Lake Avenue	-	-	-	-	-	2,600	2,200	2,800	3,500
	Lake Avenue to Landings Blvd.	-	-	-	-	-	2,600	2,200	2,800	3,600
	Landings Blvd to Park Street	-	-	-	-	-	2,300	2,300	2,800	3,300
	Park Street to Bulldog Drive Bulldog Drive to Brookhaven Drive	-	-	-	-	-	2,600 1,300	2,300 1,500	2,900 1,900	3,100 2,300
	Brookhaven Drive to Town Center Blvd.	-	-	-	-	-	1,600	1,500	1,600	1,900
	Citation Parkway									
	Belle Terre Parkway to Laguna Forest Lane	-	500	500	900	700	400	200	500	600
	Seminole Woods Parkway to Sesame Boulevard Club House Drive	-	500	1,000	2,700	1,900	2,500	2,900	2,500	3,000
	Palm Harbor Parkway to Palm Coast Parkway (WB)	2,300	2,400	4,200	4,000	2,400	2,800	2,900	3,600	3,400
1310	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)	3,300	3,900	3,600	5,100	3,200	2,800	3,100	3,100	3,400
	Colbert Lane		0.700	4.000	4 200	2.000	4.000	F 400	4.600	F F00
	Palm Coast Parkway (WB) to Palm Coast Parkway (EB) Palm Coast Parkway (EB) to Waterside Parkway (N)	3,200	3,700 5,100	4,000 6,300	4,300 7,000	3,600 6,100	4,800 5,800	5,100 6,900	4,600 7,100	5,500 7,900
	Waterside Parkway (N) to Waterside Park (S)	-	4,200	4,800	4,900	4,200	4,100	4,800	4,600	
	Waterside Park (S) to South Park Road	-	3,800	5,500	5,400	4,300	4,700	5,300	5,000	6,300
	South Park Road to Roberts Road	-	-	5,200	5,400	4,200	4,700	5,200	5,200	6,200
	Roberts Road to SR 100 Cypress Point Parkway	-	-	5,200	5,400	4,200	3,300	3,500	4,200	4,500
	Belle Terre Parkway to Pine Cone Drive	-	15,500	17,000	30,500	18,500	15,500	19,500	17,100	19,000
	Pine Cone Drive to Cypress Edge (S)	-	14,000	17,000	20,500	16,500	14,500	16,100	17,000	
	Cypress Edge (S) to Cypress Edge (N) - eastbound	-	14,000	17,000	20,500	16,500	11,500	17,200	16,500	-
	Cypress Edge (N) to Palm Coast Parkway - eastbound Farmsworth Drive	-	20,500	21,500	29,500	16,500	24,500	30,100	28,300	31,100
	Old Kings Road to Florida Park Drive	-	1,400	3,000	1,800	1,500	1,800	2,000	2,200	1,700
	Farragut Drive									
	Old Kings Road to Florida Park Drive	-	900	900	1,400	800	500	260	370	400
	Fleetwood Drive Old Kings Road to Florida Park Drive	-	2,500	2,500	2,500	900	1,200	920	950	1,000
	Florida Park Drive	-	2,500	2,300	2,300	300	1,200	920	330	1,000
2090	Palm Harbor Parkway to Forest Hill Drive	-	4,800	4,500	6,900	5,100	4,900	5,400	5,500	
	Forest Hill Drive to Fleetwood Drive	-	5,400	5,400	7,200	5,100	5,700	6,300	6,400	6,600
	Fleetwood Drive to Farragut Drive Farragut Drive to Palm Coast Parkway (WB)	8,800	5,400 10,000	7,500 7,500	7,600 11,000	5,100 7,300	7,000 8,600	7,800 8,500	8,000 8,900	8,100 8,100
	Palm Coast Parkway (WB) to Palm Coast Parkway (EB)	4,400	5,400	3,200	6,300	4,900	4,500	5,200	6,300	-
	Forest Grove Drive						•			
	Old Kings Road (W) to Old Kings Road (E)	900	1,100	1,800	2,400	3,400	2,900	3,500	3,900	-
	Old Kings Road (E) to Palm Harbor Parkway	-	500	1,300	1,300	3,200	3,600	4,700	4,100	-
	Frontier Drive Old Kings Road to Florida Park Drive	-	2,800	4,000	3,000	2,100	1,400	1,400	1,900	1,800
	Hargrove Grade Road		2,000	.,000	2,000	_,±00	_, 100	1, 100	1,500	
3707	US 1 to Otis Stone Hunter Road	-	3,000	3,000	3,100	1,900	2,400	3,500	5,100	3,400
	I-95 (SR 9) Palm Coast City Limit to Palm Coast Parkway	2.555	40.000	F4 565	45.55	F4 255	45 555	45.55	40.000	40.55
2	I Paim Loast Lity Limit to Dalm Loast Darkway	34,500	43,000	54,500	45,500	51,000 60,000	45,500	45,000 63,200		
		17 500	50 500 1	P3 7UU 1	/In 51111	mi i i i i i i i i i i i i i i i i i i	n/:::		n / 21"''	/1.1
292	Palm Coast Parkway to SR 100	47,500 43,500	52,500 53,500	63,500 67,500	46,500 54,000		64,500 67,000		67,300 44,500	-
292		47,500 43,500	52,500	67,500	54,000	67,000	67,000	39,000		-
292 255 3925	Palm Coast Parkway to SR 100 SR 100 to Old Dixie Highway			-						47,000

	Matanzas Woods Parkway									
2400	US 1 to Belle Terre Parkway	1,100	2,100	3,000	6,200	5,200	3,700	4,500	4,800	4,000
-	Belle Terre Parkway to Bird of Paradise Drive	500	700	900	1,600	3,600	4,000	4,700	5,200	8,200
	Bird of Paradise Drive to I-95 SB	-	-	-	-	4,100	4,500	5,100	5,900	10,700
2416	I-95 SB to I-95 NB	-	-	-	-	4,100	4,500	5,100		10,100
2417	I-95 NB to Old Kings Rd Extension	-	-	-	-	4,100	4,500	5,100	5,900	9,300
2418	Old Kings Rd Extension to Old Kings Rd/Matanzas HS Entrance	-	-	-	-	4,100	4,500	5,100	5,900	6,800
	Old Kings Road									
	US 1 to Princess Place Preserve Entrance	200	200	200	400	1,500	1,700	1,900		1,400
-	Princess Place Preserve Entrance to Forest Grove Drive	-	200	1,200	400	1,600	1,700	2,000	2,700	1,300
	Forest Grove Drive to Farmsworth Drive	-	2,700	2,100	6,600	4,000	5,000	3,600		4,900
-	Farmsworth Drive to Frontier Drive Frontier Drive to Fleetwood Drive	2 400	2,700	5,200	6,800	6,800	6,800	8,000		
	Fleetwood Drive to Farragut Drive	3,400 10,000	9,300 9,300	8,700 12,000	11,000 16,500	9,300 12,000	9,700 11,500	10,500 12,600		11,600 13,700
	Farragut Drive to Palm Coast Parkway	20,000	15,500	14,000	18,500	14,500	15,000	15,600		18,700
	Palm Coast Parkway to Utility Drive	4,400	6,600	6,200	6,900	6,900	7,200	8,400		10,700
	Utility Drive to Oak Trails Boulevard	- 1,100	4,300	4,300	6,200	5,400	4,700	7,300	7,800	9,000
-	Oak Trails Boulevard to Hidden Lakes Entrance	1,800	3,400	3,500	5,500	4,700	5,400	6,700		
2743	Hidden Lakes Entrance to Town Center Boulevard	1,800	3,400	3,500	5,500	4,700	5,400	6,700		8,700
2745	Town Center Boulevard to SR 100	-	3,400	3,500	5,500	3,900	4,800	6,500	6,800	8,900
2750	SR 100 to Palm Coast City Limit	3,400	3,900	4,100	3,800	3,600	8,000	8,400	8,500	7,600
	Palm Coast Parkway									
2800	US 1 to Pine Lakes Parkway	7,700	9,600	11,500	12,000	14,000	9,900	10,400	12,300	12,700
	Palm Coast Parkway (Eastbound)									
	Pine Lakes Parkway to Belle Terre Parkway	6,600	9,000	9,400	9,300	8,700	9,900	10,200		10,600
2825 EB	Belle Terre Parkway to Cypress Point Parkway	11,500	15,000	15,500	30,500	14,500	18,000	16,300	17,600	17,000
2010 M/D	Palm Coast Parkway (Westbound)	6,000	15.000	15 500	19.000	14 500	16 000	17 700	10 000	19 500
	Belle Terre Parkway to Pine Lakes Parkway Cypress Point Parkway to Belle Terre Parkway	6,900 11,500	15,000 8,600	15,500 9,200	18,000 10,500	14,500 8,200	16,000 9,700	17,700 9,800	-	18,500 10,100
2020 WD	Palm Coast Parkway	11,300	0,000	9,200	10,500	8,200	9,700	9,800	9,700	10,100
2826	Cypress Point Parkway to I-95 South Bound Ramps	17,000	42,500	42,500	49,500	39,000	42,000	42,600	-	47,900
	I-95 South Bound Ramps to I-95 North Bound Ramps	34,500	42,500	45,000	49,000	40,500	39,000	41,600		45,400
	I-95 North Bound Ramps to Old Kings Road	36,500	44,500	41,000	49,000	38,000	40,000	42,600		42,100
	Palm Coast Parkway (Eastbound)									
2845 EB	Old Kings Road to Florida Park Drive	11,000	12,000	14,500	13,000	13,500	14,000	15,000	-	12,900
2855 EB	Florida Park Drive to Club House Drive	8,300	10,500	10,500	13,000	12,000	10,000	11,800	12,600	12,500
2865 EB	Club House Drive to Colbert Lane	6,500	8,200	11,000	13,000	5,800	8,900	9,500	10,300	9,900
2875 EB	Colbert Lane to Palm Harbor Parkway	3,800	5,700	4,500	8,900	5,300	5,100	6,000	6,300	7,300
	Palm Coast Parkway (Westbound)									
	Palm Harbor Parkway to Colbert Lane	3,300	4,400	4,900	6,400	5,100	5,800	6,000		7,500
-	Colbert Lane to Club House Drive	5,800	7,400	7,900	12,500	8,100	6,500	9,400		
-	Club House Drive to Florida Park Drive	9,000	10,500	10,500	12,000	10,000	10,000	11,800		11,800
	Florida Park Drive to Old Kings Road	9,800	13,000	13,000	22,500	12,500	15,000	15,400	-	14,600
	Palm Coast Parkway (Hammock Dunes Parkway) Palm Harbor Parkway to SR A1A	6,000	6,400	8,700	9,100	7,700	11,000	10,400	12,000	12,500
	Palm Harbor Parkway	0,000	0,400	0,700	3,100	7,700	11,000	10,400	12,000	12,500
	Old Kings Rd/Matanzas HS Entrance to Cris Lane	-	-	-	-	-	-	-	-	5,200
	Cris Lane to Fellowship Drive	-	-	-	-	-	-	-	-	5,300
-	Forest Grove Drive to Florida Park Drive	1,500	3,100	3,300	1,200	3,400	5,100	4,900	5,700	7,100
2910	Florida Park Drive to Club House Drive	4,500	3,400	3,300	3,900	7,400	4,600	4,400	6,900	4,700
2920	Club House Drive to Palm Coast Parkway	3,600	4,400	5,200	4,500	4,000	4,900	5,200	5,400	5,100
	Pine Lakes Parkway									
-	Belle Terre Parkway (N) to Palm Coast Parkway	1,700	2,100	2,900	4,000	2,800	3,500	3,600		4,300
	Palm Coast Parkway to Commerce Boulevard	-	7,100	8,000	10,000	8,400	8,400	9,000		
	Commerce Boulevard to White Mill Drive	9,800	7,100	4,000	10,500	5,200	5,700	8,500		
3020	White Mill Drive to Belle Terre Parkway (S)	-	6,500	4,600	5,300	3,600	6,400	12,300	12,800	8,300
3011	Ravenwood Drive White View Parkway to Rymfire Drive	_	1,400	2,700	3,900	2,200	4,200	4,500	4,800	5,200
3911	Royal Palms Parkway	-	1,400	۷,/۵0	3,900	۷,۷00	4,200	4,500	4,000	3,200
3200	US 1 to Rymfire Drive	600	1,200	3,500	5,200	4,200	4,000	5,400	6,300	6,600
-	Rymfire Drive to Belle Terre Parkway	-	1,900	2,200	2,800	3,100	3,600	5,200		
-	Belle Terre Parkway to Town Center Boulevard	-	-	-,200	-,555	-	2,100	7,000		8,900
	Rymfire Drive						,=30	,200	2,233	-/230
	Royal Palms Parkway to Ravenwood Drive	-	800	1,900	3,600	3,200	3,300	3,300	4,000	4,000
-	Ravenwood Drive to Belle Terre Parkway	_	1,400	2,800	4,200	4,400	4,700	5,000	5,700	5,700
	Seminole Woods Parkway									
	SR 100 to Ulaturn Place	1,500	2,000	3,100	5,700	5,400	5,700	7,600		
-	Ulaturn Place to Citation Parkway	-	1,200	2,600	4,100	4,100	4,600	5,500		8,500
	Citation Parkway to Sesame Boulevard	-]	900	1,600	3,000	2,700	4,500	4,000		
3305	Sesame Boulevard to US 1	-	1,200	2,400	3,700	3,600	3,700	4,200	5,000	5,500
	Sesame Boulevard									
3320	Seminole Woods Parkway to terminus	-	700	1,900	3,600	3,300	1,100	1,300	1,000	1,300
2500	State Road 100 John Anderson Drive to Colbert Lane		14 500	11 000	26,000	14 500	16 500	17 500	20.200	21 100
	John Anderson Drive to Colbert Lane Colbert Lane to Tuscany Blvd.	-	14,500 19,500	11,000 17,500	26,000 18,500	14,500 13,500	16,500 17,500	17,500 18,200		21,100 22,600
-	Tuscany Blvd. to Old Kings Road	-	19,500	17,500	18,500	13,500	17,500	18,200		
-	Old Kings Road to I-95	1,600	19,500	17,500	23,000	21,000	23,000	25,700		31,100
-	I-95 to Memorial Medical Parkway	16,000	25,000	19,500	24,500	18,500	27,500	31,200		
	Memorial Medical Pkwy to Seminole Woods Parkway	13,500	25,000	19,500	24,500	18,500	25,000	28,400		
-	Seminole Woods Pkwy to Bulldog Drive	-	19,500	23,000	29,000	18,000	23,000	27,000		
	Bulldog Drive to Landings Blvd.	4,100	19,500	18,500	28,000	19,500	24,500	29,700		
-	Landings Blvd. to Belle Terre Parkway	-	19,500	18,500	28,000	19,500	23,500	26,100		
-	Belle Terre Parkway to Palm Coast City Limits	9,300	14,500	18,500	15,500	11,500	16,000	17,900		
5550	1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2,300	,000	10,000		,500	_0,000	_,,500	_5,000	-,,200

Town Center Blvd.									
4100 SR 100 to Hospital Drive	-	-	-	-	-	4,400	3,800	5,400	5,600
4110 Hospital Drive to Central Avenue	-	-	-	-	-	5,400	4,000	5,100	5,800
4120 Central Avenue to Lake Avenue	-	-	-	-	-	3,800	4,400	5,100	5,700
4130 Lake Avenue to Royal Palm Parkway	-	-	-	-	-	3,500	4,300	5,000	5,400
4140 Royal Palm Parkway to Old Kings Road	-	-	-	-	-	5,400	6,900	7,800	9,500
US1 (SR5)									
3700 St. Johns County Line to Old Kings Road	-	6,500	4,500	9,500	9,100	9,400	11,300	12,300	11,800
3702 Old Kings Road to Matanzas Woods Parkway	4,200	6,600	4,500	11,500	7,900	8,100	10,000	9,700	10,400
3705 Matanzas Woods Parkway to Palm Coast Parkway	6,600	5,500	8,500	7,900	7,300	7,600	8,900	10,000	10,200
3710 Palm Coast Parkway to White View Parkway	7,000	11,000	15,000	13,500	12,500	11,500	13,000	14,600	15,500
3720 White View Parkway to Royal Palms Parkway	9,900	14,000	15,000	19,000	12,500	12,000	14,400	15,300	15,700
3725 Royal Palms Parkway to Espanola Road	8,400	14,500	18,000	18,500	14,500	15,500	15,200	17,200	18,100
101 Palm Coast City Limit to Belle Terre Parkway	9,500	11,000	11,500	18,000	10,500	15,000	10,200	11,600	11,700
3750 Belle Terre Parkway to CR 304	9,300	11,000	14,000	18,000	13,500	15,000	12,700	13,300	13,500
3755 CR 304 to Seminole Woods Parkway	9,700	11,500	14,500	18,500	14,000	18,500	12,700	14,600	13,300
235 Seminole Woods Parkway to Palm Coast City Limit	8,200	11,000	19,000	19,000	15,500	16,500	13,400	15,300	14,500
White Mill Drive									
3915 Pine Lakes Parkway to White View Parkway	-	2,000	2,400	3,100	2,400	3,000	3,300	3,600	4,100
White View Parkway									
3920 US 1 to White Mill Drive	-	3,000	4,100	7,400	5,400	5,000	5,300	5,700	6,500
3910 White Mill Drive to Belle Terre Parkway	-	3,200	3,800	5,700	4,700	6,300	6,100	6,400	7,600
3900 Belle Terre Parkway to Pritchard Drive	600	1,400	2,000	4,300	1,700	2,800	2,900	3,400	3,800
EB = Eastbound; WB = Westbound; SB = Southbound	d; $\overline{NB} = North$	bound; E = E	ast; W= West	t; S= South; N	I= North				



NOTIFICATION AFFIDAVIT for VARIANCE / SPECIAL EXCEPTION

COUNTY OF FLAGLER X Hillsborugh STATE OF FLORIDA X	
Before me this 1st day of October, 20 8 personally appeared	
Ben Prewitt	who after providing
is personally known to me	as identification and
whodid, X did not take an oath, and who being duly sworn, dep	oses and says as follows:
"I have read and fully understand the provisions of this instrument."	
1. Each abutting property owner (as defined in the Unified Land D boundary lines of Application # 3740 , has been mailed a letter fourteen (14) calendar days before the hearing date notifying them of the 10/11/18, Planning & Land Development Regulation Board	er by certified mail at least of the date, time, and place
2. No other documentation was provided in the envelope with the notific	ation letter.
Signature of Responsible Party	
Ben Prewitt, PE Printed Name	
3820 Northdak Blvd. #3008, Tampa, FC 33624 Mailing Address	
Signature of Person Taking Acknowledgement	
Samontha Harlan	EAL
Name of Acknowledger (Typed, Printed or Stamped)	
\$^^~~	

SAMANTHA HARLAN MY COMMISSION # GG140418

This document, once rexecuted must be returned to a Land Development Technician in the City of Palm Coast Community Development Department at least seven (7) days prior to the hearing date. Failure to provide document by that time will result in the application not being placed on the agenda for a public hearing.



Planning Division

160 Lake Avenue Palm Coast, FL 32164 386-986-3736

September 20, 2018

RE: Request for Special Exception; Application No. 3740

Dear Sir or Madam,

The Community Development Department, in accordance with Section 2.05.03 of the City of Palm Coast Unified Land Development Code herein advises you that:

A request for a Special Exception to allow automotive part sales in the General Commercial (COM-2) zoning district has been made by Green Coast LLC of Palm Coast Section 14, Block 00000, Lot 0120, Tax Parcel ID No.: 14-11-30-5538-00000-0120, generally located at southeastern corner of Bridgehaven Drive and Palm Coast Parkway NW. The address is 4835 Palm Coast Parkway NW.

This request is to be heard before the Planning and Land Development Regulation Board (PLDRB). You are hereby notified that a public hearing, required by law, will be held at the Palm Coast City Hall Community Wing, 160 Lake Avenue, Palm Coast, Florida, on Wednesday, October 17, 2018 beginning at 5:30 pm or as soon thereafter as possible.

You are welcome to attend and express your opinion or place concerns in writing and mail them to the address listed below on this letter.

Cordially,

Ada Mechan

Project Manager

NOTE: Pursuant to Section 286.0105 of Florida Statutes the City of Palm Coast Community Development Department hereby notifies all interested persons that if a person decides to appeal any decision made by the PLDRB with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in these proceedings should contact Angela Tagliamonte at 386-986-3736 at least 48 hours prior to the hearing. To obtain the decision of this hearing, please contact the Planning Division the day after the above public hearing during the afternoon.

07-11-31-5052-00000-0010	Oph Storage 17 (Fl) LLC C/O Paradigm Tax - Ess #8440 PO Box 800729
	Dallas, TX 75380
14-11-30-5986-00000-0001	Westpointe Plaza Condominium
	Common Area
	Dec Rec OR 1381 Pg 140
	2007 Tax Roll
14-11-30-5538-00000-0110	Bridgehaven Group LLC
	6 Flamingo Court
	Palm Coast, FL 32137
14-11-30-5538-00000-0100	Bridgehaven Group LLC
	6 Flamingo Court
	Palm Coast, FL 32137
14-11-30-5538-00000-0130	Bridgehaven Group LLC
	6 Flamingo Court
	Palm Coast, FL 32137
07-11-31-7013-00050-0010	Norris Linda R
	PO Box 28596
	Jacksonville, FL 32226
07-11-31-7013-00050-0020	Hsu Robert &
	Rachel G C Hsu Trustees
	2300 Cedarfield Pkwy Apt 403
07.11.21.7012.00050.0010	Richmond, VA 23233
07-11-31-7013-00050-0040	Briskey James C III &
	Christina Chandradat Jtwros
	14 Bren Mar Lane
	Unit A
07 11 21 7012 00050 0050	Palm Coast, FL 32137
07-11-31-7013-00050-0050	Bruno Steven W 60 Saw Mill Rd
07-11-31-7013-00050-0060	Putnam Valley, NJ 10579 Barbosa Joaquim Trustee
07-11-51-7013-00030-0000	& Arthur Pinto
	65 Boston Lane
	Palm Coast, FL 32137
	I dilli Coast, I L 32 13 1

EHRLICH 14910 N DALE MABRY HWY TAMPA FL 33618-1814 1189170624

10/01/2018 (800) 275 - 8777 3:48 PM

Sale Final Product Qty Description Price

\$0.50 First-Class

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(Domestic) (PALM COAST, FL 32135) (Weight: 0 Lb 0.50 0z) (Estimated Delivery Date)

(Wednesday 10/03/2018) Certified \$3.45

(@@USPS Certified Mail #) (70180360000039265507)

(\$0.50)Affixed

Postage (Affixed Amount:\$0.50)

\$3.45 Total

Credit Card Remitd \$3.45 (Card Name: VISA) (Account #:XXXXXXXXXXXXXX9401)

(Approval #:044819) (Transaction #:359) (AID: A0000000980840 Chip) (AL:US DEBIT)

(PIN:Not Required)

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EHRLICH 14910 N DALE MABRY HWY TAMPA FL 33618-1814

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(/U10い30いいいいつごびごうごうごう ====== Affixed (\$0.50)1 Product Postage Descri

(Affixed Amount:\$0.50)

Love Total \$36.05 Flouri

Credit Card Remitd \$36.05 First (Card Name: VISA) Mail Lette

(Account #:XXXXXXXXXXXXXX9401) (Approval #:043810)

(Transaction #:358) (AID: A0000000980840 Chip) (AL:US DEBIT)

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YOUR OPINION COUNTS

City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Department PLANNING Amount Item Key 4192 Account

Subject REQUEST FOR TIER 2 TECHNICAL SITE PLAN APPROVAL FOR THE PALMS AT TOWNCENTER MULTIFAMILY PROJECT.

Background:

This is a proposed site plan for the Urban Core area of Town Center. The Town Center Urban Core area is planned as the MPD's downtown, the City's downtown, with the vision of Town Center becoming an increasingly regional area of significance in the future. The emphasis for the Urban Core of Town Center is urban and mixed use in nature, with a blend of residential, commercial, pedestrian and civic uses.

The applicant has submitted for a Tier 2 Technical Site Plan review for an 88- unit multifamily development on approximately 9.12 acres of land located south of Central Avenue and east of Bulldog Drive in the Urban Core portion of the Town Center Master Planned Development.

This application offers the opportunity to create a unique, urban residential living option in the Urban Core of Town Center. This application is also the first proposed project in the City's newly- created Innovation District. Urban and residential style development is key to creating the long term mixed- use fabric and style of living anticipated for Town Center.

The proposed development consists of three 3- story apartment buildings and one clubhouse, as well as other onsite amenities, including a pool, dog park, and volleyball area. This development is also the first residential application for the Urban Core area of Town Center.

The project is considered a "Moderate" (Tier 2) development, which requires approval by the Planning and Land Development Regulation Board (PLDRB).

Recommended Action:

Staff recommends that the PLDRB approve the Palms at Town Center, an 88-unit TIER II Technical Site Plan. The approval of this Application No. 3726 is subject to compliance with the remaining site plan comments (Attachment A), Site Development Permit and all applicable City Codes and requirements.

Community Development Department Planning Division

160 Lake Avenue Palm Coast, FL 32164 386-986-3736

October 04, 2018

HTG PALMS, LLC 3225 AVIATION AVE, 6TH FLOOR COCONUT GROVE, FL 33133

RE: Comment Letter for LOTS 12 & 13 /TRACT 4A/ THE PALMS AT TOWN CENTER

PHASE II, TECHNICAL SITE PLAN TIER 2; 2nd Submittal

Application: 3726

Dear Mr. Zummon,

Thank you for your recent application submittal. Staff has reviewed your documents, however; due to circumstances noted on the enclosed correspondence, your application cannot be approved at this time. The following list below is a list of staff comments based on the 2nd submittal application.

If you desire to proceed, kindly resubmit the appropriate documents as follows:

- Upload a revised set of signed / sealed plans to include revision dates.
- Upload signed / sealed plans and documents in PDF format. (Follow on-line directions)
- Upload letter noting each comment and the manner in which each comment has been addressed. When resubmitting denote any changes (by bubbling them) to address or clarify the issues noted. In some instances, a clarification may suffice.

It is recommended that you contact Irene Schaefer, 386-986-3749 to schedule a TRX meeting to discuss comments or you can resubmit when prepared to resubmit your application documents.

If you have any guestions concerning the comments noted, please contact me at 386-986-().

Sincerely,

IDA MEEHAN, Project Manager

Ada Mochan

Attachment: Staff Comments

Landscape Markups

Copy: Ray Tyner, Planning Manager

TRX Team

Owner: PALM COAST HOLDINGS INC ALLETE GENERAL ACCOUNTING, 30

W SUPERIOR STREET, ATTN: JAKE MILLER, DULUTH, MN 55803



Staff Comments 2nd Submittal

Reviewing Department Comments

ENGIN1 - CITY ENGINEERING 386-986-4771

Comments:

Held By: MPEEL

1. Published speed limit is 25. Design speed limit indicated in the MPD is 20. Site triangles indicate that you do not meet clear site distance because of on-street parking. How is this being addressed?

PLLA - PLANNING LANDSCAPE ARCHITECT (386-986-3736)

Comments:

Held By: BDAWSON

See marked up landscape comments on the followning sheets:

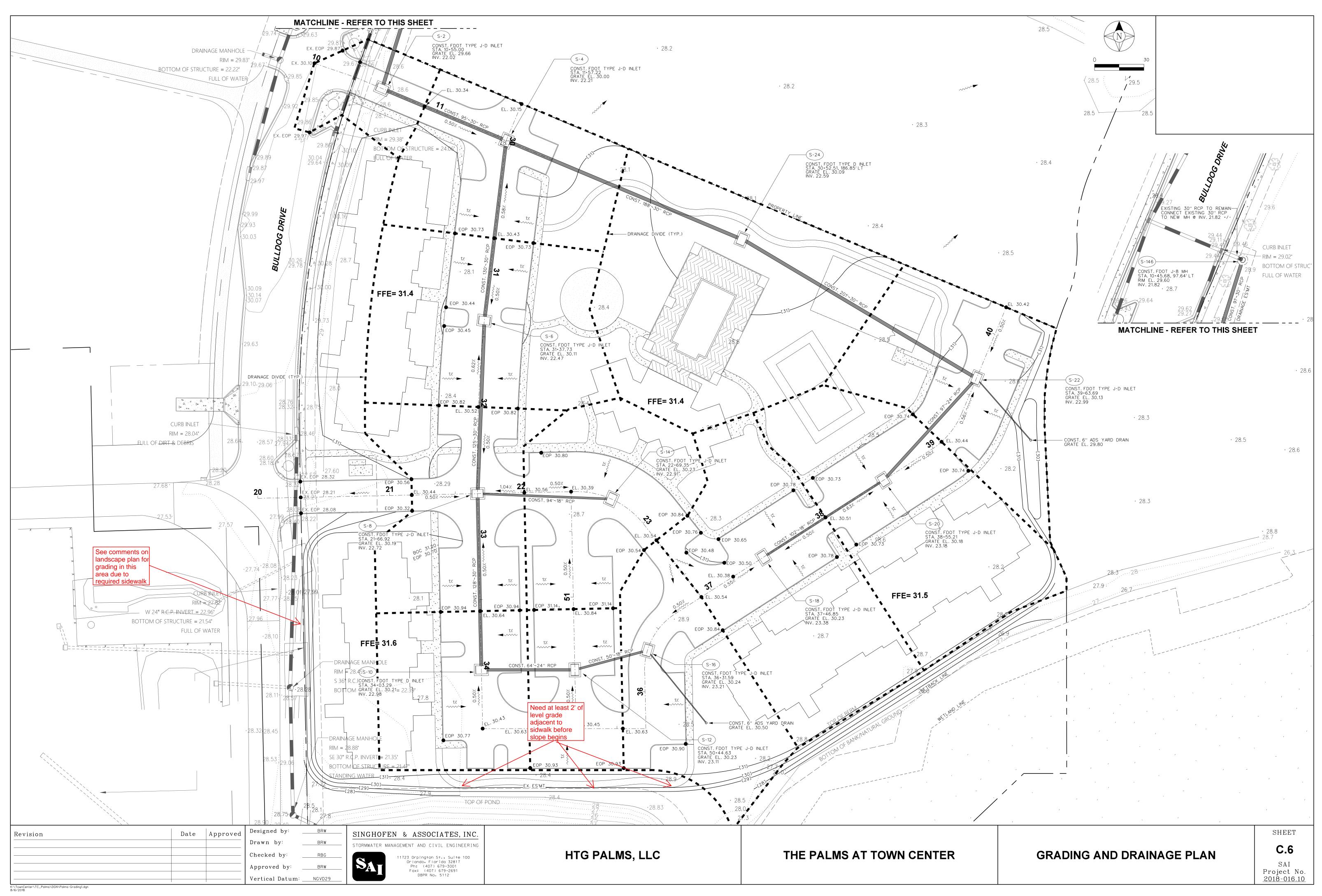
L100, L300, L301, L400, L401, L402, L403, E1.03, E1.04

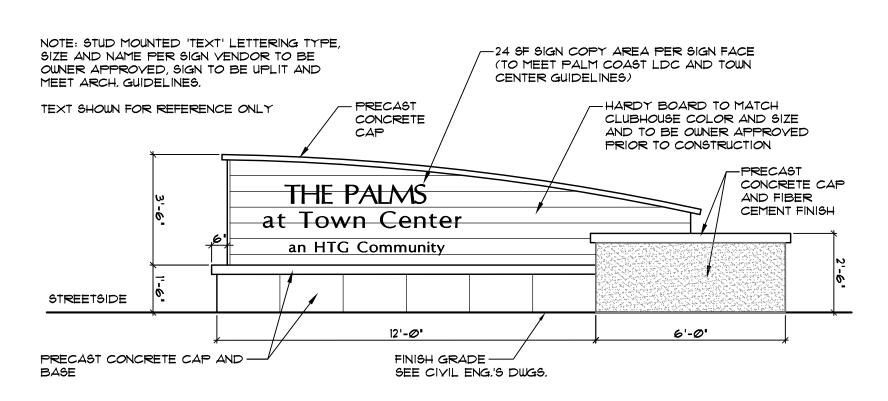
UD1 - UTILITY DEPARTMENT 386-986-3794

Comments:

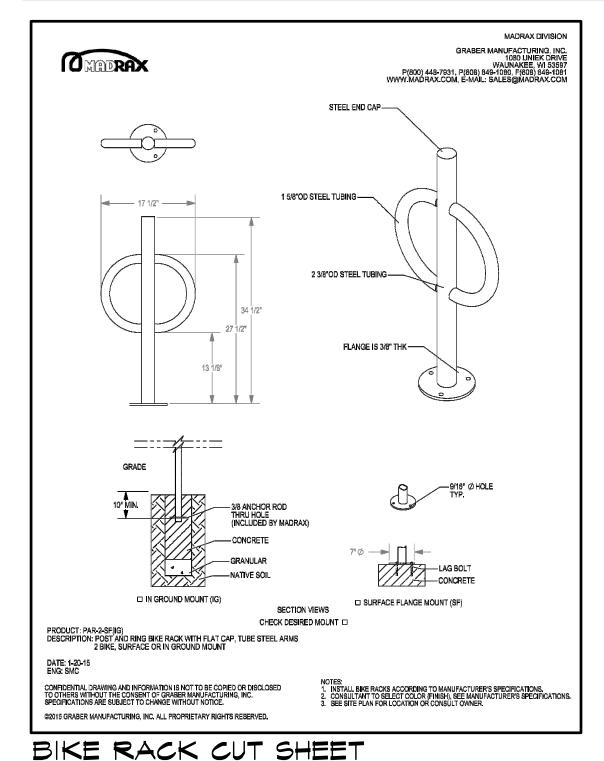
Held By: CJOHNSON

- 1.Fees, agreements and FDEP permits shall be complete prior to issuance of the Site Development permit
- 2.Shift the blow-offs out from under the parking lot. Label the water service sizes. Include the 2 inch water service connection detail, meter manifold detail, drop manhole detail.
- 3. Need to add an additional cleanout on the sewer service lateral to building 3 due to the length.





(SHOWN FOR REFERENCE ONLY) DOUBLE SIDED MONUMENT SIGN ELEVATION



POST AND RING RACK, #PAR-2 SURFACE MOUNT, COLOR: BLACK

-		arking / 4,000 SF = 1	l8 islands w/trees
Provided: 28 S	Shade Trees		
PROVIDED:			
ISLAND SYMBOL	AREA (SQ. FT.)	POTENTIAL CREDITS	# TREES PROVIDED FOR CREE
Α	289	1	1
В	186	2	1
С	372	1	1
D	203	1	1
E	164	1	0
F	228	1	1
G	398	1	1
Н	171	1	1
1	2971	11	6
J	504	2	1
K	90	0	0
L	173	0	1
М	295	1	1
N	368	1	0
0	3754	15	4
Р	487	1	1
Q	566	2	2
R	508	2	1
S	30	0	0
Т	30	0	0
U	166	1	1
V	166	1	1
W	198	1	1
X	438	1	1
Υ	75	0	0
Z	134	0	0
A1	134	0	0

VUA Calculation: (VUA x 10%)/165 = required credits (43 credits required)

Adjust chart to show credits based on shade tree (2 credits), understory tree (1 credit) or cluster of three palm trees (1.5 credits.)

Provide totals at the bottom of the chart.

Adjust hatching of VUA landscape islands to align with curbs.

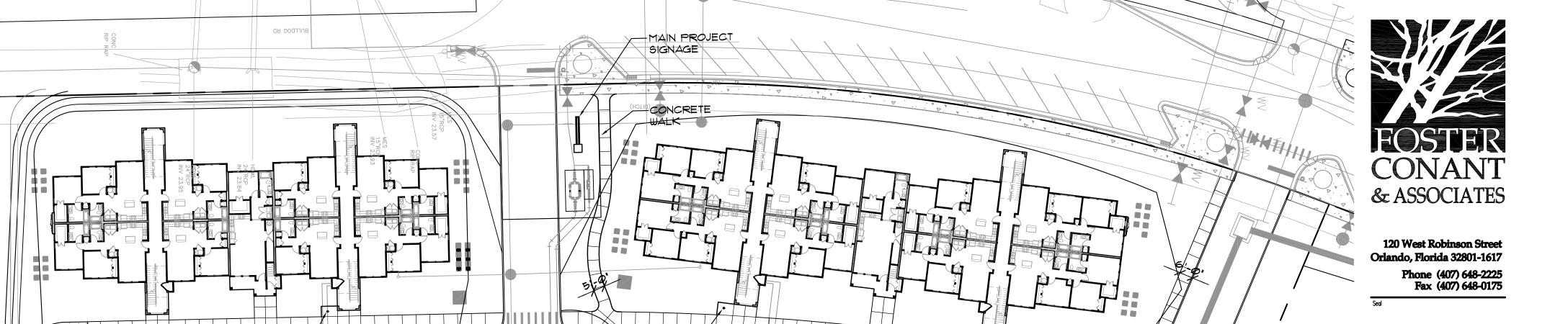
Indicate on plans the landscape islands that will require the structural soil detail (landscape islands less than 300 sf. with shade trees.) Or make islands larger.

Provide (1) bicycle parking spot for every (20) vehicle parking spaces. (9) required, (6) currently provided. Suggest adding a few to the amenity building area.

Provide lighting with photometrics.

Note: Island minimum sizes based on Town Center PUD Agreement

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CONCRETE-

POOL

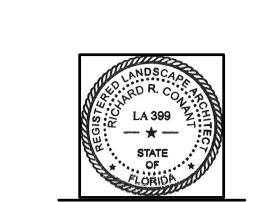
WALK

VOLLEYBALL

COURT

MODEL NO. PAR-2 BY MADRAX WITH

CONCRETE PAD



· 5' WIDE DECOMPOSED

GRANITE PATH

-TOT LOT WITH BENCHES

(BENCHES TO MEET ARCH. GUIDELINES)

-CODE REQUIRED 4' HT. ALUMINUM PICKET POOL FENCE WITH GATES

-POOL EQUIPMENT

LOCATION

-DOG PARK WITH 4' HT. BLACK VINYL CHAIN LINK

FENCE/GATES AND ASSOCIATED SIGNAGE, WASH, WATER, WASTE

STATION, ETC.

THE PALMS AT TOWN CENTER

PALM COAST, FL

HARDSCAPE & VUA PLAN

 Dote:
 4/16/18

 Scale:
 1" = 30"

 Drawn:
 DS

 Checked:
 RC

File Name: PALML100.DWG

th

1-100

-COPC RECEIVED: 8/10/2018 3:14:54 PM

R24'-0"

COPC RECEIVED: 8/

BIKE RACK-

_5' WIDE DECOMPOSED GRANITE PATH

- BENCH

TO MEET ARCH.

GUIDELINES

MODEL NO. PAR-2 BY MADRAX WITH CONCRETE PAD

8

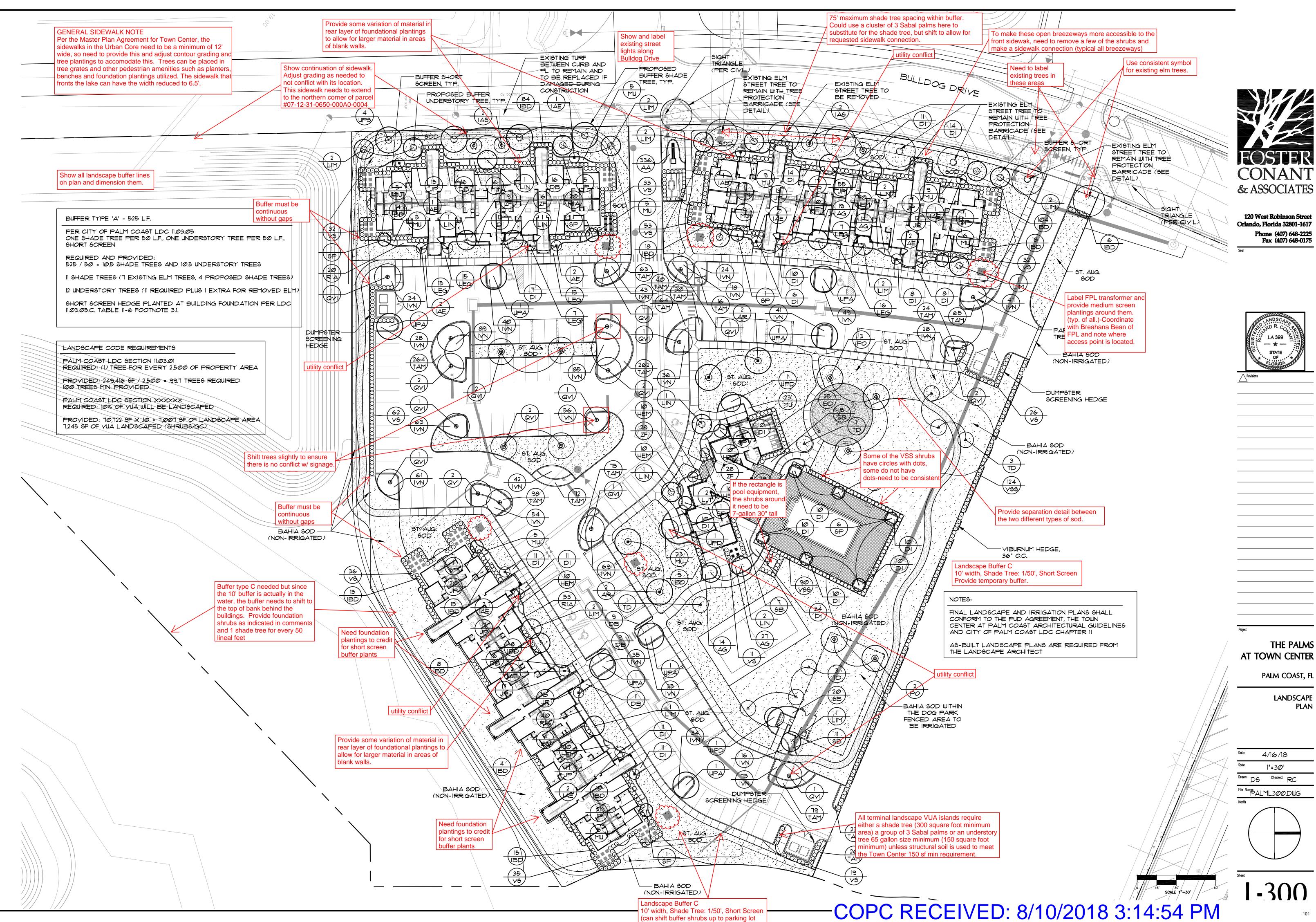
CONCRETE-

BIKE RACK MODEL NO. PAR-2 BY MADRAX WITH CONCRETE PAD

BENCH & TRASH-

RECEPTACKE TO MEET ARCH.

GUIDELINES

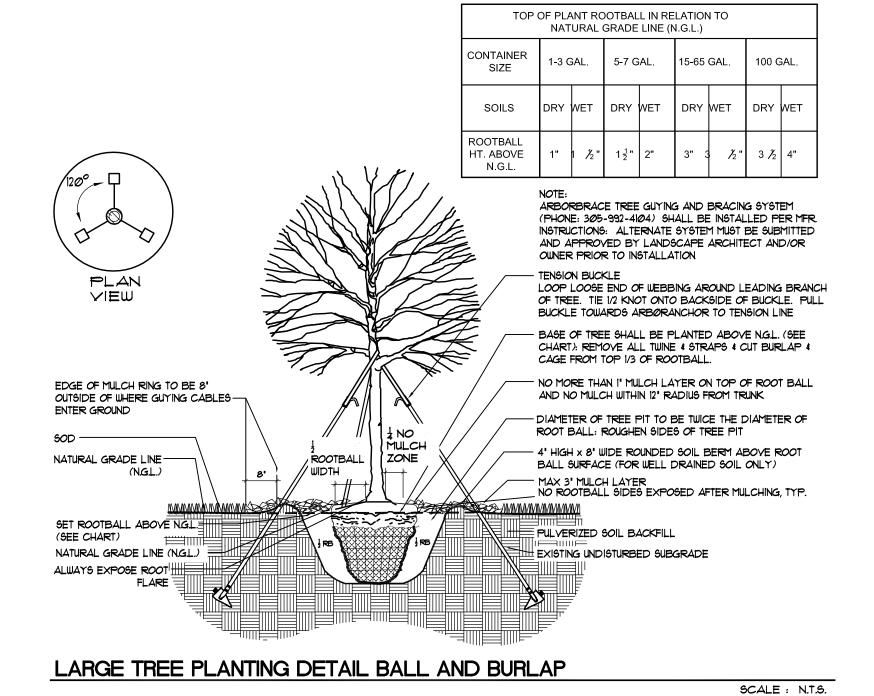


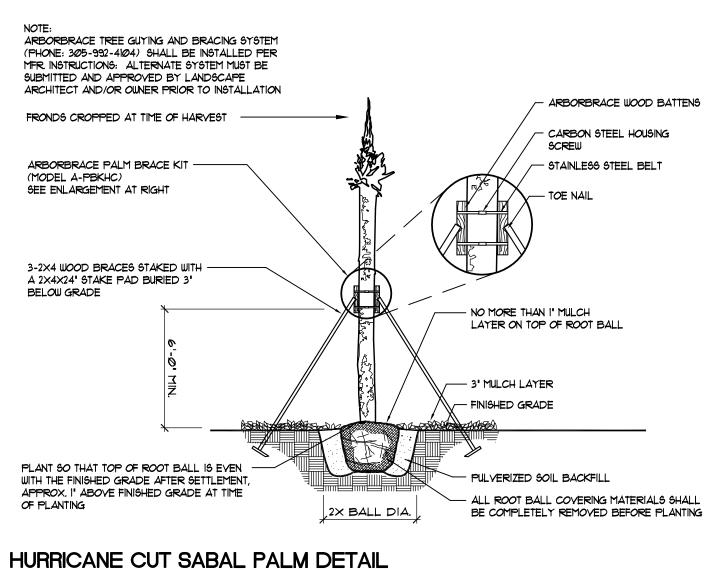
instead of putting in buffer)

08/07/2018 08:05 am IP:[10.10.250.10] Packet No: 12158

Add City of Palm Coast Standard Tree Protection fencing detail.

Add City of Palm Coast Tree Planting details for loactions that utilize





& ASSOCIATES

120 West Robinson Street Orlando, Florida 32801-1617 Phone (407) 648-2225 Fax (407) 648-0175

SCALE : N.T.S.

SPACING:

SHRUBS SHALL BE PLANTED AS INDICATED ABOVE WHEN LOCATED ADJACENT TO CURBS WHICH SERVE AS WHEEL STOPS IN PARKING AREAS

SHRUB PLANTING ADJACENT TO CURBS DETAIL

THE PALMS AT TOWN CENTER

PLANT LIST &

PALM COAST, FL

LANDSCAPE NOTES

TREE AND SHRUB PLACEMENT ADJACENT TO BUILDINGS

PALMATE PALMS SUCH AS SABAL PALMS, WASHINGTONIA PALMS, CHINESE FAN PALMS SHALL BE PLANTED AT LEAST 8' AWAY FROM THE BUILDING WALL.
PINNATE PALMS SUCH AS QUEEN CANARY PALMS, DACTYLIFERA PALMS SHALL BE PLANTED AT LEAST IS' AWAY FROM THE BUILDING WALL. NOTE: TREES ADJACENT TO BUILDINGS SHOULD BE PLANTED AT LEAST THE DIAMETER OF THE CANOPY (AS SHOWN GRAPHICALLY ON THE PLANS) AWAY FROM THE BUILDING WALL. BUILDING WALL

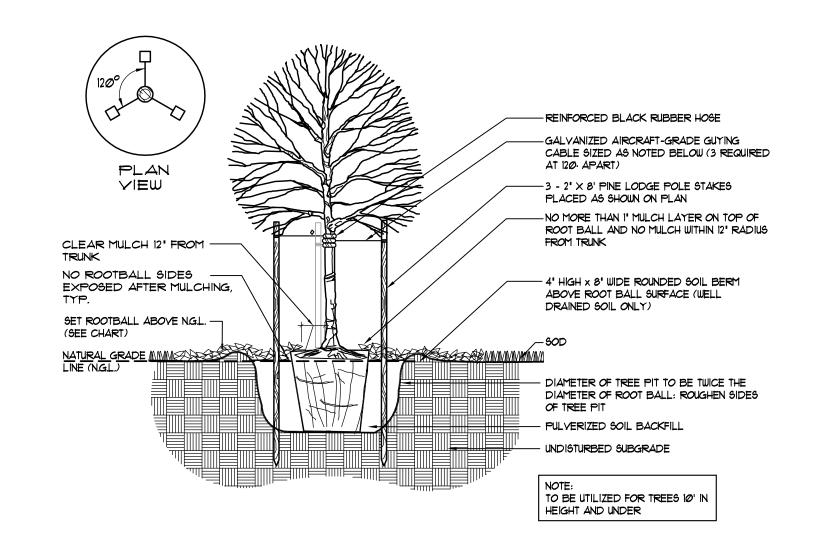
SCALE : N.T.S.

EQUAL TO O.C. SPACING BUILDING WALL

NOTE: SHRUBS AND GROUNDCOVERS PLANTED ADJACENT TO BUILDINGS SHOULD BE PLANTED AWAY FROM THE

BUILDING FACE A DISTANCE OF THE ON CENTER SPACING

1-301 SCALE : N.T.S.



SCALE : N.T.S.

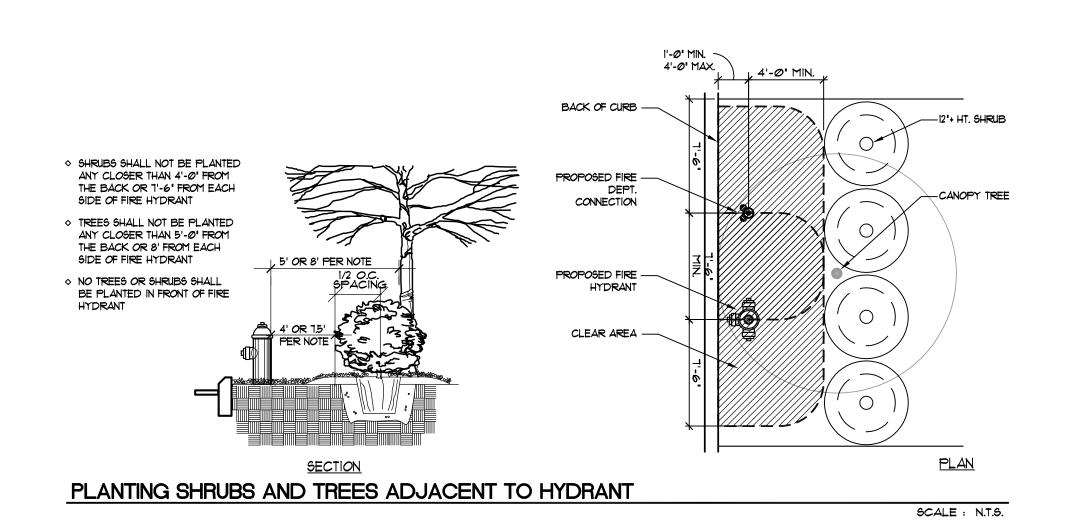
SMALL TREE PLANTING DETAIL (CONTAINER)

SPREAD - NO MORE THAN I' MULCH LAYER ON TOP OF ROOT BALL AND NO MULCH WITHIN 12" RADIUS - SET TOP OF ROOTBALL ABOVE N.G.L. (DISTANCE PER CHART THIS SHEET) - REMOVE ALL TWINE & STRAPS & CUT BURLAP FROM TOP 1/3 OF ROOTBALL. - 4" HIGH x 8" WIDE ROUNDED SOIL BERM ABOVE ROOT BALL SURFACE 12" CLEAR - 3" MULCH LAYER OF MULCH -- SOD OR PLANTING AREA - NATURAL GRADE LINE (N.G.L.) - DIAMETER OF TREE PIT TO BE TWICE THE DIAMETER OF ROOT BALL - ROUGHEN SIDES OF TREE PIT PULVERIZED SOIL BACKFILL - UNDISTURBED SUBGRADE NOTE: IF SITE CONDITIONS REQUIRE GUYING OF THE TREE, GUYING DETAILS FROM CANOPY TREE ABOVE MULTI-TRUNK PLANTING DETAIL SCALE : N.T.S.

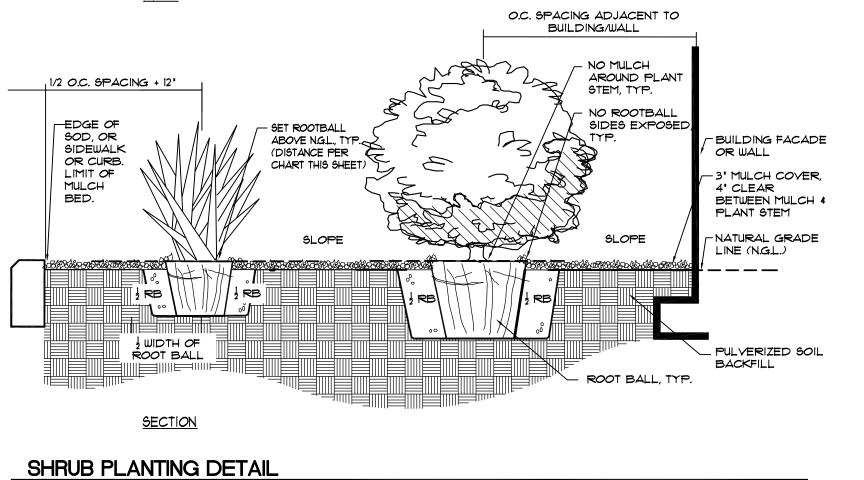
LANDSCAPE CONTRACTOR TO FINISH-GRADE ALL PARKING ISLANDS - GENERAL CONTRACTOR TO PROVIDE SOIL PROFILE TO INSURE POSITIVE DRAINAGE OF LANDSCAPE AREA - CONCRETE CURB, TYP. SEE CIVIL DWGS FOR DETAIL TYPICAL LANDSCAPE ISLAND DETAIL

SCALE : N.T.S.

- PROVIDE POSITIVE DRAINAGE BETWEEN EACH SHRUB DRAINAGE AWAY FROM ANY BUILDINGS -BUILDING FACADE OR WALL <u>PLAN</u>



08/07/2018 08:06 am IP:[10.10.250.10] Packet No: 12158



GENERAL LANDSCAPE NOTES

- 1. THE CONTRACTOR SHALL VERIFY ALL PLANT MATERIAL QUANTITIES PRIOR TO BIDDING. IN THE EVENT OF A VARIATION BETWEEN THE PLANT LIST AND THE ACTUAL NUMBERS OF PLANTS SHOWN ON THE PLANS, THE PLANS SHALL CONTROL, THE CONTRACTOR SHALL MAINTAIN A QUALIFIED SUPERVISOR ON THE SITE DURING CONSTRUCTION OF ALL PHASES OF THE WORK THROUGH FINAL OWNER ACCEPTANCE.
- 2. UNLESS OTHERWISE NOTED ON THE DRAWINGS, ALL AREAS INDICATED AS "SOD" ON THE DRAWINGS SHALL BE ST. AUGUSTINE SOLID SOD.
- 3. CALIPER OF TREES SHALL BE MEASURED IN ACCORDANCE WITH AAN STANDARDS OF 6" ABOVE TOP OF ROOTBALL FOR TREES 4" OR LESS IN CALIPER AND 12" ABOVE TOP OF ROOTBALL FOR TREES GREATER THAN 4" IN CALIPER.
- 4. ALL PLANT MATERIAL SHALL MEET OR EXCEED THE STANDARDS OF FLORIDA NO 1 AS GIVEN IN "GRADES AND STANDARDS FOR NURSERY PLANTS 1998," STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE, TALLAHASSEE, AND ANY AMENDMENTS THERETO. ALL MATERIAL SHALL BE SOUND AND VIGOROUS, FREE FROM DISEASE, INSECT PESTS, AND/OR THEIR EGGS, AND SHALL HAVE A HEALTHY, NORMAL AND FULLY DEVELOPED ROOT SYSTEM. THE HEIGHT AND SPREAD OF PLANT MATERIAL SHALL BE THE DETERMINING FACTOR FOR THE PLANT MATERIAL, NOT THE GALLONAGE SPECIFIED. THE OWNER/LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ALL PLANT MATERIAL(S) THAT DO NOT MEET THE SPECIFICATIONS SET FORTH. ALL PLANT MATERIAL SHALL BE SUBJECT TO APPROVAL BY THE OWNER / LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- 5. ALL ROOTBALLS FOR TREES SHALL BE IN ACCORDANCE WITH THE MINIMUM ROOTBALL SIZES AS SPECIFIED IN "GRADES AND STANDARDS FOR NURSERY PLANTS 1998," STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE, TALLAHASSEE, AND ANY AMENDMENTS THERETO.
- 6. CONTRACTOR TO SUBMIT PHOTOS OF ALL PROPOSED TREE, SHRUB AND VINE MATERIAL FOR OWNER / LANDSCAPE ARCHITECT APPROVAL PRIOR TO PROCUREMENT.
- 1. THE LANDSCAPE ARCHITECT MAY REJECT ANY PLANT MATERIAL BROUGHT TO THE SITE WHICH HE DEEMS TO BE OF INFERIOR QUALITY OR APPEARANCE.
- 8. THE CONTRACTOR SHALL FURNISH AND PAY FOR ALL CONTRACTOR SUPPLIED TREES, SHRUBS AND VINES INCLUDING SODDED TURF, HYDROMULCHES AND FLATTED GROUND COVERS. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE AND PAY FOR: PLANTING OF ALL PLANT MATERIALS, THE STAKING OF TREES AND THE CONTINUOUS MAINTENANCE AND PROTECTION OF ALL PLANT MATERIALS UPON THEIR ARRIVAL AT THE SITE THROUGH FINAL OWNER ACCEPTANCE. THE CONTRACTOR SHALL ALSO INCLUDE ALL COSTS ASSOCIATED WITH THE LOCATION OF UNDERGROUND UTILITIES, LAYOUT OF THE WORK, AND SOIL TESTING AS OUTLINED IN THE TECHNICAL SPECIFICATIONS.
- 9. THE CONTRACTOR SHALL PROVIDE NECESSARY EQUIPMENT AND LABOR TO COMPLETE LANDSCAPING OF THE SITE AS INDICATED IN THE CONTRACT DOCUMENTS.
- 10. NO SUBSTITUTIONS WILL BE ALLOWED. IF NECESSARY, THE CONTRACTOR MUST OBTAIN WRITTEN APPROVAL FROM THE OWNER / LANDSCAPE ARCHITECT.
- 11. ALL PLANT BEDS SHALL BE TOP DRESSED WITH A MINIMUM OF 3"-4" DEPTH PINE BARK 'MINI NUGGETS' MULCH, INCLUDING WITHIN A 2' RADIUS AROUND THE TRUNK OF A TREE.
- 12. ALL TREES SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL INSPECTION.
- 13. ALL TREES SHALL HAVE ALL SYNTHETIC BURLAP REMOVED FROM THE ENTIRE ROOT BALL. BURLAP SHALL BE REMOVED FROM THE TOP ONE-THIRD OF THE ROOT BALL. THE TOP THREE ROWS OF SQUARES ON ALL CAGES AROUND THE ROOT BALLS SHALL BE CLIPPED OFF AND REMOVED.
- 14. THE CONTRACTOR SHALL READ AND ADHERE TO ALL WRITTEN SPECIFICATIONS, THESE PLANS ARE NOT VALID WITHOUT THE ACCOMPANYING TECHNICAL SPECIFICATIONS.
- 15. THE CONTRACTOR SHALL VISUALLY INSPECT THE SOILS CONDITION OF THE SITE. HE SHALL DIG A MINIMUM OF 12 TEST HOLES 3 FOOT DEEP RANDOMLY AROUND THE SITE. HE SHALL PERFORM PERCOLATION TESTS IN THESE HOLES FOR A PERIOD OF ONE HOUR EACH. THE HOLES SHALL BE FILLED WITH WATER AND IF THE HOLES HOLD MORE THAN 6" OF WATER AFTER ONE HOUR, THE LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF THE PROBLEM. THE CONTRACTOR SHALL RECOMMEND SUBSTITUTIONS OF PLANT MATERIAL AND PLANTING INSTALLATION TO ACCOMMODATE POOR DRAINING SOILS.
- 16. THE CONTRACTOR SHALL PROVIDE A SOIL TEST IN FOUR LOCATIONS AND PROVIDE RECOMMENDATIONS FOR AMENDMENTS BASED ON THE RESULTS. IMPROPER SOIL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL RECTIFY ALL INCURRED DAMAGES AT NO ADDITIONAL COST TO THE OWNER.
- 17. THE CONTRACTOR SHALL REVIEW THE SOILS REPORT ON FILE WITH THE OWNER.
- 18. THE CONTRACTOR SHALL BE RESPONSIBLE TO REVIEW ALL ARCHITECTURAL AND ENGINEERING PLANS TO BECOME FAMILIAR WITH ALL SURFACE AND SUBSURFACE UTILITIES. THE CONTRACTOR SHALL FIELD VERIFY ALL BASE INFORMATION, INCLUDING GRADES, DIMENSIONING AND EXISTING CONDITIONS PRIOR TO INSTALLATION OF THE WORK.
- 19. THE INSTALLATION OF PLANT MATERIAL SHALL BE VIEWED AS ACCEPTANCE BY THE CONTRACTOR OF EXISTING GRADES AS GIVEN TO HIM.
- 20. THE CONTRACTOR SHALL PROVIDE TO THE LANDSCAPE ARCHITECT A WRITTEN LETTER OF ACCEPTABILITY OF GRADES. FAILURE TO DO 50 WILL BE VIEWED AS AN ACCEPTANCE OF EXISTING GRADES BY THE CONTRACTOR.
- 21. THE CONTRACTOR WILL BE REQUIRED TO SAND AREAS OF SOD THAT ARE NOT SMOOTHLY APPLIED TO ELIMINATE SMALL IRREGULARITIES IN GRADES, LARGE IRREGULARITIES IN GRADE WILL REQUIRE REGRADING. 4 RESODDING.
- 22. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF THE SITE INCLUDING ALL MOWING, EDGING, TRIMMING, PRUNING & SPRAYING OF PESTICIDES & FUNGICIDES UNTIL THE TIME OF FINAL ACCEPTANCE BY THE OWNER. IF PROJECT IS INSTALLED IN PHASES, OWNER WILL PROVIDE PHASING INFORMATION AT TIME OF BIDDING PROCESS.

TREE PROTECTION REQUIREMENTS

- 1. PROTECT DESIGNATED EXISTING TREES SCHEDULED TO REMAIN AGAINST: -UNNECESSARY CUTTING, BREAKING, OR SKINNING OF ROOTS
 - -SKINNING AND BRUISING OF BARK
 - -SMOTHERING OF TREES BY STOCKPILING CONSTRUCTION OR EXCAVATION MATERIALS WITHIN DRIP-LINE -EXCESS FOOT OR VEHICULAR TRAFFIC
 - -PARKING VEHICLES WITHIN DRIP-LINE
- 2. ERECT TEMPORARY WOODEN BARRICADES AS SHOWN ON THIS SHEET (PLAN & DETAIL). BEFORE COMMENCEMENT OF ANY SITE CLEARING OR GRADING. FENCE TO BE 4' HIGH MINIMUM WITH 4 X 4 POSTS AND 2-2X4 RAILS AT 2' AND 4' ABOVE GRADE AND SHALL BE SET DEEP ENOUGH IN THE GROUND TO BE STABLE WITHOUT ADDITIONAL SUPPORT. ALL FENCING SHOULD BE A MINIMUM OF 10' CLEAR DISTANCE FROM THE FACE OF ANY TREES AND SHALL FULLY ENCLOSE ALL TREES SCHEDULED TO REMAIN. NOTHING SHALL BE PLACED INSIDE OF PROTECTIVE BARRICADES, INCLUDING BUT NOT LIMITED TO CONSTRUCTION MATERIAL, MACHINERY, CHEMICALS, OR TEMPORARY SOIL DEPOSITS. ON TREES LARGER THAN 20" DBH, BARRICADES SHALL BE NO CLOSER THAN 15' FROM FACE OF TREE. WHEN PAYING, EXCAVATION, OR HARDSCAPE MUST BE DONE WITHIN BARRICADES, BARRICADES SHELL BE MOVED BACK TO A SECONDARY LOCATION AT EDGE OF WORK. EXTRA CARE MUST BE TAKEN AT THIS TIME BY THE CONTRACTOR TO INSURE THAT NO DAMAGE TO THE TREE
- 3. PROVIDE WATER TO TREES AS REQUIRED TO MAINTAIN THEIR HEALTH DURING CONSTRUCTION WORK.
- 4. WHEN NECESSARY TO CUT ROOT OVER 1-1/2" DIAMETER OF TREES TO REMAIN, CUT MUST BE A CLEAN CUT, COAT CUT FACES OF ROOTS WITH AN EMULSIFIED ASPHALT OR OTHER ACCEPTABLE COATING FORMULATED FOR USE ON DAMAGED PLANT TISSUE. TEMPORARILY COVER EXPOSED ROOTS WITH WET BURLAP TO PREVENT DRYING AND COVER WITH EARTH AS SOON AS POSSIBLE.
- 5. NO GRADE CHANGES ARE TO BE MADE WITHIN THE BARRICADES WITHOUT PRIOR APPROVAL OF THE OWNER OR HIS DESIGNATED REPRESENTATIVE.
- 6. INTERFERING BRANCHES MAY BE REMOVED AT THE DIRECTION OF THE OWNER OR HIS DESIGNATED REPRESENTATIVE, BY A QUALIFIED TREE SURGEON.
- 7. REPAIR OR REPLACE TREES INDICATED TO REMAIN, WHICH ARE DAMAGED IN THE CONSTRUCTION OPERA-TIONS, IN A MANNER ACCEPTABLE TO THE OWNER. EMPLOY A QUALIFIED TREE SURGEON TO REPAIR MAJOR DAMAGES TO TREES AND SHRUBS, PROMPTLY, TO PREVENT PROGRESSIVE DETERIORATION CAUSED BY THE DAMAGE.
- 8. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF TREES DAMAGED BEYOND REPAIR WITH 3 TREES OF SIMILAR QUALITY AND SPECIES, SIZED TO MATCH THE LARGEST TREES OF THAT SPECIES BEING PLANTED AS PER THE LANDSCAPE PLANS. IF TREES ARE HARMED THROUGH LACK OF PROTECTION OR THROUGH NEGLIGENCE ON THE PART OF THE CONTRACTOR, THE CONTRACTOR SHALL BEAR THE BURDEN OF THE COST OF REPAIR OR REPLACEMENT.
- 9. PROTECTION METHODS, INCLUDING TRIMMING/PRUNING OF TREES AND TREE BARRICADES, SHALL CONFORM TO ANSI A-300 STANDARDS AND THE CITY OF PALM COAST TECHNICAL MANUAL.

PLAN	I LIO	<u> </u>			
TREES					
SYM	QTY	BOTANICAL NAME	SPECIES	SPECIFICATION	
AR	4	ACER RUBRUM	RED MAPLE	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
IAE	18	ILEX X ATTENUATA 'EAGLESTON'	EAGLESTON HOLLY	7'-8' HT. X 4'-5' SPRD., 2" CAL. MIN., FULL TO GROUND	
IAS	4	ILEX X ATTENUATA 'EAGLESTON'	EAGLESTON HOLLY	8' HT. MIN. X 3'-4' SPRD., 2" CAL. MIN., STANDARD	
LIM	15	LAGERSTROEMIA INDICA 'MUSKOGEE'	LAVENDER CRAPE MYRTLE	8'-10' HT. X 5'-6' SPRD., 2" CAL. MIN., MULTI	
LIN	9	LAGERSTROEMIA INDICA 'NATCHEZ'	WHITE CRAPE MYRTLE	8'-10' HT. X 5'-6' SPRD., 2" CAL. MIN., MULTI	
LJT	2	LIGUSTRUM JAPONICUM	JAPANESE PRIVET	6' X 6', 2" CAL. MIN., TREE FORM, MULTI	
QV1	21	QUERCUS VIRGINIANA	CATHEDRAL LIVE OAK	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
PO	5	PLATANUS OCCIDENTALIS	SYCAMORE	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
SP	14	SABAL PALMETTO	CABBAGE PALM	18' C.T. HT., STRAIGHT TRUNK, SLICKED	
TD	8	TAXODIUM DISTICHUM	BALD CYPRESS	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
UPA	7	ULMUS PARVIFOLIA 'ALLEE'	ALLEE ELM	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
UPD	3	ULMUS PARVIFOLIA 'DRAKE'	DRAKE ELM	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
UPS	4	ULMUS PARVIFOLIA 'DRAKE'	DRAKE ELM	12'-14' HT., 6'-7' SPRD., 3-1/2" CAL.	
SHRUBS	& GROU	JNDCOVERS			
SYM	QTY	BOTANICAL NAME	SPECIES	SPECIFICATION	
AA	336	ANNUALS (PER CONTRACTOR- TO BE OWNER APPROVED)	ANNUALS	4" POT, FULL, 9" O.C.	
AG	77	ABELIA X GRANDIFLORA	ROSE CREEK ABELIA	3 GAL., 16"-20" HT. X 18" SPRD, 24" O.C.	
DB	67	DIETES IRIODES	AFRICAN IRIS	1 GAL, FULL IN POT, 24" O.C.	
DI	277	DIETES IRIODES	AFRICAN IRIS	1 GAL, FULL IN POT, 24" O.C.	
HEM	80	HEMEROCALLIS 'STELLA DE ORO'	DAYLILLY	1 GAL, FULL IN POT, 18" O.C.	
IBD	369	ILEX CORNUTA 'DWARF BURFORD'	DWARF BURFORD HOLLY	3 GAL., 16"-22" HT. X 16"-22" SPRD, 36" O.C. 24" ht.	
IVN	1113	ILEX VOMITORIA 'SCHILLINGS'	DWARF YAUPON HOLLY	3 GAL., 15"-18" HT. X 18" SPRD, 24" O.C.	
JP	251	JUNIPERUS CHINENSIS 'PARSONII'	PARSONS JUNIPER	3 GAL., 15"-18" HT. X 18" SPRD, 24" O.C.	
LEG	75	LIRIOPE MUSCARI 'SUPER BLUE'	LILYTURF	1 GAL, FULL IN POT, 18" O.C.	
MU	122	MUHLENBERGIA CAPILLARIS	MUHLY GRASS	3 GAL., FULL IN POT, 36" O.C.	
RIA	133	RHAPHIOLEPIS INDICA 'ALBA'	WHITE INDIAN HAWTHORN	3 GAL., 15"-18" HT. X 18" SPRD, 24" O.C.	
SB	47	SPARTINA BAKERI	SAND CORDGRASS	3 GAL., FULL IN POT, 36" O.C.	
TAM	1200	TRACHELOSPERMUM ASIATICUM MINIMA	DWARF ASIATIC JASMINE	1 GAL, FULL IN POT, 18" O.C.	
VS	336	VIBURNUM SUSPENSUM	SANDANKWA VIBURNUM	7 GAL., 30" HT. MIN., 36" O.C. (PER CODE)	
VSS	214	VIBURNUM SUSPENSUM	SANDANKWA VIBURNUM	3 GAL., 16"-22" HT. X 16"-22" SPRD, 36" O.C.	
ZF	91	ZAMIA FLORIDANA	COONTIE	3 GAL., 15"-18" HT. X 18" SPRD, 24" O.C.	
			The state of the s		

PLANT LIST

PLANT MATERIAL SELECTIONS BASED ON APPENDIX 4- RECOMMENDED PLANT LIST OF THE TOWN CENTER ARCHITECTURAL GUIDELINES

CONTRACTOR TO SUBMIT PHOTOS OF ALL PROPOSED TREE AND SHRUB MATERIAL FOR OWNER / LANDSCAPE ARCHITECT APPROVAL PRIOR TO PROCUREMENT AND INSTALLATION



120 West Robinson Street Orlando, Florida 32801-1617 Phone (407) 648-2225 Fax (407) 648-0175



THE PALMS AT TOWN CENTER

PALM COAST, FL

LANDSCAPE NOTES

PLANT LIST &

tree protection barricade detail

BARRICADES PLACED AT PROTECTIVE RADIUS

4x4 WOOD POSTS

- 2x4 WOOD RAILS

Provide City of Palm Coast Tree

Protection Fencing Detail.

6' -Ø" MAX.

08/07/2018 08:05 am IP:[10.10.250.10] Packet No: 12158

W 30" R.C.P. INVERT = 21.42' F 30" R C P INVERT = 21 00 STANDING WATER

08/07/2018 07:53 am IP:[10.10.250.10] Packet No: 12158

BOTTOM OF STRUCTURE = 16.02'

RIM = 28.42 27.94 28.06 28.4 28.88

LEGAL DESCRIPTION

LOT 12 and LOT 13, Town Center Phase 2, according to the map or plat thereof as recorded in Plat Book 35, Page 63, Public Records of Flagler County, Florida.

LESS and EXCEPT;

PARCEL "A"

A portion of said LOT 13, Town Center Phase 2. Said parcel being more particularly described as follows:

BEGIN at the northeast corner of said LOT 13; thence run along the easterly boundary line of said LOT 13, South 22° 45' 35" West, 116.09 feet to the point of curvature of a curve to the left, having a radius of 124.61 feet and a central angle of 025° 11' 01"; thence continue along said easterly boundary line and the arc of said curve a distance of 54.77 feet to the point of reverse curvature of a curve to the right, having a radius of 100.00 feet and a central angle of 025° 11' 14"; thence continue along said easterly boundary line and the arc of said curve a distance of 43.96 feet to the point of reverse curvature of a curve to the left, having a radius of 221.50 feet and a central angle of 006° 02' 45"; thence continue along said easterly boundary line and the arc of said curve a distance of 23.37 feet; thence leaving said easterly boundary line, run North 67° 14' 25" West, 566.88 feet, to a point on the westerly boundary line of said LOT 13, said point also being on a non-tangent curve concave southeasterly, having a radius of 787.50 feet, a central angle of 001° 41' 49" and a chord of 23.32 feet that bears North 21° 54' 41" East; thence along said westerly boundary line and the arc of said curve a distance of 23.32 feet to the point of tangency; thence continue along said westerly boundary line, North 22° 45′ 35" East, 186.68 feet to the point of curvature of a curve to the right, having a radius of 25.00 feet and a central angle of 090° 00' 00"; thence leaving said westerly boundary line, run along the arc of said curve a distance of 39.27 feet to the point of tangency, also being a point on the northerly boundary line of LOT 13; thence along said northerly boundary line, South 67° 14' 25" East, 519.65 feet to the POINT OF BEGINNING.

Said parcel contains 2.969 Acres, more or less.

SURVEYOR'S NOTES

EXCEPTIONS TIED TO THE PROPERTY.

- 1. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER LISTED BELOW.
- 2. NO UNDERGROUND UTILITIES, FOUNDATIONS, OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS
- 3. THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL FIELD SURVEY CONDUCTED BY VHB, INC. IN JANUARY 2018 AND FROM DEEDS AND PLANS OF RECORD.
- 4. THE EXISTING CONDITIONS SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY VHB, INC. IN JANUARY 2018.
- 5. THE HORIZONTAL DATUM IS BASED IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83), PROJECTED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 2011 ADJUSTMENT. A SINGLE CONTROL POINT WAS ESTABLISHED FROM REDUNDANT G.N.S.S. MEASUREMENTS UTILIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION CORRECTION NETWORK (F.P.R.N.). THE POSITION WAS VERIFIED BY OBTAINING TWO PLUS HOURS OF STATIC MEASUREMENTS, WHICH WERE POST PROCESSED BY THE NATIONAL GEODETIC SURVEY
- SOFTWARE OPUS. 6. THE LAND DESCRIPTION HEREON WAS PROVIDED WITHIN THE COMMITMENT FOR TITLE INSURANCE BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER: 508243, COMMITMENT DATE: OCTOBER 18, 2017 AT 11:00 PM. PROVIDED BY THE CLIENT. THE SAME WAS USED TO IDENTIFY EXISTING
- 7. THE FOLLOWING DOCUMENTS WERE USED DURING THE CREATION OF THIS SURVEY:
- TOWN CENTER PHASE 2, PLAT BOOK 35, PAGE 63 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. 8. EVIDENCE OF RECENT EARTH MOVING WORK WAS NOT OBSERVED DURING THE PROCESS OF CONDUCTING
- 9. EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION WAS NOT OBSERVED DURING THE PROCESS OF
- 10. NO INFORMATION PERTAINING TO WETLANDS WAS PROVIDED TO THIS SURVEYOR.
- 11. NO INFORMATION PERTAINING TO OFFSITE EASEMENTS OR SERVITUDE WERE PROVIDED TO THIS SURVEYOR. 12 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 12035C0230D. FFFECTIVE DATE 07/17/2006. THIS SITE IS WITHIN: 7ONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
- 13. VERTICAL INFORMATION SHOWN IS BASED ON A CLOSED LOOP LEVEL RUN FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION BENCHMARK: 7398A4031 - A 4"X4" CONCRETE MONUMENT WITH F.D.O.T. BRASS DISC STAMPED "7398A 4031 BM" ELEVATION = 28.061' (NGVD29)
- 14. A ZONING REPORT OR LETTER WAS NOT PROVIDED TO THE SURVEYOR BY THE CLIENT.

225 E. Robinson Street Suite 300 Orlando, FL 32801 407.839.4006 Certificate of Authorization SCALE IN FEET Number FL #7153

Legend

CHORD BEARING

CHORD DISTANCE CMON CONCRETE MONUMENT IDENTIFICATION LENGTH NGVD NATIONAL GEODETIC VERTICAL DATUM POINT OF CURVATURE P.R.C. POINT OF REVERSE CURVATURE POINT OF TANGENCY PERMANENT REFERENCE MARKER RADIUS

R.C.P. REINFORCED CONCRETE MONUMENT DELTA ANGLE DRAIN MANHOLE ELECTRIC BOX

CATCH BASIN SEWER MANHOLE ELECTRIC MANHOLE TELEPHONE MANHOLE MANHOLE WATER GATE FIRE HYDRANT

STREET SIGN LIGHT POLE RECLAIM WATER VALVE SANITARY VALVE

WATER VALVE DRAIN INLET IRRIGATION VALVE EDGE OF PAVEMENT

CONCRETE CURB SET 5/8" IRON ROD AND CAP

VHB LB 7153 SET NAIL AND DISC

SCHEDULE B-II EXCEPTIONS

PROJECT

-LOCATION

- Reservations in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund of the State of Florida, recorded in Deed Book 30, Page 346, and Release of Right of Entry as recorded in O.R. Book 750, Page 115, Public Records of Flagler County, Florida.
- Restrictions, conditions, reservations, easements, and other matters contained on the Plat of Town Center Phase Two, as recorded in Plat Book 35, Page 63, Public Records of Flagler County, Florida. (NOT A SURVEY MATTER)
- Development Order as stated in Letter recorded in O.R. Book 1384, Page 217, Public Records of Flagler County, Florida. (BLANKET) Utility Agreement for Water and Wastewater Service recorded in O.R. Book 1326, Page 920, Public Records of Flagler County, Florida. (NO DOCUMENT PROVIDED)
- 10. Covenants, conditions and restrictions recorded December 2, 2003, in O.R. Book 1014, Page 1951, Public Records of Flagler County, Florida.
- 11. Town Center Multi-Use Easement Agreement between City of Palm Coast, FPL and Town Center CDD, recorded in O.R. Book 1463, Page 448, Public Records of Flagler County, Florida (NOT A SURVEY MATTER)
- 12. Conservation Easement recorded in O.R. Book 1212, Page 1812, together with Joinder recorded in O.R. Book 1274, Page 1389, Public Records of Flagler County, Florida. (BLANKET)
- Partial Non-Exclusive Assignment and Assumption of Declarants Rights recorded in O.R. Book 1752, Page 497; Notice of Rule Adoption recorded in O.R. Book 1752, Page 502, as amended in O.R. Book 2180, Page 552, Public Records of Flagler County, Florida; and Partial Release of Notice of Rule Adoption recorded in O.R. Book 2055, PG 125, Public Records of Flagler County, Florida. (BLANKET)
- 14. Blanket Drainage Easement Agreement recorded in O.R. Book 1259, Page 1391, Public Records of Flagler County, Florida. (AS SHOWN PER PLAT)
- 15. All matters contained on the Plat of Town Center Phase 2, as recorded in Plat Book 35, Pages 63 through 68, inclusive, Public Records of Flagler
- 16. Utility Agreement for Water and Wastewater Service recorded in O.R. Book <u>1326</u>, Page 920, Public Records of Flagler County, Florida.
- 17. Blanket Drainage Easement Agreement recorded in O.R. Book 1259, Page 1391, Public Records of Flagler County, Florida. (BLANKET)
- 18. All matters contained on the Plat of Town Center Phase 2, as recorded in Plat Book 35, Pages 63 through 68, inclusive, Public Records of Flagler County, Florida. (AS SHOWN PER PLAT)
- 19. Utility Agreement for Water and Wastewater Service recorded in O.R. Book 1326, Page 920, Public Records of Flagler County, Florida. (BLANKET)

ALTA/NSPS CERTIFICATION:

To: Housing Trust Group, LLC, a Florida limited liability company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-6, 8, 11, 13-14, and 18-19 of Table A thereof. The fieldwork was completed on January 2018.

HTG Palms, LLC

3225 Aviation Avenue, Suite 602 Coconut Grove, FL 33133

No.	Revision	Date	Appvo
1	LOT SPLIT AS SHOWN BY PARCEL "A"	4-16-18	E
Designe	ed by	Checked by	
Issued 1	for	Date	
		lan 3°	1 2018

ALTA/NSPS Land Title Survey 358 & 470 Bulldog Drive Palm Coast, FL 32164

DATE OF PLAT OR MAP:

ELI J. DONALDSON, P.S.M.

PROFESSIONIAL SLIRVEYOR AND MAPPER



Planning Land Development Regulation Board October 17, 2018

OVERVIEW

Project Name: The Palms at Town Center

Application Number: 3726

Applicant: HTG Palms, LLC

Agent: Singhofen & Associates

Property Description: Vacant Land

Property Owner: Florida Landmark Communities LLC Location: Central Ave. and Bulldog Drive

Real Estate ID #: 06-12-31-5825-00000-0120, 06-12-31-5825-00000-0130 (portion)

Current FLUM designation: DRI-Mixed Use

Current Zoning designation: Master Planned Development (MPD)

Current Use: Vacant

Size of subject property: 9.12 +/- acres

REQUESTED ACTION:

To obtain Planning and Land Development Regulation Board (PLDRB) approval for the Palms at Town Center, an 88-unit multifamily development requiring Tier 2 Technical Site Plan Review application.

ANALYSIS

This is a proposed site plan for the Urban Core area of Town Center. The Town Center Urban Core area is planned as the MPD's downtown, the City's downtown, with the vision of Town Center becoming an increasingly regional area of significance in the future. The emphasis for the Urban Core of Town Center is urban and mixed use in nature, with a blend of residential, commercial, pedestrian and civic uses.

The applicant has submitted for a Tier 2 Technical Site Plan review for an 88- unit multifamily development on approximately 9.12 acres of land located south of Central Avenue and east of Bulldog Drive in the Urban Core portion of the Town Center Master Planned Development.

This application offers the opportunity to create a unique, urban residential living option in the Urban Core of Town Center. This application is also the first proposed project in the City's newly- created Innovation District. Urban and residential style development is key to creating the mixed use fabric and style of living anticipated for Town Center.

The proposed development consists of three 3- story apartment buildings and one clubhouse, as well as onsite amenities, including a pool, dog park, and volleyball area. This development is also the first residential application for the Urban Core area of Town Center.

The project is considered a "Moderate" (Tier 2) development, which requires approval by the PLDRB.

SITE DEVELOPMENT PLAN SUMMARY:

□ TOTAL SITE ACREAGE: 9.12 +/- acres

□ TOTAL WETLAND & BUFFER 1 +/- acres

□ NUMBER OF NEW BUILDINGS: 3 multifamily buildings and one clubhouse.

□ TOTAL UNITS: 88 units

□ MAXIMUM HEIGHT: 80 ft. (27'6" proposed)

□ MAXIMUM IMPERVIOUS 95% (66% net proposed)

COVERAGE

BACKGROUND

The property under development review is 9.12 acres part of Parcel # 06-12-31-5825-00000-0120 & 06-12-31-5825-00000-0130. The property is zoned Master Planned Development and the FLUM is DRI-Mixed Use. The project is designed based on the proposed parcel reconfiguration to create a commercial tract to the north along Central Avenue. Access to the project is proposed via two existing curb cuts on Bulldog Drive.

The site plan depicts three 3 story multifamily apartments and a clubhouse. Other onsite amenities shown on the site plan include a pool, a dog park, playground, a volleyball court and a fitness path.

LAND USE AND ZONING INFORMATION

The following tables summarize the general existing and proposed land use and zoning information:

USE SUMMARY TABLE

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	DRI-Mixed Use	DRI-Mixed Use
Zoning District	Master Planned Development	Master Planned Development
Use	Vacant land	88-unit
Acreage	9.12 +/- acres	9.12 +/- acres
Proposed Building	Vacant	Building 1 – 29,070 SF
Square Footage		Building 2 – 24, 468 SF
		Building 3 – 38,283 SF
		Clubhouse -4,545 SF

Access	None	Via two existing curb cuts on
		Bulldog Drive.

SURROUNDING ZONING AND FLUM CATEGORIES

Direction	FLUM Category	Zoning District
North	DRI- Mixed Use	Town Center MPD
South	Mixed Use	MPD
East	DRI- Mixed Use	Town Center MPD
West	Institutional	Public/ Semi - Public

SITE DEVELOPMENT REQUIREMENTS:

Site development for the property must be in accordance with the requirements of the City of Palm Coast Unified Land Development Code, and must comply with the city's Comprehensive Plan as well as Building Codes. The following tables summarize the basic development standard requirements and corresponding proposed development criteria, with which the application complies:

SITE DEVELOPMENT REQUIREMENTS

Criteria (per LDC)	Required	Provided
Min. Lot Size	2,000 sq. ft.	9.17 acres
Min. Lot Width	25 ft.	566.88 +/- ft.
Max. Impervious Coverage	95	66 % net
Max. Bldg. Height	50 ft.	32' 8"ft.
Min. Building Setbacks	Front: 12 ft. Rear: 0 ft. Street Side: 12 ft. Side: 0 ft.	Front: 15' Rear: 15' Side: 20' Side: 20'
Parking Spaces (min.): 82 units x .75 spaces per unit	167	167. including 29 parking canopy spaces per Ordinance # 2018-18.

TECHNICAL SITE PLAN PROCESS

The Technical Site Plan review application process is specified in Chapter 2, Section 2.11 of the Unified Land Development Code (LDC). This review process is intended to ensure that site development takes place in an orderly and efficient manner through a process that provides adequate review based on the size and complexity of the proposed development. The purpose of final site plan review is to ensure compliance with all development regulations. The review is based on conformance to Code. Once a Development Order is issued, the developer may file construction plan. Approval of the construction plans and technical specifications represents the final development order. Therefore, approval of a Site Plan Development Order authorizes an applicant to apply for a building permit.

The application incorporates a review/approval process coordinated by and thru City staff, and the Planning and Land Development Review Board (PLDRB) and in some instances, the City Council based upon the scale of development. As provided in Table 2-1 of Sec. 2.04 of the LDC, residential projects with 41 to 100 units are classified as Moderate projects, thus the scale of this development requires approval from the PLDRB.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2. SECTION 2.05.05

Prior to approval of a Development Order for the Technical Site Plan, the proposed project must be evaluated for conformance with the requirements of LDC Chapter 2, Section 2.05.05, which provides criteria that must be met to issue approval. The proposed project has been evaluated against the review criteria as directed by the LDC, which states: When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:

A. The proposed development must not be in conflict with or contrary to the public interest;

Planning Staff Finding: The proposed development is not in conflict with or contrary to the public interest, as the specified land use is consistent with the City's LDC and Comprehensive Plan and the Urban Core requirements of the Town Center MPD.

It is staff's general understanding that the existing inventory of available multifamily options does not meet current market demand for the workforce needs of this community.

The proposed multifamily project can potentially serve as a catalytic development for the newly-created Town Center Innovation District.

In addition, the proposed site plan design, amenities, open space and attractiveness of the facility indicate that it will be a high quality development, fully in compliance with the City's codes and ordinances.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Planning Staff Finding: The request is consistent with the Comprehensive Plan. The following are a applicable goals, policies and objectives that the project supports:

- Comprehensive Plan Chapter 1, Future Land Use Element, Goal 1.1: Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.
- Comprehensive Plan Chapter 1, Future Land Use Element, Objective 1.1.1 (C)
 Mixed Use: This FLUM designation represents existing and future mixed use
 corridors and employment centers throughout the City that provide general retail,
 professional services and office. A blending of residential uses and institutional
 uses is also allowed in this designation. The Mixed Use designation is intended to
 provide opportunities for residents to work, shop, engage in recreational activities,
 and attend school and religious activities in reasonable proximity to residential
 dwellings.

- Comprehensive Plan Chapter 1, Future Land Use Element, Goal 1.3: Adequate Public Facilities and Concurrency: The City shall ensure that public facilities and services are adequate to provide for the health, safety, and welfare of the public and are provided concurrent with the impacts of development.
- Chapter 2-Transportation Element: Goal 2.2 Increased Interconnectivity;
 Policy 2.2.2.1 Through the development review process, the City shall ensure that developers construct connections that link residential areas, recreational facilities, and commercial developments to reduce traffic on collector and arterial roadways.
- Chapter 2-Transportation Element: Goal 2.2 Increased Interconnectivity; Policy 2.2.2.4 – The City shall continue to enforce requirements for bicycle and pedestrian interconnectivity between residential developments and adjacent commercial developments as a means of reducing traffic on collector and arterial roadways.
- Chapter 3-Housing Element: Objective 3.4.1 Diversity in Housing Opportunities; Policy 3.4.1.1 – Through the FLUM and zoning district regulations of the LDC, the City shall make provisions to supply land that can be developed with various types of residential uses, including single-family homes of various sizes, duplexes, multi-family dwellings, and residential units in mixed use developments.
- **Town Center MPD** Town Center will function as an urban center for the City, Flagler County and the surrounding area.
- **Town Center MPD** Will include sites for a combination of mixed uses, including the following: retail, office, governmental, civic, cultural, lodging, food service, institutional, entertainment, outdoor public gatherings, residential apartments and other living opportunities.

C. The proposed development must not impose a significant financial liability or hardship for the City;

Planning Staff Findings: The proposed development does not impose a significant financial liability or hardship for the City. The project will meet the MPD and the City's concurrency requirements.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

Planning Staff Finding: The proposed development poses no unreasonable hazard, nuisance, nor does it constitute a threat to the general health, welfare, or safety of the City's inhabitants. All improvements will be newly constructed and/or developed in compliance with the relevant LDC, Building Code and other agency requirements.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Planning Staff Finding: The applicant has submitted or shall submit plans and permit applications as required to the various agencies having jurisdiction, and shall meet all requirements of other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

PUBLIC PARTICIPATION

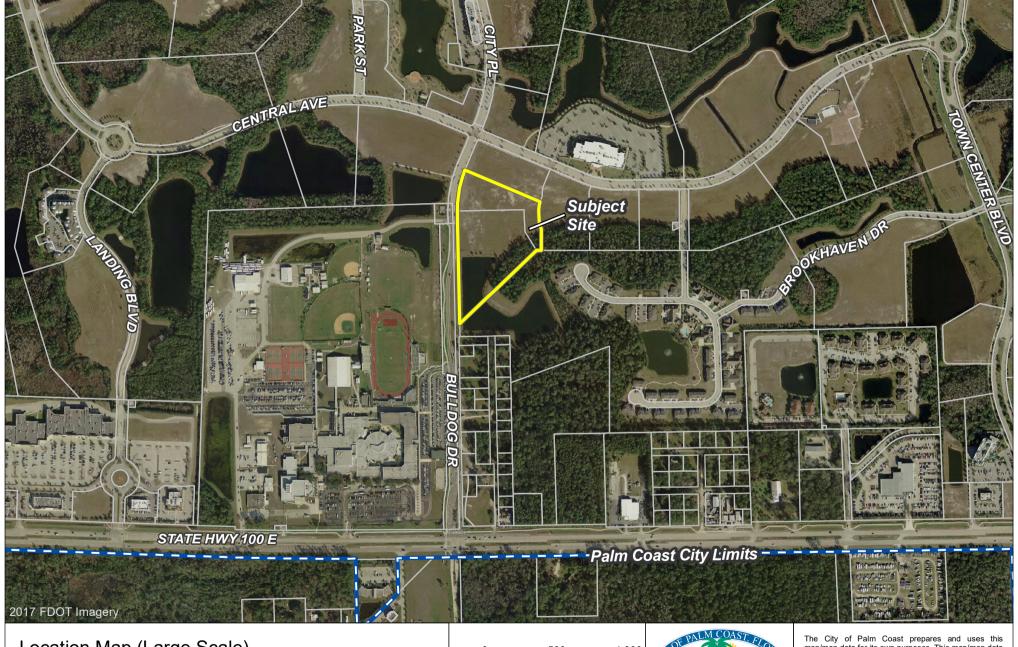
No Neighborhood meeting or public notice was required for this application.

SUMMARY OF FINDINGS

After review and evaluation of the proposed project for conformance with the requirements of the City of Palm Coast LDC and Comprehensive Plan, staff finds that the proposed development meets the requirements of TIER 2 Technical Site Plan approval subject to several outstanding site plan comments that must be addressed prior to the issuance of a Development Order.

RECOMMENDATION

Staff recommends PLDRB approve the Palms at Town Center, an 88-unit TIER II Technical Site Plan. The approval of this Application No. 3726 is subject to compliance with the remaining site plan comments (Attachment A), Site Development Permit and all applicable City Codes and requirements.



Location Map (Large Scale)



Subject Site

Feet 0 500 1,000

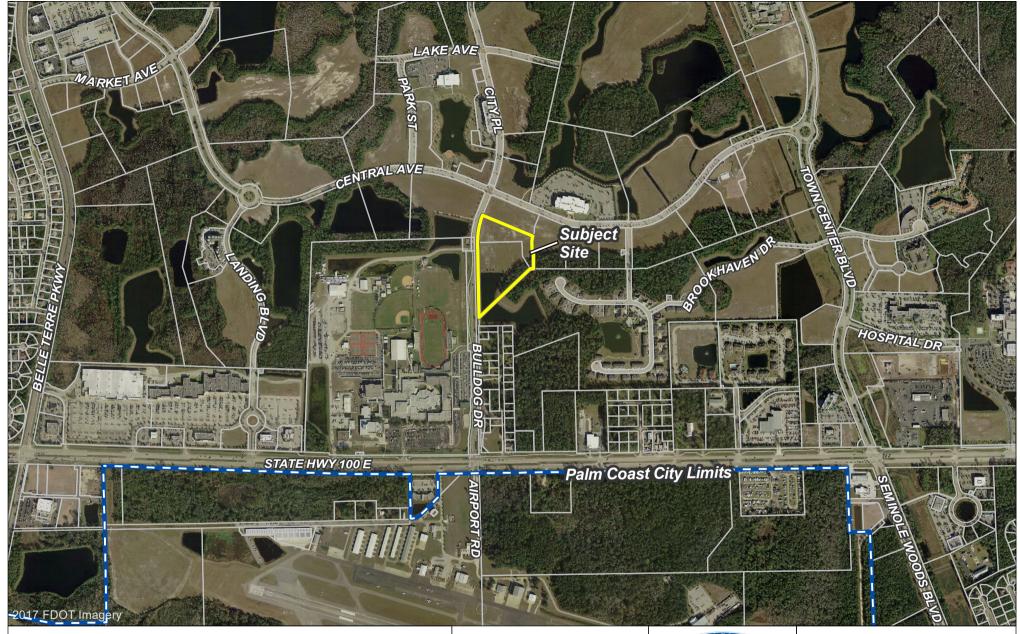


Creation Date: 8/29/2018



Map Provided By: GIS Division

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



Location Map (Small Scale)



Subject Site

Feet 0 600 1,200

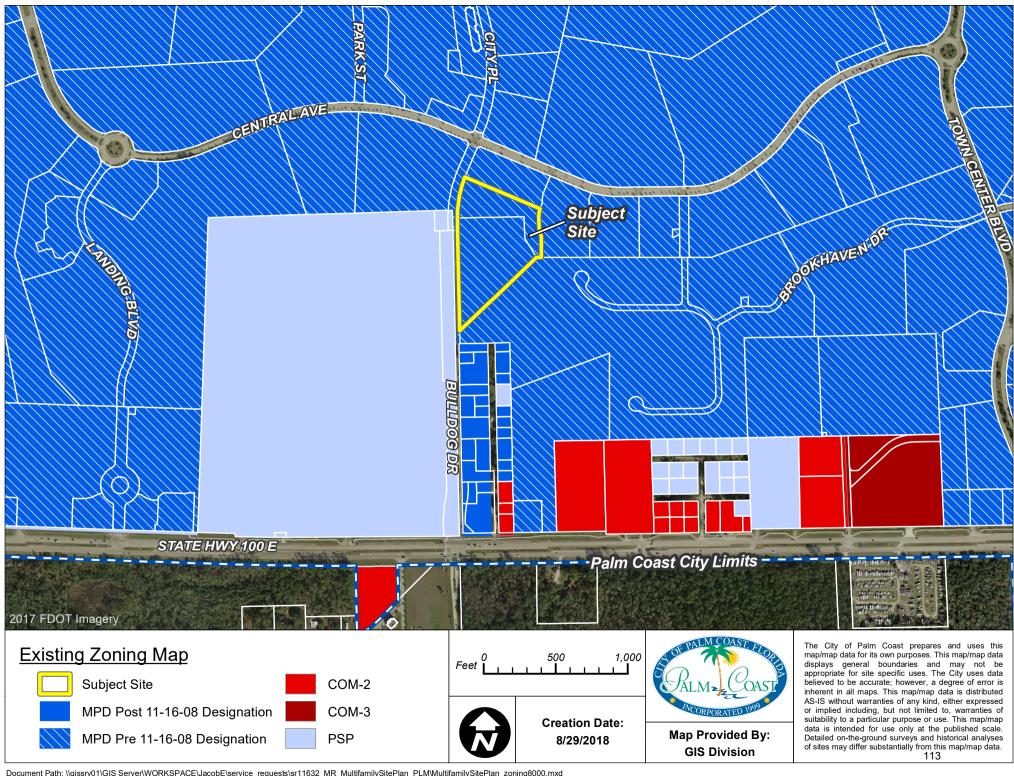


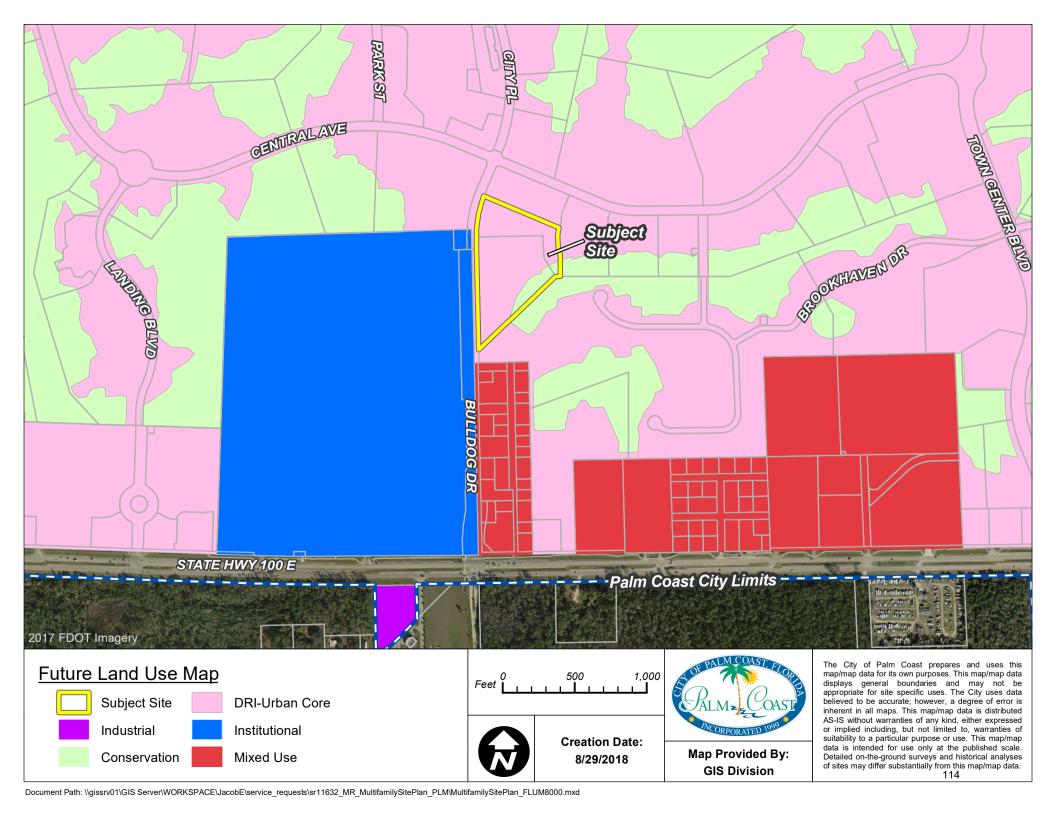
Creation Date: 8/29/2018

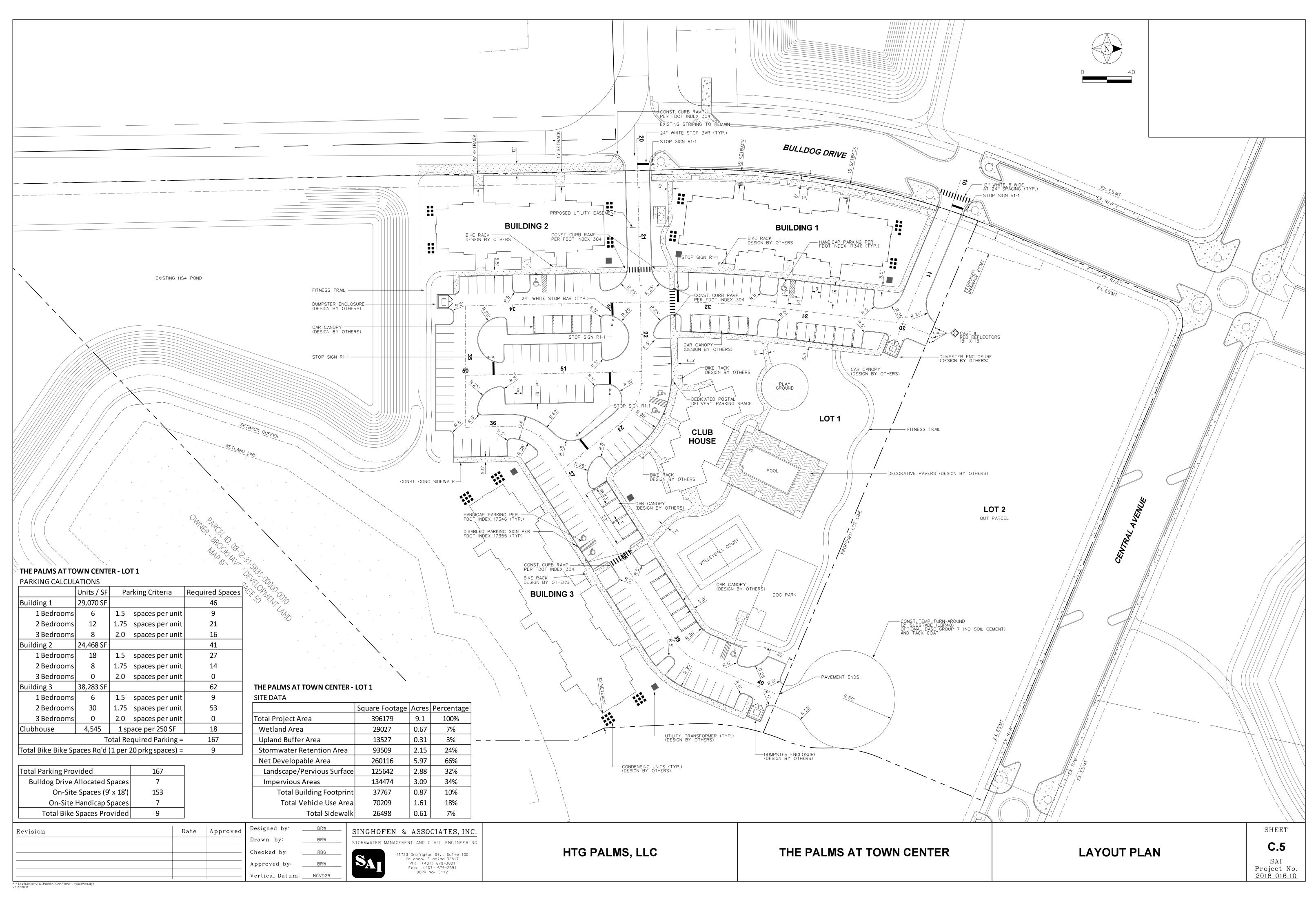


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09/21/2018 08:22 am IP:[10.10.250.10]

115

ARCHITECT'S STAMP



38'-2" ROOF MEDIAN 38'-2" ROOF MEDIAN 30'-4 7/8" TRUSS BEARING **▲** 30'-4 7/8" TRUSS BEARING 21'-3 3/4" THIRD LEVEL SECOND LEVEL SECOND LEVEL

BUILDING #1 (TYPE 1) - NORTH ELEVATION SCALE: 3/32" = 1'-0"

BUILDING #1 (TYPE 1) - SOUTH ELEVATION SCALE: 3/32'' = 1'-0''



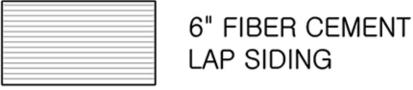
BUILDING #1 (TYPE 1) - WEST ELEVATION SCALE: 3/32" = 1'-0"

EXTERIOR ELEVATIONS | PALMS AT TOWN CENTER

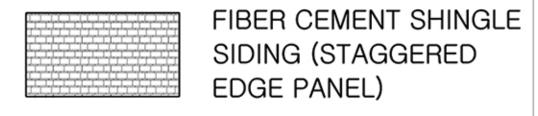
PALM COAST, FLORIDA

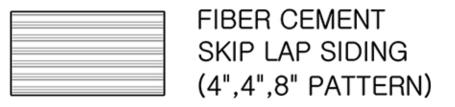
MATERIAL LEGEND





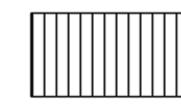








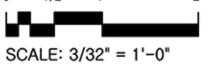
FIBERGLASS/ASPHALT **ARCHITECTURAL** SHINGLE ROOFING



STANDING SEAM METAL ROOFING

GLAZING

- ALL GLAZING SHALL BE DOUBLE PANE INSULATING GLASS WITH SOLARBAN 60 LOW-E COATING OR APPROVED EQUAL.
- VISUAL LIGHT TRANSMITTANCE: 70%
- VISUAL LIGHT REFLECTANCE: 11%



DRAWING NO.

A4.01

A A 2 6 0 0 2 1 0 3



FUGLEBERG KOCH

PROJECT No: 5507 - 08/02/2018

WINTER PARK, FLORIDA 32789

SCONCE

DESIGNATION SIGN

ARCHITECT'S STAMP

12" FIBER CEMENT

6" FIBER CEMENT

LAP SIDING

LAP SIDING

FIBER CEMENT

EDGE PANEL)

FIBER CEMENT

SKIP LAP SIDING

ARCHITECTURAL

STANDING SEAM

SHINGLE ROOFING

(4",4",8" PATTERN)

FIBERGLASS/ASPHALT

FIBER CEMENT SHINGLE

SIDING (STAGGERED

PANEL

MATERIAL LEGEND

CITY APPROVAL STAMP



38'-2"
ROOF MEDIAN 30'-4 7/8"
TRUSS BEARING 21'-3 3/4" THIRD LEVEL 10'-7 7/8" SECOND LEVEL

BUILDING #2 (TYPE 2) - NORTH ELEVATION SCALE: 3/32" = 1'-0"

SCALE: 3/32'' = 1'-0''

BUILDING #2 (TYPE 2) - SOUTH ELEVATION SCALE: 3/32'' = 1'-0''

DESIGNATION SIGN SCONCE



BUILDING #2 (TYPE 2) - WEST ELEVATION SCALE: 3/32" = 1'-0"

PROJECT No: 5507 - 08/02/2018

EXTERIOR ELEVATIONS | PALMS AT TOWN CENTER

A4.02

GLAZING

PALM COAST, FLORIDA

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FUGLEBERG KOCH

2555 TEMPLE TRAIL

WINTER PARK, FLORIDA 32789

TEL: 407-629-0595

FAX: 407-628-1057

A A 2 6 0 0 2 1 0 3

DRAWING NO.

METAL ROOFING

- 1. ALL GLAZING SHALL BE DOUBLE PANE INSULATING GLASS WITH SOLARBAN 60 LOW-E COATING
- OR APPROVED EQUAL. VISUAL LIGHT TRANSMITTANCE:
- 70% VISUAL LIGHT REFLECTANCE: 11%

SCALE: 3/32" = 1'-0"

ILLUMINATED BUILDING ILLUMINATED BUILDING ADDRESS SIGN ADDRESS SIGN ROOF MEDIAN TRUSS BEARING 21'-3 3/4" THIRD LEVEL 10'-7 7/8" SECOND LEVEL — BUILDING UNIT — BUILDING UNIT - BUILDING UNIT BUILDING #3 (TYPE 3) - NORTH ELEVATION WALL-EXTERIOR WALL EXTERIOR WALL DESIGNATION SIGN DESIGNATION SIGN DESIGNATION SIGN SCONCE SCONCE **SCALE:** 3/32" = 1'-0"

ARCHITECT'S STAMP



BUILDING #3 (TYPE 3) - EAST ELEVATION SCALE: 3/32" = 1'-0"



BUILDING #3 (TYPE 3) - WEST ELEVATION SCALE: 3/32'' = 1'-0''



BUILDING #3 (TYPE 3) - SOUTH ELEVATION SCALE: 3/32" = 1'-0"



EXTERIOR ELEVATIONS | PALMS AT TOWN CENTER

MATERIAL LEGEND



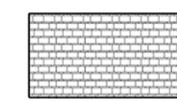
12" FIBER CEMENT LAP SIDING



6" FIBER CEMENT LAP SIDING



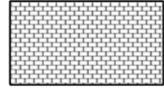
FIBER CEMENT PANEL



FIBER CEMENT SHINGLE SIDING (STAGGERED **EDGE PANEL)**



FIBER CEMENT SKIP LAP SIDING (4",4",8" PATTERN)



FIBERGLASS/ASPHALT ARCHITECTURAL SHINGLE ROOFING



STANDING SEAM **METAL ROOFING**

GLAZING

- ALL GLAZING SHALL BE DOUBLE PANE INSULATING GLASS WITH SOLARBAN 60 LOW-E COATING OR APPROVED EQUAL.
- VISUAL LIGHT TRANSMITTANCE: 70%
- VISUAL LIGHT REFLECTANCE: 11%

SCALE: 3/32" = 1'-0"

DRAWING NO.

A4.03



PROJECT No: 5507 - 08/02/2018

PALM COAST, FLORIDA

TEL: 407-629-0595

FAX: 407-628-1057

ARCHITECT'S STAMP

27'-6" ROOF MEDIAN TRUSS BEARING 4 TRUSS BEARING 3 TRUSS BEARING 1

CLUBHOUSE - NORTH ELEVATION SCALE: 3/32" = 1'-0"



CLUBHOUSE - EAST ELEVATION SCALE: 3/32" = 1'-0"



CLUBHOUSE - WEST ELEVATION SCALE: 3/32" = 1'-0"

FUGLEBERG KOCH

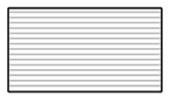


CLUBHOUSE - SOUTH ELEVATION SCALE: 3/32" = 1'-0"

MATERIAL LEGEND



12" FIBER CEMENT LAP SIDING



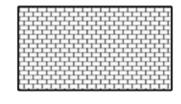
6" FIBER CEMENT LAP SIDING



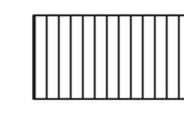
FIBER CEMENT PANEL



FIBER CEMENT SHINGLE SIDING (STAGGERED EDGE PANEL)



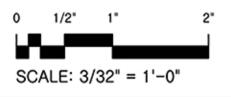
FIBERGLASS/ASPHALT ARCHITECTURAL SHINGLE ROOFING



STANDING SEAM METAL ROOFING

GLAZING

- 1. ALL GLAZING SHALL BE DOUBLE PANE INSULATING GLASS WITH SOLARBAN 60 LOW-E COATING OR APPROVED EQUAL.
- VISUAL LIGHT TRANSMITTANCE:
- VISUAL LIGHT REFLECTANCE: 11%



DRAWING NO.

A4.04



EXTERIOR ELEVATIONS | PALMS AT TOWN CENTER PROJECT No: 5507 - 08/02/2018

PALM COAST, FLORIDA

TEL: 407-629-0595

City of Palm Coast, Florida Agenda Item

Agenda Date: October 17, 2018

Department Item Key	PLANNING 4495	Amount Account #
Subject SUNSHINE LAW PRESENTATION		
Background: City of Palm Coast legal counsel, Katie Reischmann will give a refresher to the Planning and Land Development Regulation Board members regarding the State of Florida's Sunshine Law and its requirements.		
Recommended Action : Presentation only		

Government in the Sunshine Issues

Catherine Reischmann

Open Meetings Law

A. What does the law say?

It applies to <u>any gathering</u> of two (2) or more members of the <u>same</u> board, committee, commission or council to discuss some matter which will **foreseeably** come before that board, committee, commission or council for action. The Government-in-the-Sunshine Law applies to all discussions or deliberations as well as the formal action by a board, committee or commission. The law, in essence, is applicable to <u>any</u> gathering, whether formal or casual, of two (2) or more members of the same board, committee or commission to discuss some matter on which **foreseeable action** will be taken by the public board or commission. There is no requirement that a quorum be present for a meeting to be covered under the law. Communications between board, commission or committee members can occur in many ways: orally in person, orally over a telephone, by writings, through e-mails, through conduit <u>individuals</u>, or by <u>any other means</u>. The Law provides that debates or discussions on issues should occur at open meetings noticed as required by law, not in letters, etc. – to whoever directed or at non-noticed meetings.

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In essence, the "Open Meetings Law" (or "Government-in-the-Sunshine Law") of the State of Florida requires that:

- 1) meetings of boards or commissions must be open to the public;
- 2) reasonable notice of such meetings must be given, and
- 3) minutes of the meeting must be taken.





Interpretation of Statute

1. Inconsistent with Plain wording

- a. The word "meetings" does not necessarily mean there has to be a meeting.
- b. There really does not have to be a board or commission for the law to apply.
- c. The words "at which official acts are to be taken" does not really mean that any action has to be taken in order for a violation of the Sunshine Law to exist.





2. Arguably the statute could be rephrased to state:

Any <u>communication</u> between two members of the same board on any matter which may reasonably or foreseeably come in front of the board must take place at a time and place of which the <u>public</u> has <u>reasonable notice</u> and <u>location</u> where the public has <u>reasonable access</u>.





Mandatory Voting Exceptions:



member has a possible conflict of interest.

An exception to the voting

requirement exists only when the

b. Another exception was recently adopted and applies to quasi-judicial proceedings where the member must abstain "to assure a fair proceeding free from potential bias or prejudice." Fla. Stat. 286.012.



May restrictions be placed on the presence of recording devices? No, unless the devices are unreasonably disruptive. The Courts have reasoned that cameras and no disruptive recording devices aid in making an accurate report to the members of the public who could not be present.

Meetings of the staff of commissions, boards or committees are not ordinarily subject to the Sunshine Laws. However, a staff member loses his identify as staff while serving on a commission, board or committee which has been delegated authority normally held by the governing body.



Government in the Sunshine

➤ Board members may call upon staff members for factual information and advice without being subject to the Sunshine Law. However, the staff cannot be used as a liaison between committee members to conduct a de facto meeting of the committee. For example, Mr. Tyner could meet with individual Board members, but cannot circulate information and thoughts of the individual Board members to other members.

Does the Sunshine Law require an item be agendaed in order to take action?

No, but sometimes procedural rules do.



Can a board limit public participation?

Yes. However, under the Right to Speak Act, Fla. Stat. 286.0114, the public now has a right to be heard on all "propositions" before the Board. The right to speak must be provided during the decision making process and within "reasonable proximity in time" before final action is taken.



2005 Attorney General List of Don'ts



Do not talk about matters during recesses.

Do not talk about matters before meetings.

Do not talk about matters after meetings.

Do not talk about matters between meetings (even at City Hall).

2005 Attorney General List of Don'ts



Do not whisper to another member or pass notes to another member during a meeting.

Do not talk about public business at social settings.

Do not talk about votes, hearings, actions AFTER the public meetings as these matters may come back in different contexts.

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Government in the Sunshine

- ➤ Boards may not take action on nor engage in private discussion of board business via written correspondence, emails, text messages, or other electronic communications (Facebook).
- Email communication of information from one board member to another may not violate the Sunshine Law if there is no interaction related to the report, but circulating "position statements" is highly discouraged and may pose other procedural due process concerns.

Sanctions for Violation of Sunshine Law

1. Criminal

a. Any public officer who knowingly violates the Sunshine Law is guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, Section 775.083 or Section 775.084, Fla. Stat. (jail, fines, surcharges, etc.).

2. Civil

- a. Any public officer who violates any provision of this section is guilty of a non-criminal infraction, punishable by fine not exceeding \$500.00.
- b. Local governments may also be required to pay attorney's fees on behalf of those who enforce the Sunshine Laws.





3. Validity of Actions Taken in Violation of Sunshine Law.

- a. The violation makes the action <u>void ab initio</u>. No resolution, rule or formal action shall be considered binding except as taken or made at an open meeting. For example, a zoning ordinance was declared invalid because of Sunshine Law violations by a citizen's planning committee. Also, a contract for the purchase of real estate was held non-binding.
- b. The violation can be cured by reconsidering the matter at a later public meeting, however the meeting must include a <u>full debate</u> and a public hearing. The Board must take "independent final action", not just perfunctory action.

Example of Violation

August 2011: A member of the Florida Keys Mosquito Control District pleaded guilty to a non-criminal violation of the Open Meetings Law. Joan Lord-Papy, a five term commissioner, must pay \$250 fine along with \$270 in court costs.

Lord-Papy was charged after responding to an email from a fellow commissioner discussing interview dates for district director applicants. The original email, sent by Commissioner Jack Bridges, included a warning that other commissioners should not reply to avoid violating the Open Meetings Law.

Violations

• For example, the <u>circulation of written memorar</u> <u>seeking the concurrence of other members is violation.</u>



- Additionally, the Laws are applicable where a <u>single member of a committee or board has been delegated authority to negotiate on behalf of the commission, committee or board and does so without holding a public meeting.</u>
- Sunshine Law is <u>not violated by</u> <u>attendance of all members at a</u> "candidates' night" as long as the board members don't speak among themselves about government issues.



• Remember <u>sometimes just being seen speaking together can give rise to suspicion, so use caution.</u>

Public Records

1. Definition. Section 119.011 defines public records as <u>all</u> documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other material, <u>regardless of physical form</u> or characteristics, made or received pursuant to law or ordinance or <u>in connection with</u> the transaction of official business by any agency.

2. Includes:

- a. Anything in writing.
- b. Tapes and recordings.
- c. Photographs and film.
- d. Emails and texts and computer data storage (including citizens' email addresses).

What are the procedures for production?

- a. Public has the right to inspect records for free. Public also has a right to copy the records, but agency can charge for that.
- b. The requestor can remain anonymous by sending an email request. The request can be oral. Anyone can make a request, even if the purpose is monetary gain or partisan politics.
- c. The documents must be produced "within a reasonable time", to allow time to review for exempt or confidential information. Many governments have been penalized for delay.

What are the procedures for production?

- d. There's no objection for an "overbroad" request. Requests can be made throughout litigation and can tie up staff.
- e. Government must state the legal basis for refusing to provide a document or a part of a document.

Email/Text Receipt and Retention

Emails and texts made or received in connection with official business are public records and subject to disclosure in the absence of a specific statutory exemption. Emails and texts are also subject to the statutory restrictions on the destruction of public records requiring records be retained for a certain period of time. Email addresses of constituents are also public records, necessitating a disclosure statement on City emails. Any City related email or text received on personal computers should be forwarded to the City Clerk or to Commissioners' City email address for proper retention.



Doubts

When in doubt about whether a document is public record, give or forward the document to the City Clerk or Irene.



Penalties for failure to comply

- a. If a requestor files suit, and a court determines that the agency unlawfully refused to provide records or a timely basis, then the plaintiff is entitled to attorney's fees.
- b. Attorney's fees are also awarded where access is denied in good faith but it turns out the documents are not exempt from disclosure. In a recent case, a county quickly responded to a request by stating the county woul provide the records, but then delayed complying with the plaintiff was entitled to attorney's fees.
- c. An agency that misplaced the request was also dinged with attorney's fees.
- d. In addition to attorney's fees, a public officer who knowingly violates the statutes is subject to suspension and removal or impeachment and is guilty of a misdemeanor of the first degree. A violation of Chapter 119 is a noncriminal infraction, punishable by a fine not exceeding \$500.

Code of Ethics (Chpt. 112, F.S.)

- Cannot solicit or accept anything of value, such as a gift, loan, favor, or service given for the purpose of influencing votes or actions.
- Cannot do business with one's own agency to and from
- Cannot use position to secure a special privilege or benefit
- > Cannot hold conflicting employment or contractual relationship
- Cannot misuse privileged information
- Cannot appoint, employ, promote, or advance relatives
- Cannot vote on any measure which would inure to the special private gain
- Must disclose personal interests, financial interest, clients represented, contributions and honoraria
- ➤ Penalties include removal from office, censure, restitution and civil penalty up to \$10,000

Voting Conflicts (Sec. 112.3143, F.S.)

- No municipal or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss OR to the special private gain or loss of:
 - ➤ A principal by whom the officer is retained (e.g., employer or clients)
 - > To the parent organization or subsidiary of a corporate principal by which the officer is retained.
 - A relative or business associate of the officer (father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law; but may extent broader to other relatives such as brother-in-law if the benefit would impact a relative such as sister). (Note that measure affecting relative's employer may also create a conflict)
- Special private gain or loss economic benefit or harm
- Before the vote is taken, officer shall publicly state to the Board the nature of the interest in the matter from which he or she is abstaining and within 15 days after the vote occurs, disclosure the nature of the interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum into the minutes
- No appointed officer shall PARTICIPATE in any manner that would inure to the special private gain or loss of any of the persons or entities listed above without first disclosing the nature of the interest.
 - If interest is not given to person responsible for recording minutes BEFORE the meeting, disclosure must be made orally at the meeting when it becomes known that a conflict exists. Memorandum must be filed 15 days after.