



**City of Palm Coast**  
**Agenda**  
**PLANNING AND LAND**  
**DEVELOPMENT**  
**REGULATIONS BOARD**  
**MEETING**

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoastgov.com](http://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*

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**Wednesday, October 3, 2018**

**5:30 PM**

**COMMUNITY WING OF CITY HALL**

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

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

**E Board Discussion and Staff Issues**

**F Adjournment**

- 4 ATTACHMENTS**

## City of Palm Coast, Florida Agenda Item

Agenda Date: October 3, 2018

<b>Department</b>		<b>Amount</b>
<b>Item Key</b>	4422	<b>Account</b>
		<b>#</b>
<b>Subject</b>	MEETING MINUTES OF THE SEPTEMBER 18, 2018 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING	
<b>Background :</b>		
<b>Recommended Action :</b>		
Approve as presented		



**City of Palm Coast  
Minutes  
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**

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**Tuesday, September 18, 2018**

**5:30 PM**

**COMMUNITY WING OF CITY HALL**

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**RULES OF CONDUCT:**

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**A Call to Order and Pledge of Allegiance**

*Chair Jones called the September 18, 2018 meeting of the Planning and Land Development Regulations Board (PLDRB) to order at 5:34 P.M.*

**B Roll Call and Determination of a Quorum**

*Present and answering the roll were:*



Mr. Smith  
Mr. Dolney  
Chair Jones  
Mr. Scully  
Vice Chair Davis  
Mr. Lenhertz  
Mrs. Lucas

Absent were:

Mr. Freeman

## **C Approval of Meeting Minutes**

### **1 MEETING MINTUES OF AUGUST 15, 2018 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETINGS**

**Pass**

**Motion made to approve as presented made by Vice Chair Davis and seconded by Board Member Scully**

**Approved - 7 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Pete Lehnertz, Board Member Jake Scully, Board Member Clinton Smith, Board Member Sybil Dodson-Lucas**

## **D Public Hearings**

### **2 ORDINANCE TO REZONE 4.79 ACRES LOCATED SOUTH OF SR 100 AND EAST OF SEMINOLE WOODS BLVD. FROM LIMITED OFFICE (OFC-1) TO GENERAL COMMERCIAL (COM-2).**

*Mr. Ray Tyner, Planning Manager, introduced this agenda item along with Ida Meehan, Senior Planner who gave a presentation which is attached to these minutes.*

*Mr. Tyner provided information on the next steps if the PLDRB members approved this application at this meeting, the application would then go to City Council for 2 readings and if approved by City Council the next steps would be site plans would be submitted by the applicant for review by City staff for usage compatibility with our Commercial 2 zoning district. Mr. Tyner clarified that the proposed square footage would determine whether or not the site plan would be reviewed by the PLDRB members.*

*Mr. Charlie Faulkner, applicant, addressed the PLDRB members and informed them he was present to answer any questions that they may have regarding this project.*

*Chair Jones questioned the impact of the FP&L easement and its potential impact on the area that could be developed. Mr. Faulkner further clarified for the PLDRB members that not only is there a 300 ft. FP&L easement but there are jurisdictional wetlands found on this parcel which also needs to be considered since these jurisdictional wetlands will never be developed.*

*Chair Jones opened this item for public comment @ 5:46 P.M. and seeing no one approach the podium closed this item to public comment @ 5:47 P.M.*

**Pass**

**Motion made to approve as presented made by Board Member Lehnertz and seconded by Board Member Dodson-Lucas**

**Approved - 7 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Pete Lehnertz, Board Member Jake Scully, Board Member Clinton Smith, Board Member Sybil Dodson-Lucas**

**3 MODIFICATION OF THE UNIFIED LAND DEVELOPMENT CODE, CHAPTER 9 – ENGINEERING DESIGN & UTILITIES**

*Mr. Tyner introduced the agenda item including its history which includes being discussed in a PLDRB workshop on August 15, 2018. Mr. Tyner also introduced Mr. Bill Hoover, Senior Planner and Ms. Denise Bevan, City Administration Coordinator who gave a presentation which is attached to these minutes.*

*Chair Jones opened this item to public comment @ 5:56 P.M. and seeing no one approach the podium closed this item to public comment @ 5:57 P.M.*

**Pass**

**Motion made to approve as the revisions are consistent with the Comprehensive Plan made by Board Member Smith and seconded by Board Member Dolney**

**Approved - 7 - Vice Chair Glenn Davis, Board Member Christopher Dolney, Chair James Jones, Board Member Pete Lehnertz, Board Member Jake Scully, Board Member Clinton Smith, Board Member Sybil Dodson-Lucas**

**4 AN AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER TO ENTITLE AN ADDITIONAL 1,000 DWELLING UNITS, INCLUDING CONDITIONS TO ADDRESS THE ADDITIONAL DWELLING UNITS AND CHANGE USES ON TRACT 13A**

**Pass**

**Motion made to continue to October 3, 2018 @ 5:30PM here at the Community Wing of City Hall made by Vice Chair Davis and seconded by Board Member Dolney**

Approved - 7 - Vice Chair Glenn Davis, Board Member Christopher Dolney,  
Chair James Jones, Board Member Pete Lehnertz, Board Member Jake Scully,  
Board Member Clinton Smith, Board Member Sybil Dodson-Lucas

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

**Pass**

**Motion made to continue to October 3, 2018 @ 5:30PM here at the  
Community Wing of City Hall made by Board Member Scully and seconded  
by Board Member Dodson-Lucas**

Approved - 7 - Vice Chair Glenn Davis, Board Member Christopher Dolney,  
Chair James Jones, Board Member Pete Lehnertz, Board Member Jake Scully,  
Board Member Clinton Smith, Board Member Sybil Dodson-Lucas

**E     Board Discussion and Staff Issues**

*Chair Jones asked the PLDRB members if they agreed to change the November  
21, 2018 PLDRB meeting to November 14, 2018 due to a conflict with the  
Thanksgiving Holiday and they agreed.*

**F     Adjournment**

*Motion made that the meeting be adjourned by Mr. Dolney and seconded by  
Mrs. Lucas.*

*The meeting was adjourned at 6:00 P.M.*

*Respectfully Submitted by:  
Irene Schaefer, Recording Secretary*

**6     ATTACHMENTS**

# City of Palm Coast, Florida

## Agenda Item

Agenda Date: October 3, 2018

<p><b>Department</b> <b>Item Key</b>      4441</p>	<p><b>Amount</b> <b>Account</b> <b>#</b></p>
<p><b>Subject</b>    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&amp;13A</p>	
<p><b>Background :</b>  Palm Coast Park Development of Regional Impact (DRI) is a 4,677+/- acre Development of Regional Impact originally approved in Dec. 2004. The original approval permitted 3600 dwelling units and 3.2 million sq. ft. of non-residential. Palm Coast Land, LLC, as the Master Developer for the DRI is requesting an amendment to the DRI Development Order (DO). The proposed amendment will entitle an additional 1,000 dwelling units within the DRI (to be limited to multi-family units), add conditions to the Development Order related to the impacts of 1,000 additional units, and amend the designation for uses on Tracts A and 13A to Mixed Use.</p> <p>As part of the proposed DO amendment, the following conditions are proposed to address the additional impacts:</p> <ol style="list-style-type: none"> <li>1) A Park Site Exchange will occur between the City and Developer, such land swap will facilitate (through a larger site) the City's intent to develop a Sports Complex.</li> <li>2) Clarify that the additional units are not exempt from School Concurrency and that Declarant/Successors will need to coordinate with School District on concurrency.</li> </ol> <p>It is important to note that there are no additional impacts on the roadway network due to the proposed conversion of entitled non-residential uses to residential uses (139,000 sq. ft. of retail to 1,000 multi-family dwelling units).</p> <p>Additionally, the applicant proposes to amend the land uses on Tracts A and 13A to allow Mixed Use (this change will have the result of permitting residential uses in addition to non-residential uses on these tracts). The location of these tracts along a major arterial (US-1) with the availability of utilities (water and sewer) makes the proposed change appropriate.</p> <p>Analysis:</p> <p>The proposed amendment is consistent with the Comprehensive Plan based on the following policies:</p> <p><i>-Policy 1.1.1.1(G) – With the exception of the DRI (Urban Core), which has higher densities and intensities associated with a traditional downtown area, the maximum densities and intensities permitted in the other 5 DRI sub-categories shall be in-scale with similar development patterns in other parts of the City.</i></p>	

The proposed change to increase entitlements by 1,000 additional units increases density from .84 du/acre to 1.06 du/acre (4,960 du/4,677 gross acres). The increase in density is consistent with the above policy regarding densities and intensities within a DRI. As a DRI-Mixed Use, the density remains in-scale with that of other Mixed Use areas of the City which are permitted to have a Maximum Density of 15 du/acre.

*-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.*

The proposed increase in dwelling units is consistent with the above policy. Palm Coast Park DRI is located along a major arterial with existing water and central sewer service along with potential in the future to accommodate mass transit due to its location along a major arterial.

*-Policy 1.3.1.3 – The City shall encourage development to locate in the areas where public facilities, infrastructure, and services are available. Where there are deficiencies and where appropriate, the City shall require the developer to provide or extend the facilities as necessary to accommodate development. Applicable impact fees shall be used by the City consistent with State law to offset the costs of the City providing facilities.*

Palm Coast Park has available water and central sewer service. As required by City policy, any need for expansion or extension of facilities will be the responsibility of the developer.

*- Objective 3.4.1, Policy 3.4.1.1 – Through the FLUM and the 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 development.*

The additional residential entitlement as well as the change to Mixed Use for Tracts A and 13A will provide additional opportunities to develop various types of residential uses within a mixed use development.

Additionally, the proposed amendment is consistent with criteria established in the Land Development Code (LDC) based on the following:

- As previously provided, the proposed amendment is consistent with the Comprehensive Plan,
- There are no additional impact to environmental or natural resources since the amendment does not propose to increase the developable area of the project,
- The change will add diversity to the City's housing supply,
- Conditions of the amendment will provide for additional park acreage, and has no additional impact on traffic, (this is due to the conversion of existing non-residential entitlements (139,000 sq. ft. of retail into 1,000 multi-family residential units)
- The proposed amendment to Tracts A and 13A is consistent with surrounding land uses.

**Recommended Action:** Staff is recommending that the Planning and Land Development

Regulation Board recommend Approval of the proposed amendment to the Palm Coast Park Development of Regional Impact Development Order



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR APPLICATION # 3700  
SEPTEMBER 27, 2018**

## OVERVIEW

**Application Number:** 3700

**Applicant:** Michael D. Chiumento III, Agent for Palm Coast Land, LLC

**Property Description:** 4,677 +/- acres generally located along both sides of US Highway 1, between Palm Coast Parkway and Old Kings Road

<b>Property Owners:</b>	Palm Coast Land, LLC (as Master Developer)
<b>Parcel ID #:</b>	Numerous
<b>Current FLUM designation:</b>	DRI-Mixed Use, Conservation
<b>Current Zoning designation:</b>	Master Planned Development (Mixed Uses)
<b>Current Use:</b>	Vacant land with some infrastructure constructed
<b>Size of subject property:</b>	4,677 +/- acres

**Requested Action:** Amend the Palm Coast Park Development of Regional Impact (DRI) Development Order to entitle an additional 1,000 units, add conditions related to the impact of 1,000 additional units, and change the designation for Tract 13A from Business/Institutional to Mixed Use.

**Recommendation:** Approval

## ANALYSIS

### REQUESTED ACTION

Palm Coast Land, LLC as the Master Developer for the 4,677 +/- acre Palm Coast Park Development of Regional Impact is requesting an amendment to the Palm Coast Park Development of Regional Impact (DRI) Development Order (DO).

The proposed amendment will entitle an additional 1,000 dwelling units within the DRI, add conditions to the Development Order related to the impacts of 1,000 additional units, and amend the designation for uses on Tracts A and 13A to Mixed Use.

### BACKGROUND/SITE HISTORY

The following bullet points highlight the previous amendments to the Palm Coast Park Development of Regional Impact Development Order:

- On December 7, 2004 (by Resolution # 2004-48), the Palm Coast City Council approved the Palm Coast Park Development of Regional Impact Development Order (DRI DO) encompassing 4677 +/- acres. The original entitlements approved 3,600 dwelling units and 3.2 million sq. ft. of non-residential.

- On July 17, 2007, the City Council adopted an Amended and Restated DRI DO (Resolution # 2007-05), to clarify that certain public uses are permitted in the DRI (fire stations, public schools), also clarifying that public schools are allowed anywhere in the DRI, and clarifying conditions for recreational facilities.
- On October 4, 2011, the City Council adopted the 2<sup>nd</sup> Amended and Restated DRI DO (Resolution # 2011-93). This was a clean-up amendment incorporating changes to phasing dates, acreage of total development, update acreage of common area, update of map exhibits, and update of certain conditions related to recreation.
- On September 5, 2017, City Council approved Resolution # 2017-100, the 3<sup>rd</sup> DRI Amendment to allow conversion of 94 acres of land designated for Business/Institutional uses to Residential use.
- On January 16, 2018, City Council approved Resolution #2018-07, an update to the 3<sup>rd</sup> DRI amendment (the fourth amendment) to relocate borrow/soil extraction activities to more appropriate locations within the DRI.

In addition to the amendments above, the Developer converted 43,200 sq. ft. of commercial/retail to 360 dwelling units. This conversion was accomplished as permitted by the original DRI-DO (by letter dated June 6, 2014). This conversion brought the number of allowable dwelling units in the DRI to 3,960. The table below summarizes the current entitlements for the DRI.

<b>Land Use</b>	<b>Gross Bldg./Units or Area</b>	<b>Acreage (in acres)</b>
Residential	3,960 DUs	1,528
Office	800,000 SF	140
Commercial	1,456,000 SF	475
Industrial	800,000 SF	300
Institutional	100,000 SF	20
Common Area	----	2,214

To mitigate the impacts from the approved entitlements, the approved DRI-DO included the following conditions:

<b>Specific Condition #</b>	<b>Description</b>
8. Transportation	Prepay- \$7,521,000 in prop share (DONE) plus impact fees
11. Affordable Housing	Reanalysis of affordable housing need prior to development Phase 2.
12. Police and Fire Protection	Donate 2 site(s) up to 6 acres in total
13. Recreation and Open Space	Donate total of 74 acres for parks consisting of Tracts A, 5F and 10C or a site in Tracts 9 or 10A
14. Education	Donate 25 acre site, all or portion of Tract 10B to Flagler County School District.

## DENSITY/INTENSITY AND POPULATION

The proposed entitlement of an additional 1,000 units for the DRI increases the gross density of the DRI as shown in the Table 1 below. The impact of the proposed additional units on public facilities and infrastructure are shown on Table 2 below:

Table 1. Density Comparison

	<b>Current</b>	<b>Proposed</b>	<b>Change</b>
<b>Number of Units</b>	3,960	4,960	+1000
<b>Density (d.u./acre)</b>	.84	1.06	+ .22



Table 2 Public Facilities Impact Analysis

Density <sup>(1)</sup>	# of units or square feet of development	Transportation (PHT) <sup>(2)</sup>	Potable Water (GPD) <sup>(3)</sup>	Sanitary Sewer (GPD) <sup>(4)</sup>	Solid Waste (lbs./capita/day) <sup>(5)</sup>	Recreation and Parks (8 acres/ 1000 pop.) <sup>(6)</sup>	Public Education (students) <sup>(7)</sup>	Stormwater Drainage <sup>(8)</sup>
<b>Proposed DRI Amendment</b>								
1000 Residential Units	1,000	1,000	300,000	196,800	20,640	19	332	N/A
	<b>Total</b>	1000	300000	196800	20640	19	332	N/A

**Footnotes:**<sup>(1)</sup> Calculation of Density: Lot Size (acre)\*# of units/acre<sup>(2)</sup> Transportation: Residential PM Peak Hour Trips (PHT), Residential Development: = # of units\*1.0 PM-PHT (Average Rate), ITE Trip Generation Manual, 9th Edition<sup>(3)</sup> Transportation: Non-residential PM Peak Hour Trips (PHT), Institutional Use = ITE Code 770: Business Park = 1.29/1000 sq. ft. based on average rate in ITETrip<sup>(4)</sup> Potable Water: Residential = # of units\*2.4\*125 gallons/capita/day<sup>(5)</sup> Wastewater: Residential = # of units\*2.4\*82 gallons/capita/day<sup>(6)</sup> Solid Waste: Residential Demand = # of units\*2.40\*8.61 lbs/capita/day<sup>(7)</sup> Recreation and Parks: Residential Demand = # of units \* 2.40 \*8 acres/1000 persons<sup>(8)</sup> Public Education Residential: = Based on multiplier provided by Flagler County School District. See Table 3.<sup>(9)</sup> Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.**ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.05.05**

The Unified Land Development Code, Chapter 2, 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:** This amendment to the Palm Coast Park DRI Development Order is not in conflict with, or contrary to, the public interest. The impacts of the proposed 1,000 additional units are to be mitigated by the conditions within the DRI-DO as follows:

- 1) Recreation – The proposed DO will include a land swap that provides adequate upland acreage for the City to develop a Sports Complex. In return for the alternate park site, the City will exchange Tract A (there is inadequate acreage to accommodate a sports complex at this location).
- 2) Educational Facilities – Prior to final plat/site plan approval, the Applicant/successors will coordinate with the School District to determine appropriate mitigation for the additional units.
- 3) Transportation – There are no additional impacts to the transportation network since the applicant proposes to convert previously approved retail sq. ft. to dwelling units (this conversion is permitted by the current DO).

Finally, the proposed change to allow Mixed Use in Tracts A and 13A is appropriate since both parcels abut a major arterial (US-1) and does not propose to encroach on identified wetland areas as identified in the original Development Plan Map.

*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:**

*-Policy 1.1.1.1(G) – With the exception of the DRI (Urban Core), which has higher densities and intensities associated with a traditional downtown area, the maximum densities and intensities permitted in the other 5 DRI sub-categories shall be in-scale with similar development patterns in other parts of the City.*

The proposed change to increase entitlements by 1,000 additional units increases density from .84 du/acre to 1.06 du/acre. The increase in density is consistent with the above policy regarding densities and intensities within a DRI. As a DRI-Mixed Use, the density remains in-scale with that of other Mixed Use areas of the City which are permitted to have a Maximum Density of 15 du/acre).

*-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.*

The proposed increase in dwelling units is consistent with the above policy. Palm Coast Park DRI is located along a major arterial with existing water and central sewer service along with potential in the future to accommodate mass transit due to its location along a major arterial.

*-Policy 1.3.1.3 – The City shall encourage development to locate in the areas where public facilities, infrastructure, and services are available. Where there are deficiencies and where appropriate, the City shall require the developer to provide or extend the facilities as necessary to accommodate development. Applicable impact fees shall be used by the City consistent with State law to offset the costs of the City providing facilities.*

Palm Coast Park has available water and central sewer service. As required by City policy, any need for expansion or extension of facilities will be the responsibility of the developer.

*- Objective 3.4.1, Policy 3.4.1.1 – Through the FLUM and the 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 development.*

The additional residential entitlement as well as the change to Mixed Use for Tracts A and 13A will provide additional opportunities to develop various types of residential uses within a mixed use development.

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

**Staff Finding:** Nearby area roadways and public utilities are available to serve this large project and the proposed changes will not create any significant financial liability or hardship for the City. The developer of the Palm Coast Park DRI has dedicated numerous sites and made other payments to assist the City to make necessary infrastructure improvements to serve residents, businesses and guests within this DRI. The developer will also pay impact fees as required when constructing homes and buildings within the DRI. Additionally, the Developer will continue to provide a biennial report to assist in monitoring the DRI's impact on road facilities.

*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:** The proposed DRI amendment will not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. The proposed amendment includes conditions to ameliorate the impact of 1,000 additional units.

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

**Staff Finding:** The subject property will be required to comply with the development standards of the City's Land Development Code, the Palm Coast Park DRI Development Order, the Comprehensive Plan, the latest version of the Palm Coast Park MPD Development Agreement, and the requirements of all other applicable agencies throughout the development process.

#### **ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.06.03**

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.06.03 states: *“The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a rezoning application”:*

- A. *Whether it is consistent with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan;*

**Staff Finding:** As noted previously in the analysis prepared for ULDC Chapter 2, Part II, Section 2.05.05 of this staff report, the requested DRI amendment is in conformance with the Comprehensive Plan elements (including portions related to DRIs) and their goals, objectives and policies.

- B. *Its impact upon the environment and natural resources;*

**Staff Finding:** The DRI has extensive environmental restrictions and the proposed changes will not reduce or negatively impact the standards for protecting our environment and natural resources. The proposed amendment will not impact any area previously identified for environmental protection.

- C. *Its impact on the economy of any affected area;*

**Staff Finding:** Impacts to the Palm Coast economy are anticipated to be positive since the project will provide numerous construction jobs and the residents moving into the new residences will increase the demand for retail uses and commercial services in the Palm Coast community.

- D. *Its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation;*

**Staff Finding:** The proposed amendment's impact on the necessary governmental services including schools, wastewater, potable water, drainage, fire and police protection, solid waste and transportation systems will be covered by concurrency regulations and impact fees paid by the developer. The developer of the DRI has also provided sites and funds to assist the City in providing essential services.

- E. *Any changes in circumstances or conditions affecting the area;*

**Staff Finding:** Since the major economic and housing downturn in the late 2000s, which was followed by a steady upturn over the last several years, current developers have identified the need for more residential uses within the Palm Coast Park DRI project. This demand is highlighted by the need to entitle additional residential units since the current entitlements have been allocated.

An additional change in circumstances is the completion of the I-95/Matanzas Woods Parkway interchange. The completion of this interchange provides a convenient access between I-95 and Palm Coast Park DRI, which may spur additional interest in development in the Palm Coast Park DRI.

- F. *Compatibility with proximate uses and development patterns, including impacts to the health, safety, and welfare of surrounding residents;*

**Staff Finding:** The proposed DRI Amendment will not affect land use compatibility or create negative impacts to surrounding properties.

- G. *Whether it accomplishes a legitimate public purpose:*

**Staff Finding:** Yes, the changes in the DRI DO will allow more intense development to occur where infrastructure is available.

## RECOMMENDATION

Planning staff recommends that the Planning and Land Development Regulation Board (PLDRB) recommend to City Council APPROVE the proposed amendment to the Palm Coast Park DRI Development Order.

**FIFTH AMENDMENT TO THE PALM COAST PARK**  
**DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER**

This Fifth Amendment to the Palm Coast Park Development of Regional Impact Development Order (“Amendment”) is effective this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by and between Palm Coast Land, LLC (the “Declarant”), whose address is 145 City Place, Suite 300, Palm Coast, Florida 32164, and the City of Palm Coast (the “City”), whose address is 160 Lake Avenue, Palm Coast, Florida 32164.

**RECITALS**

1. On or about December 7, 2004, the City Council of the City of Palm Coast (the “City Council”) adopted Resolution # 2004-48 approving the Palm Coast Park Development of Regional Impact Development Order (DRI DO) which is recorded at Official Records Book 1177, Page 1796 of the Public Records of Flagler County, Florida.
2. On or about February 15, 2005, the City Council approved the Notice of Clarification to provide notice to the effect that City Council was in agreement that the term “Mitigation Pipeline Amount” contained on lines 20 and 21 or Page 39 of the DRI DO means the same thing as, and is synonymous with, the term “Developer’s Proportionate Share Contribution” to ensure that the DRI DO fully conforms with the requirements of State Law said action being taken by means of the adoption of Resolution Number 2005-03 as recorded at Official Records Book 1215, Page 1424 of the Public Records of Flagler County, Florida.
3. On or about July 17, 2007, the City Council adopted an Amended and Restated DRI DO (Resolution # 2007-05), to clarify that certain public uses are permitted in the DRI (fire stations, public schools), also clarifying that public schools are allowed anywhere in the DRI, and clarifying conditions for recreational facilities, the Amended and Restated DRI DO being duly recorded on July 23, 2007, in Official Records Book 1600, Page 49, of the Public Records of Flagler County Florida.
4. On or about October 4, 2011, the City Council adopted the 2nd Amended and Restated DRI DO (Resolution # 2011-93), an amendment incorporating changes to phasing dates, acreage of total development, acreage of common area, updating map exhibits, and certain conditions related to recreation, the 2nd Amended and Restated DRI DO being duly recorded on October 20, 2011, in Official Records Book 1838, Page 834, of the Public Records of Flagler County, Florida.
5. On or about September 5, 2017, City Council approved Resolution # 2017-100, the 3rd DRI Amendment to allow conversion of 94 acres of land designated for Business/Institutional uses to Residential use, the DRI-DO being duly recorded on January 16, 2018, in Official Records Book 2253, and Page 339; of the Public Records of Flagler County, Florida.

6. On or about January 16, 2018, City Council approved Resolution # 2018-07, an update to the 3rd DRI amendment (the fourth amendment) to relocate borrow/soil extraction activities to more appropriate locations within the DRI.
7. On or about July 6, 2018, the Declarant of the DRI DO, filed an application to amend the DRI DO to reflect current market demand from various builders and sub developers.
8. The City and Declarant agree to amend the DRI DO as provided herein.
9. This Amendment is consistent with (1) the State's Comprehensive Plan as set forth in Section 187, Florida Statutes, and (2) the City's Comprehensive Plan.
10. The public hearing to consider this Amendment was properly noticed and held by the City Council pursuant to Florida State law and the City's Land Development Code.

**NOW THEREFORE**, be it hereby ordered and resolved by the City Council, that based upon the following finding of facts and conclusions of law, the consent and agreement of the Declarant, and subject to the following terms and conditions, the City Council hereby approves this Fifth Amendment to the Palm Coast Park Development of Regional Impact Development Order, pursuant to the provisions of Section 380.06 F.S., other applicable State laws and the codes and ordinances of the City.

A. Recitals: The aforementioned recitals are taken as true, incorporated herein by reference and made a material part of this Amendment.

B. Amendments:

- (1) Section 3. Land Use Totals: This section of the DRI DO shall be amended to provide the following table with all other references to remain the same.

The Palm Coast Park DRI may be developed up to, but may not exceed the following:

Land Use	Gross Blvd./Units or Area	Ac.*
Residential	3600 4960 (1,000 additional units will be restricted to multi-family use – Declarant will provide binding letter/notice to City to identify Tracts to be limited to multi-family)	1528
Office	800,000 SF	140
Commercial	1,500,000 1,317,800 SF (includes reduction from conversion of entitlements in June 2014)	475
Industrial	800,000 SF	300

Institutional	100,000 SF	20
Common Area (!)		2,214

\*The Palm Coast Park DRI is planned as an integrated mixed-use development. As a result, land uses will be integrated, rather than specifically assigned to a designated area. Consequently, acreage is approximate for each land use category.

! Common Area includes all open space, areas for preservation and greenbelts that shall be available for the common use and enjoyment of all Palm Coast Park DRI property owners and visitors.

(2) Section 5. Phasing, Buildout, and Expiration. This section of the DRI DO shall be amended to permit 4960 total residential units to be constructed.

(3) Section 13. Recreation and Open Space. Amend this section to include the following new subsection:

(j) In order to facilitate accomplish the City and Declarant's objective of creating a sports complex while addressing the impacts of 1,000 multi-family units, the City and the Declarant agrees to a Park Site Exchange as follows: (i) The City shall convey Tract A, as identified in the Master Development Plan to the Declarant by general warranty deed and (ii) the Declarant shall convey the Alternate City Park Site to the City as depicted by Exhibit "1". The conveyances of the parties' respective lands pursuant to the Park Site Exchange shall be free from all encumbrances except easements, reservations, and restrictions acceptable to each other, together with all appurtenances pertaining to the conveyance. Declarant will prepay taxes for the year of closing pursuant to Fla. Stat. 196.295, and all special assessments which have been levied or certified prior to closing. One hundred and twenty days before Closing, the Declarant will cause the title company of its choice to issue and deliver to City ALTA title commitments to issue a policy in the amount of the assessed value of the park sites, accompanied by one copy of each document supporting any exceptions to the title commitment. The parties will execute a standard form owner's affidavit and such other affidavits as may be reasonably required by the City, the Title Company, or the Closing Agent. The parties will also execute an Affidavit of interest in Real Property pursuant to Fla. Stat. 286.23. The parties will execute affidavits declaring that their respective sites do not currently contain any Hazardous Substances in violation of any applicable environmental laws or regulations, including but not limited to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601 et seq., any "superlien" laws, any superfund laws, or similar federal or state laws, or any successor statutes ("Environmental Laws"), nor to their respective knowledge has any clean-up of their properties occurred pursuant to the Environmental Laws which could give rise to liability to reimburse any governmental authority for the costs of such clean-up or result in a lien or encumbrance. Subsequent to the Park Site Exchange, the permitted land uses of each shall be as follows:

(i) The City Park Site: The City Park Site shall have a land use designation of Mixed Use and a zoning classification of COM-2, High Density Residential and Office which is consistent with the adjacent Tracts.

(ii) The Alternate Park Site: The Alternate Park Site shall have a land use designation of Public and a zoning classification of Public/Semi-public. The Declarant shall cause any and all CDD assessment or the CDD's right to assess the property to be released from said encumbrance.

(4) Section 14. Education. Amend this section to include the following:

Declarant or its successors shall provide Concurrency Agreement (by letter, resolution or form acceptable to school board) prior to approval of final plat/site plan for the 1,000 multi-family units approved by this Fifth Amendment to the DRI-DO.

(5) Exhibit "B" of the DRI-DO, Master Development Plan: Exhibit "B" of the DRI-DO is amended as attached hereto in Exhibit "2" of this Amendment to designate Tracts A and 13A for Mixed Use Development.

(6) Exhibit "H" of the DRI-DO, Land Uses and Development:

Amend **Section 2(b) Business/Institutional Areas** to delete Tract 13A,  
Amend **Section 2(c) Mixed-Use Areas** to include Tract A, and 13A,  
Amend **Section 2(d) Public/Semipublic Areas** to delete Tract A.

C. Except as modified or clarified herein, the DRI DO remains in full force and effect in accordance with its terms.

**WHEREFORE**, the parties hereto have caused these presents to be signed all as of the date and year first written above.

WITNESSES:

“OWNER”  
PALM COAST LAND, LLC, a Florida limited liability company

\_\_\_\_\_  
Print Name:

By:

\_\_\_\_\_  
Patrick L. Cutshall, Its CFO

\_\_\_\_\_  
Print Name:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Patrick L. Cutshall, its CFO, on behalf of the Palm Coast Land, LLC, a Florida Limited Liability Company, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC



CITY OF PALM COAST, FLORIDA

\_\_\_\_\_  
Milissa Holland, Mayor

ATTEST:

\_\_\_\_\_  
Virginia A. Smith, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

\_\_\_\_\_  
William E. Reischmann, Jr. , Esq.  
City Attorney

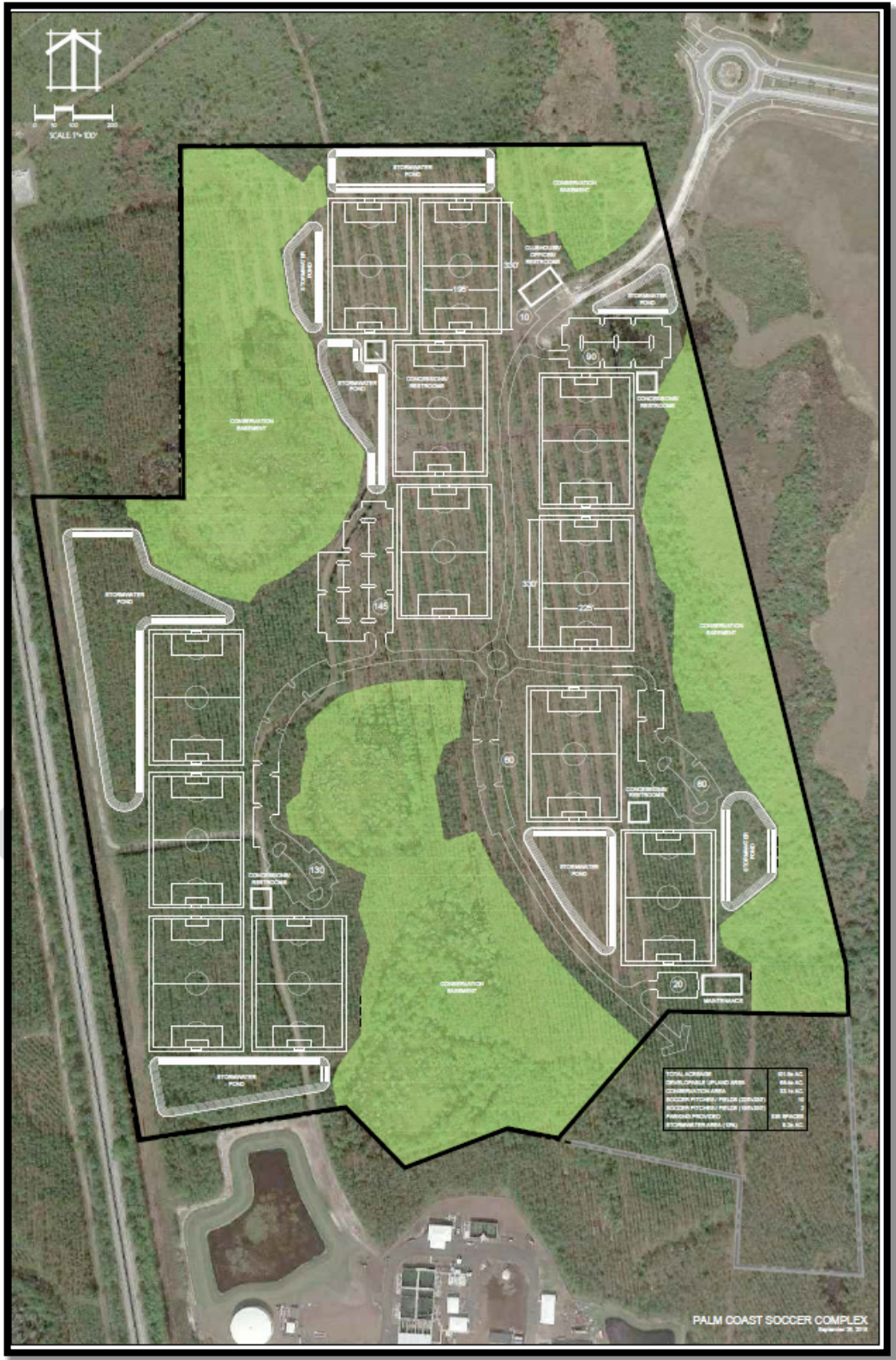
STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

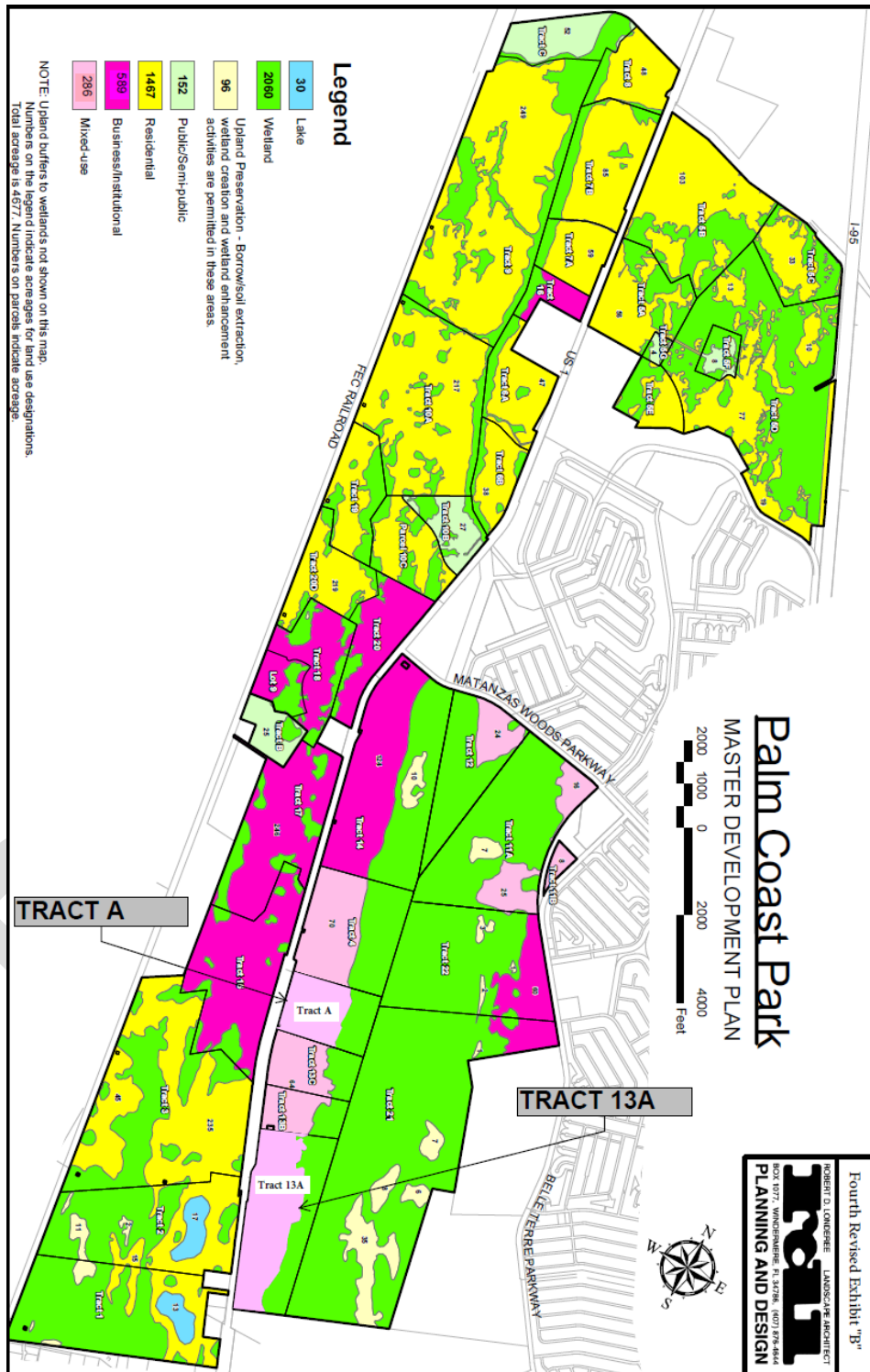
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Mayor of the City of Palm Coast, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC

Exhibit 1. Alternate City Park Site



## Exhibit 2. Revised Master Development Plan

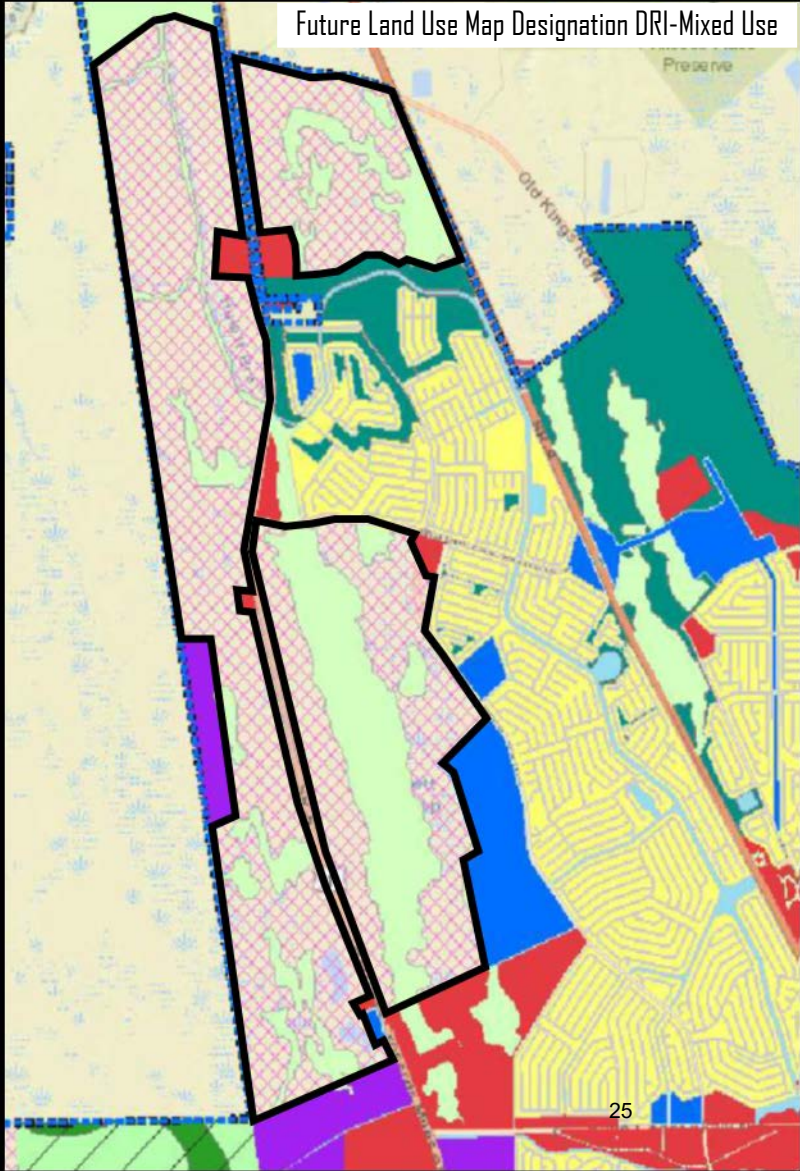




# Palm Coast Park DRI/MPD



# Future Land Use Map Designation DRI-Mixed Use





# City of Palm Coast, Florida

## Agenda Item

Agenda Date: October 3, 2018

Department Item Key	4448	Amount Account #
ORDINANCE NO. 2018-XX APPROVING THE SECOND AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT		
<b>Background :</b>		
On December 7, 2004, the Palm Coast City Council approved the Palm Coast Park Development of Regional Impact Development Order encompassing 4677 +/- acres by Resolution 2004-48. In April 2007, the northwest portion of the DRI, generally located west of US Highway 1 and north of Matanzas Woods Parkway was rezoned to the Sawmill PUD. In 2008, another substantial portion of the DRI was rezoned to MPD. Eventually on October 19, 2011, the City Council approved rezoning all of the lands within the DRI, except for about 92 +/- acres, into a new MPD called the Palm Coast Park MPD Development Agreement.		
The DRI was amended by the City Council on September 19, 2017 (2nd Amended and Restated DRI Development Order) at the same time the Palm Coast Park MPD was amended (1 <sup>st</sup> Amendment to the Palm Coast Park MPD). A very minor amendment to the DRI was approved by City Council on January 9, 2018 (3 <sup>rd</sup> Amended and Restated DRI Development Order).		
This would be the second amendment to the Palm Coast Park MPD.		
<u>Request:</u>		
The applicant is proposing to make changes to the Palm Coast Park MPD and these are shown in detail on Tables 4-1 and 4-2. Essentially, these changes would also allow Multi-Family Residential (MFR-2) uses on Tract 13A and General Commercial (COM-2) uses on Tract 22. Due to a potential land exchange between the developer and the City, the applicant is proposing relocating already approved uses between Tract "A", Tract 18, Tract 19 and Tract 20. Other very minor changes are being proposed which are typically eliminating some uses and zoning districts by the master developer. These were effectively made by the master developer when selling off certain tracts with very specific land use entitlements and some of the tracts that no longer have certain land use entitlements are now being updated.		
<u>Analysis:</u>		
The majority of the proposed amendment to the development standards within the MPD will have minimal consequences to the public interest as the land uses within the MPD are already permitted within other tracts of the MPD and the MPD will remain compatible with neighboring properties. However, Planning staff does not support adding all of the General Commercial (COM-2) allowed uses to the Neighborhood Commercial (COM-1) uses currently allowed on Tract 22. Planning staff believes that in addition to the existing COM-1 uses only one COM-2 permitted use, a convenience store that is restricted with up to 12 vehicle fueling positions and an accessory restaurant up to 1,500 square feet in area with up to one drive-through lane would be in the public interest and compatible with neighboring properties. Planning staff believes other COM-2 allowed uses such as: drinking establishments (without outdoor entertainment), home improvement centers, hotels, motels, large-scale retailers, used merchandise stores, and motorcycle dealers would not be in the public interest nor compatible with this neighborhood along Belle Terre Parkway.		

**Recommended Action :**

Planning staff recommends that the Planning and Land Development Regulation Board find Application No. 3701 consistent with the Comprehensive Plan and recommend to City Council conditional approval of the second amendment to the Palm Coast Park MPD Development Agreement. The lone condition would be to limit commercial uses on Tract 22 to COM-1 plus one convenience store with up to 12 vehicle fueling stations and an accessory restaurant that is up to 1,500 sq. ft. in building area and up to one drive-through lane.



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR APPLICATION #3701  
PLANNING AND LAND DEVELOPMENT REGULATION BOARD  
OCTOBER 3, 2018**

## OVERVIEW

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**Application Number:** 3701

**Applicant:** Michael D. Chiumento III, Agent for Palm Coast Land, LLC

**Property Description:** 4,585 +/- acres generally located along both sides of US Highway 1, between Palm Coast Parkway and Old Kings Road

<b>Property Owners:</b>	Palm Coast Land, LLC
<b>Parcel ID #:</b>	Numerous
<b>Current FLUM designation:</b>	DRI Mixed Use, Conservation
<b>Current Zoning designation:</b>	Master Planned Development (Mixed Uses)
<b>Current Use:</b>	Vacant land with some infrastructure constructed
<b>Size of subject property:</b>	4,585 +/- acres

**Requested Action:** Modification of the Palm Coast Park Master Planned Development (MPD) Development Agreement

**Recommendation:** Approval

## ANALYSIS

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### REQUESTED ACTION

Palm Coast Land, LLC as the master developer of the 4,585 +/- acre Palm Coast Park DRI and Master Planned Development (MPD) is requesting several updates and other minor changes to this MPD. The updates include changing the zoning on Tract 13A and Tract 22 (key modifications) as shown on the Palm Coast Park MPD Uses Map. Tract 13A is located on the east side of US Highway 1, commencing at approximately Wellfield Road and extending northward approximately another ½ mile. Tract 22 is located on the west side of Belle Terre Parkway commencing at Burroughs Drive and extending northward approximately another ½ mile. The applicant owns the two tracts that are the subject of the key modification and still retains ownership of numerous other tracts of the Palm Coast Park MPD. The applicant is proposing to also permit Multi-Family Residential (MFR-2) uses on Tract 13A that are in addition to the currently allowed commercial and office uses. On Tract 22 the applicant is proposing to replace the currently approved and Neighborhood Commercial Uses (COM-1) with General Commercial (COM-2) uses. The applicant did note that if not all COM-2 uses are determined appropriate for Tract 22 they would like to obtain as many of those uses that Planning staff and the PLDRB are acceptable with. On Tract "A" the applicant has requested to replace the Public Uses with Mixed Uses by adding MFR-2, OFC-2, and COM-2 zoning uses and to add Public/Semi-Public zoning uses on Tracts 18, 19 and 20 as the developer and City are working on a potential land exchange agreement that would necessitate the permitted uses to be relocated for the tracts being exchanged.



Numerous other minor changes have been requested to the MPD Development Agreement by updating: Table 4-1, Table 4-2 and Exhibit "C" MPD Uses Map for the changes described above. The minor changes generally update these two tables for the allowed uses and eliminate some of the optional uses that have been eliminated by the developer when selling off entitlements. For example, on Tract 11B of Table 4-2 the developer did not sell off any office entitlements so the office uses are being eliminated.

### BACKGROUND/SITE HISTORY

On December 7, 2004, the Palm Coast City Council approved the Palm Coast Park Development of Regional Impact Development Order encompassing 4677 +/- acres by Resolution 2004-48. In April 2007, the northwest portion of the DRI, generally located west of US Highway 1 and north of Matanzas Woods Parkway was rezoned to the Sawmill PUD. In 2008, another substantial portion of the DRI was rezoned to MPD. Eventually on October 19, 2011, the City Council approved rezoning all of the lands within the DRI, except for about 92 +/- acres, into a new MPD called the Palm Coast Park MPD Development Agreement.

The DRI was amended by the City Council on September 19, 2017 (2nd Amended and Restated DRI Development Order) at the same time the Palm Coast Park MPD was amended (1<sup>st</sup> Amendment to the Palm Coast Park MPD). A very minor amendment to the DRI was approved by City Council on January 9, 2018 (3<sup>rd</sup> Amended and Restated DRI Development Order).

This would be the second amendment to the Palm Coast Park MPD.

### LAND USE AND ZONING INFORMATION

The applicant is proposing to make changes to the Palm Coast Park MPD and these are shown below in Tables 4-1 and 4-2. Essentially these changes would also allow Multi-Family Residential (MFR-2) uses on Tract 13A and General Commercial (COM-2) uses on Tract 22. Due to a potential land exchange between the developer and the City, the applicant is proposing relocating already approved uses between Tract "A", Tract 18, Tract 19 and Tract 20. Other very minor changes are being proposed which are typically eliminating some uses and zoning districts by the master developer. These were effectively made by the master developer when selling off certain tracts with very specific entitlements and those tracts that no longer have certain land use entitlements are now being updated.

**Table 4-1 and Table 4-2 of Section 4 of the MPD DA is proposed to be updated as follows:**

<b>Table 4-1</b>		
<b>Tract No.</b>	<b>MPD Uses</b>	<b>Amended and Retitled DRI DO Land Uses (as shown on Exhibit "B", Master Development Plan)</b>
Tract 1	Residential <del>Medium</del> <u>High</u> Density	Residential
Tract 2	Residential <del>Medium</del> <u>Low</u> Density	Residential
Tract 3	Residential Low Density	Residential
Tract 4	Residential Medium Density and Commercial (1)	Mixed Uses
Tract 5A	Residential High Density	Residential
Tract 5B	Residential Low Density	Residential
Tract 5C	Residential Low Density	Residential
Tract 5D	Residential Low Density	Residential
Tract 5E	Residential Medium Density	Residential
Tract 5F	Public (2)	Public/Semi-Public
Tract 5G	Public (2)	Public/Semi-Public
Tract 6A	Residential <del>Medium</del> <u>Low</u> Density	Residential
Tract 6B	Residential Low Density	Residential
Tract 7A	Residential <del>Medium</del> <u>Low</u> Density	Residential

Tract 7B	Residential Low Density	Residential
Tract 8	Residential Low Density	Residential
Tract 9	Residential Low Density	Residential
Tract 10A	Residential Low Density	Residential
Tract 10B	Public (2)	Public/Semi-Public
Tract 10C	Residential High Density	Residential
Tract 11A	Residential High Density and Commercial (1)	Mixed Uses
Tract 11B	Residential High Density, Commercial and Office (1)	Mixed Uses
Tract 12	Residential High Density and Commercial (1)	Mixed Uses
Tract 13A	Commercial, and Office <u>and Residential High Density</u>	<u>Business/Institutional Mixed Uses</u>
Tract 13B	Residential High Density and Commercial (1)	Mixed Uses
Tract 13C	Residential High Density and Commercial (1)	Mixed Uses
Tract 14	Commercial and Office	Business/Institutional
Tract 15	Commercial, Office and Industrial	Business/Institutional
Tract 16	Commercial and Office	Business/Institutional
Tract 17	Office and Industrial	Business/Institutional
Tract 18 (except Lot 9)	Office and Industrial (2)	Business/Institutional
Tract 18 (only Lot 9)	Industrial (2)	Business/Institutional
Tract 19	Residential <del>Medium</del> <u>Low</u> Density	Residential
Tract 20 (except Tract D)	Industrial, Office and Commercial (2)	Business/Institutional
Tract 20 (only Tract D)	Residential <del>Medium</del> <u>Low</u> Density (2)	Residential
Tract 21	Institutional, Office and Commercial	Business/Institutional
Tract 22	Institutional, Office and Commercial	Business/Institutional
Tract "A"	<del>Public</del> <u>Mixed Uses</u> (2)	<u>Public/Semi-Public Mixed Uses (2)</u>

(1) Any one or combination of uses is permitted. Residential is permitted over non-residential uses. (See Section 11 – Neo-Traditional: Residential Over Commercial/Office Design Guidelines)

(2) ~~Public~~ Also includes: schools, fire and rescue stations, parks and other public facilities.

<b>Table 4-2</b>		
<b>Tract No.</b>	<b>MPD Uses (as shown on Exhibit "C" MPD Uses)</b>	<b>LDC Zoning Category</b>
Tract 1	Residential <del>Medium</del> <u>High</u> Density	SFR-1, MFR-2
Tract 2	Residential <del>Medium</del> <u>Low</u> Density	SFR-1, <del>MFR-2</del>
Tract 3	Residential Low Density	SFR-1
Tract 4	Flex-Uses - Residential Medium Density and Commercial	MFR-2, COM-1
Tract 5A	Residential High Density	MFR-2

Tract 5B	Residential Low Density	SFR-1
Tract 5C	Residential Low Density	EST-1
Tract 5D	Residential Low Density	SFR-1
Tract 5E	Residential Medium Density	MFR-2
Tract 5F	Public	PSP
Tract 5G	Public	PSP
Tract 6A	Residential <del>Medium</del> <u>Low</u> Density	SFR-1, <del>MFR-2</del>
Tract 6B	Residential Low Density	SFR-1
Tract 7A	Residential <del>Medium</del> <u>Low</u> Density	SRF-1, <del>MFR-2</del>
Tract 7B	Residential Low Density	SFR-1
Tract 8	Residential Low Density	SFR-1
Tract 9	Residential Low Density	SFR-1, MFR-2
Tract 10A	Residential Low Density	SFR-1
Tract 10B	Public	PSP
Tract 10C	Residential High Density	MFR-2
Tract 11A	Flex-Uses - Residential High Density and Commercial	MFR-2, COM-2
Tract 11B	Flex-Uses - Residential High Density, <u>and</u> Commercial <u>and</u> Office	MFR-2, COM-1, <del>OFC-1</del>
Tract 12	Flex-Uses - Residential High Density and Commercial	MFR-2, COM-1
Tract 13A	Flex-Uses – Commercial, <u>and</u> Office <u>and</u> Residential High Density	COM-3, OFC-2, <u>MFR-2</u>
Tract 13B	Flex-Uses - Residential High Density and Commercial	MFR-2, COM-1
Tract 13C	Flex-Uses - Residential High Density and Commercial	<del>MFR-1</del> , <u>MFR-2</u> , COM-1
Tract 14	Flex-Uses - Commercial and Office	COM-3, OFC-2
Tract 15	Flex-Uses – Commercial, Office and Industrial	COM-3, OFC-2, IND-1
Tract 16	Flex – Uses - Commercial and Office	COM-1, OFC-1
Tract 17	Flex-Uses – Office and Industrial	OFC-2, IND-1
Tract 18 (except Lot 9)	Flex-Uses – Office and Industrial (1)	OFC-2, IND-1, <u>PSP</u>
Tract 18 (only Lot 9)	Industrial (1)	IND-1, <u>PSP</u>
Tract 19	Residential Medium Density	SFR-1, MFR-2, <u>PSP</u>
Tract 20 (except Tract D)	Flex-Uses - Commercial, Office and Industrial (1)	COM-3, OFC-2, IND-1, <u>PSP</u>
Tract 20 (only Tract D)	Residential <del>Medium</del> <u>Low</u> Density (1)	SFR-1, <del>MFR-2</del> <u>PSP</u>
Tract 21	Flex-Uses – Commercial, Office and Institutional	COM-1, OFC-1, PSP
Tract 22	Flex-Uses – Commercial, Office and Institutional	<del>COM-1</del> , COM-2, OFC-1, PSP
Tract “A”	<u>Flex Uses – Residential High Density, Commercial, Office and Public</u>	<u>PSP, MFR-2, OFC-2 COM-2</u>

(1) Also includes: schools, fire and rescue stations, parks and other public facilities.

**ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.05.05**

The Unified Land Development Code, Chapter 2, 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 majority of this amendment to the proposed development standards in this MPD Development Agreement is not in conflict with, or contrary to, the public interest as the land uses within the MPD are already permitted within other tracts within the MPD boundaries and will remain compatible with neighboring properties. However, Planning staff does not support the proposed replacement of the Neighborhood Commercial (COM-1) uses on Tract 22 with all of the General Commercial (COM-2) uses. Planning staff believes only one COM-2 permitted use, a convenience store that is restricted with up to 12 vehicle fueling positions and an accessory restaurant up to 1,500 square feet in area with up to one drive-through lane would be in the public interest and compatible with neighboring properties. Planning staff believes other COM-2 allowed uses such as: drinking establishments (without outdoor entertainment), home improvement centers, hotels, motels, large-scale retailers, used merchandise stores, and motorcycle dealers would not be in the public interest nor compatible with this neighborhood along Belle Terre Parkway.

*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:**

*-Policy 1.1.2.2 – Permitted densities and intensities within a MPD shall generally follow those allowed within the corresponding zoning districts associated with the land use designation assigned to the property. Deviations from these density and intensity standards may be permissible in order to promote and encourage creatively planned projects and in recognition of special geographical features, environmental conditions, economic issues, or other unique circumstances.*

The proposed key modifications to the existing MPD Development Agreement will allow already approved uses with the MPD to be relocated to Tract 13A and Tract 22 of the MPD. However on Tract 22, Planning staff only supports COM-1 uses plus a restricted convenience store with up to 12 vehicle fueling positions and an accessory restaurant, that is up to 1,500 square feet in building area and up to one drive-through lane.

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

**Staff Finding:** Nearby area roadways and public utilities are available to serve this large project and the proposed changes will not create any significant financial liability or hardship for the City. The developer of the Palm Coast Park DRI has dedicated numerous sites and made other payments to assist the City and FDOT to make necessary infrastructure improvements to serve residents, businesses and guests within this DRI/MPD. The developer will also pay impact fees as required when constructing homes and non-residential buildings within the MPD.

*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:** The proposed key modifications to the MPD Development Agreement as supported by staff will only allow uses already permitted in the MPD to relocate within the MPD. Other changes will eliminate some of the proposed uses on some specific tracts. These types of minor changes will not come close to creating any issues as outlined above.

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

**Staff Finding:** The subject property will be required to comply with the development standards of the City's Land Development Code, the latest Palm Coast Park DRI Development Order, the Comprehensive Plan, and the requirements of all other applicable agencies throughout the development process.

#### **ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.09.04**

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.09.04 states, *"The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a master planned development application:"*

*A. Consistency with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan.*

**Staff Finding:** As conditionally approved by staff, the proposed application is consistent and furthers the goals and objectives of the Comprehensive Plan.

*B. Consistency with the general intent of the LDC.*

**Staff Finding:** With the changes recommended by staff to Tract 22, the development standards proposed in the MPD are generally consistent with the standards established for other developments of a similar nature.

*C. Degree of departure of the proposed development from surrounding areas in terms of character and density/intensity.*

**Staff Finding:** With the recommended changes by staff on Tract 22, the proposed MPD development standards will depart only minimally for normal standards in the LDC.

*D. Compatibility within the development and relationship with surrounding neighborhoods.*

**Staff Finding:** With staff's recommended change to limit the commercial uses on Tract 22, the proposed uses are similar to other newer development in the area and are compatible with the surrounding neighborhoods.

*E. Adequate provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the development plan.*

**Staff Finding:** The subject project will be analyzed in further detail to determine if there is adequate public infrastructure capacity to serve the development. Other public service needs will be reviewed in more detail as development progresses. The subject project will be required to pay applicable impact fees to accommodate its impact on the public infrastructure and services.

*F. The feasibility and compatibility of development phases to stand as independent developments.*

**Staff Finding:** The various tracts within the MPD and DRI have been set up where they can be adequately developed independently.

*G. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed development.*

**Staff Finding:** A traffic impact study was previously provided that demonstrates that all roadways within the study area with the project's traffic included will operate at an acceptable level of service.

*H. The benefits within the proposed development and to the general public to justify the requested departure from standard development requirements inherent in a Master Planned Development District classification.*

**Staff Finding:** The proposed MPD amendment is located within a Development of Regional Impact and the proposed development will assist in getting development initiated after many years of inactivity. None of the proposed changes are requesting any new departures from the Land Development Code.

*I. The conformity and compatibility of the development with any adopted development plan of the City of Palm Coast.*

**Staff Finding:** The proposed development site also is located with the Palm Coast Park DRI and meets all those standards.

*J. Impact upon the environment or natural resources.*

**Staff Finding:** The landowners will submit a current environmental resource study prior to approval of a Technical Site Plan or a Preliminary Plat for any project within the MPD.

*K. Impact on the economy of any affected area.*

**Staff Finding:** The proposed MPD amendment will allow a moderate-sized convenience store and restaurant along Belle Terre Parkway in an area that currently has no nearby commercial uses. On Tract 13A the additional residential units will add rooftops that will make the previously approved commercial and office uses more viable as a mixed use development.

## PUBLIC PARTICIPATION

The developer erected City provided signs on September 4, 2018, with signs along US Highway 1 and along Belle Terre Parkway, notifying citizens of the upcoming public hearing for the Planning and Land Development Regulation Board on September 18, 2018. Once this was continued by the PLDRB until October 3, 2018, the applicant erected new signs along U.S. 1 and Belle Terre Parkway.

Planning staff have had several phone conversations with property owners who live on the east side of Belle Terre Parkway across from Tract 22. Four of these property owners attended the September 18, 2018, PLDRB meeting even though they were advised ahead of time that it was going to be rescheduled. After the September 18<sup>th</sup> PLDRB, the four property owners approached staff and voiced their concerns with some of the more intense General Commercial (Com-2) allowed uses that are in the COM-2 Zoning District.

## SUMMARY

With staff's recommended change of only adding one COM-2 use to Tract 22 (a convenience store with up to 12 vehicle fueling positions and an accessory restaurant with up to 1,500 square feet of building area and up to one-drive through) finds this request consistent with the Unified Land Development Code, the City's Comprehensive Plan and the 5th Amended Palm Coast Park DRI Development Order.

## RECOMMENDATION

Planning staff recommends the Planning and Land Development Regulation Board find this request consistent with the Comprehensive Plan and recommend that City Council conditionally approve this second amendment to the Palm Coast Park MPD Development Agreement, Application No. 3701 with the following change to the Development Agreement:

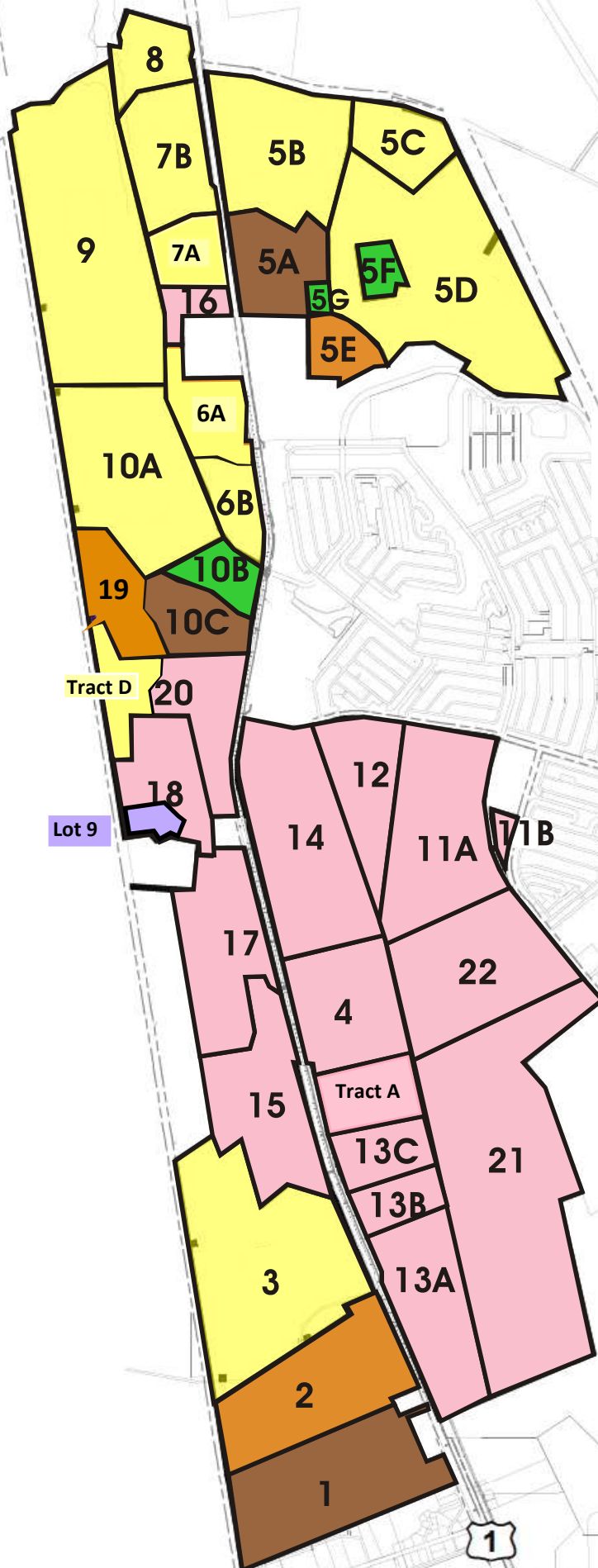
- 1) Only adding one COM-2 use, that is in addition to the allowed COM-1 uses, on Tract 22 (a convenience store with up to 12 vehicle fueling positions and an accessory restaurant with up to 1,500 square feet of building area and up to one-drive through).



## Exhibit "C"

# *Palm Coast Park*

## MPD USES



### LEGEND

	Residential Low Density
	Residential Medium Density
	Residential High Density
	Industrial
	Flex-Uses
	Public



Via email: (jeff@douglaspd.com)

Ref: 4602.01

## TECHNICAL MEMORANDUM

**To:** Jeffrey R. Douglas, Allete Properties

**From:** R. Sans Lassiter, PE

**Subject:** Palm Coast Park DRI – Land Use Conversion Assistance, Palm Coast, FL

**Date:** September 12, 2018

LTG, Inc. (LTG) has been retained by Allete Properties (the CLIENT) to conduct transportation planning services on behalf of the proposed Palm Coast Park DRI. The land use conversion section of the approved DRI allows for simultaneous increases and decreases of uses based on Exhibit C of the development order (attached). The CLIENT wishes to increase the Multi-Family entitlements by 1,000 units with a simultaneous decrease of nonresidential development to balance the project trip generation. The subject property is located on US 1 north of Palm Coast Parkway in Palm Coast (the CITY), Florida.

### LAND USE CONVERSION FOR THE EXISTING LAND USE VS. PROPOSED LAND USE

The land use conversion formulas are provided in the development order (D.O.) for the DRI for various land uses (see Table 1).

**Table 1**  
**Trip Generation Equivalency Matrix**  
**Palm Coast Park DRI**

Land Use	Land Use Code	Non-Residential Use	Conversion Equation	Equivalent Non-Residential Use
Apartments (Multi-Family Dwelling Units [MFDU])	220	Office Park	1,000 MFDU X 0.390	390,000 SF
		Research and Development	1,000 MFDU X 0.561	561,000 SF
		Office (General) 50 K	1,000 MFDU X 0.237	237,000 SF
		Office (General) 100 K	1,000 MFDU X 0.335	335,000 SF
		Office (General) 150 K	1,000 MFDU X 0.388	388,000 SF
		Industrial Park	1,000 MFDU X 0.696	696,000 SF
		Warehouse	1,000 MFDU X 1.255	1,255,000 SF
		Retail (Shopping Center) 200 K	1,000 MFDU X 0.129	129,000 SF
		Retail (Shopping Center) 250 K	1,000 MFDU X 0.139	139,000 SF
		Retail (Shopping Center) 600 K	1,000 MFDU X 0.187	187,000 SF
		Auto Mall	1,000 MFDU X 0.229	229,000 SF
		Special Retail	1,000 MFDU X 0.247	247,000 SF

Source: Original DRI application "Conversion Table: Trip Generation Equivalency Matrix" rates/equations



Assuming that the proposed 1,000 multi-family dwelling units (MFDUs) are being exchanged for the equivalent trip-generating square footage associated with a 250,000 sf retail center, that square footage is calculated as:

$$\underline{1,000 \text{ MFDU}} \times \underline{.139 \text{ MFDUs/SF of Retail Use}} = 139,000 \text{ sf of retail}$$

#### **CONCLUSION**

The land use conversion was conducted to evaluate how much retail space would need to be reduced to trade for the proposed increase of 1,000 MFDUs. Based on the analysis above, a reduction of 139,000 sf of retail space would equate to the proposed 1,000 MFDUs. Therefore, this land use exchange is recommended for approval.



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**BOARD OF EDUCATION**

Trevor Tucker  
Chairman  
District 4

September 28, 2018

Janet McDonald  
Vice Chairman  
District 2

City of Palm Coast  
Ray Tyner  
Planning Manager  
160 Lake Avenue  
Palm Coast, FL 32164

Re: Palm Coast Park DRI

Andy Dance  
Board Member  
District 1

Dear Ray,

The School District has been requested to comment on the proposed change of property regarding the Palm Coast Park DRI for Wednesday's, October 3, 2018 Planning & Land Development Regulation Board Special Meeting. This proposed change of property currently designated as commercial property would result in an additional 1,000 multi-family residential units. Comments are as follows.

Colleen Conklin  
Board Member  
District 3

As you know, pursuant to the original DRI, residential development within the Palm Coast Park DRI shall cease if adequate school facilities are not in place at a time that impacts occur to handle the school age children generated by the Palm Coast Park DRI. The Developer shall dedicate up to a 25 acre school site at a location acceptable to the City and the Flagler County School District which site shall, if desired by the City and the School District, be located in or adjacent to a City Park site. Pursuant to School Board Policy 734 Growth Management the school site requirements shall be of the following sizes. Elementary: 30 acres, Middle and K/8: 40 acres and High School: 70 acres. The single family and/or multi-family residential structures intended to be built within this development are designated for CSA - 4. The request under consideration is for the DRI to go from 3,900 units to approximately 4,950 units. This change will result in an impact of 145 additional students. Seventy-nine at the elementary school, twenty-one at the middle school and forty-five at the high school level. The schools that serve this area are Belle Terre Elementary School, Indian, Trails Middle School and Matanzas High School. Please be advised that the school district does not have school capacity at this time for the students to attend their zoned elementary school of Belle Terre Elementary as it is at capacity. The alternative CSA for students generated by this DRI would be either Bunnell Elementary School or Rymfire Elementary School.

Dr. Maria P. Barbosa  
Board Member  
District 5

Tyler Perry  
Student School Board Member  
Flagler Palm Coast H.S.

Zoe Estberg  
Student School Board Member  
Matanzas H.S.

As required by the original Palm Coast Park DRI the developer is to dedicate a 25 acre school site at a location acceptable to the City and the School District and that it could be located adjacent to a City Park site. As set forth above school sites for elementary schools must be a minimum of 30 acres and middle or K-8 schools must be 40 acres. It is a concern to the School District that the students generated by this entire DRI with the proposed change creates the need for a larger school site than the original 25 acres to afford the District the ability to provide a school site for this area.

Kate Sturman  
Teacher of the Year  
Rymfire Elementary School

Ariana Perez  
Employee of the Year  
Government Services Bldg

If you have any further questions, please do not hesitate to contact the undersigned.

James Tager  
Superintendent

Regards,

Dave Freeman  
Director of Plant Services

*"An Equal Opportunity Employer"*

## Irene Schaefer

---

**From:** Bill Hoover  
**Sent:** Wednesday, October 3, 2018 8:06 AM  
**To:** Irene Schaefer  
**Cc:** Ray Tyner  
**Subject:** FW: Application Number 3700/3701

Irene,

This letter is regarding the PLDRB tonight for Palm Coast Park. We did not tell her we would read it at the PLDRB as she states but rather forward to the PLDRB members. Likely should also forward to Michael and Jeff Douglas.

Bill Hoover, AICP  
Senior Planner  
City of Palm Coast  
160 Lake Avenue  
Palm Coast, FL 32164  
Tel: 386-986-3744  
www.palmcoastgov.com

-----Original Message-----

From: Amy Heidingsfelder <aheidings@gmail.com>  
Sent: Saturday, September 29, 2018 11:28 AM  
To: Bill Hoover <BHoover@palmcoastgov.com>  
Cc: Roland A <rocruz961@gmail.com>  
Subject: Application Number 3700/3701

Dear Mr Hoover and Palm Coast Planning Board

Thank you for talking the time to speak with me at the September 18th Planning Board meeting regarding application 3700/3701 with respect to re-zoning the area on Belle Terre for Neighborhood General to General. You had advised me that the meeting on the above mentioned application was postponed to October 3rd and that since I was unable to attend in person an email expressing concerns would be read at the meeting and taken into consideration.

Therefore, as I am unable to attend the October 3rd meeting in person due to international business travel I would respectfully request that my concerns noted in this email be addressed at the October 3rd Planning Board meeting as well as incorporated into the Minutes of the Meeting.

I understand the re-zoning request from Neighborhood General to General will allow most, if not all, type of commercial business to be built on the parcel of land up for rezoning. This would include, but not limited to, a gas station, restaurants, and strip mall etc.

The possibility of the above mentioned dwellings bring great concern as a B Section resident . As City Planner and Planning Board I believe that you are aware of the two schools on Belle Terre located in close proximity to where the planned re-zoning is proposed. My first concern of many is that the proposed area development will bring additional traffic to the School Zone and cause danger for the children . Increased traffic will impact the probably for pedestrian and vehicular accidents. Safety is the number one concern for all especially the children.

In addition, the environmental impact of the re-zoning will potentially impact the protected wetlands. Commercial dwellings bring trash, waste and other hazardous materials . Most notable, gas stations carry a high risk for contaminating surrounding land. With the schools and homes so close to this residential and school area this is a a tremendous concern. Let's also consider the impact on wildlife .

Quality of life . When moving to the B Section we , along with my neighbors present at the meeting, considered the tranquility of the area . With the proposed re-zoning and commercial dwellings that will be built as a result we have great concern that this will bring additional vehicle and pedestrian traffic . Along with this increased traffic comes trash , noise and overall disturbance to the tranquility of the surrounding area.

At this juncture , I respectfully request the zoning remain the same as it is currently. Commercial development in this area will result in a decline to the desired tranquility of the beautiful B Section.

Thank you and the Planning Board for your consideration of these meaningful concerns.

Should you or the Board have any questions please feel free to call me at 516-984-5759 or email me as I will be traveling .

Sincerely,  
Amy Heidingsfelder  
46 Butternut Drive  
Palm Coast, FL 32137

Via email: (jeff@douglaspd.com)

Ref: 4602.01

## TECHNICAL MEMORANDUM

**To:** Jeffrey R. Douglas, Allele Properties

**From:** R. Sans Lassiter, PE

**Subject:** Palm Coast Park DRI – Land Use Conversion Assistance, Palm Coast, FL

**Date:** September 12, 2018

LTG, Inc. (LTG) has been retained by Allele Properties (the CLIENT) to conduct transportation planning services on behalf of the proposed Palm Coast Park DRI. The land use conversion section of the approved DRI allows for simultaneous increases and decreases of uses based on Exhibit C of the development order (attached). The CLIENT wishes to increase the Multi-Family entitlements by 1,000 units with a simultaneous decrease of nonresidential development to balance the project trip generation. The subject property is located on US 1 north of Palm Coast Parkway in Palm Coast (the CITY), Florida.

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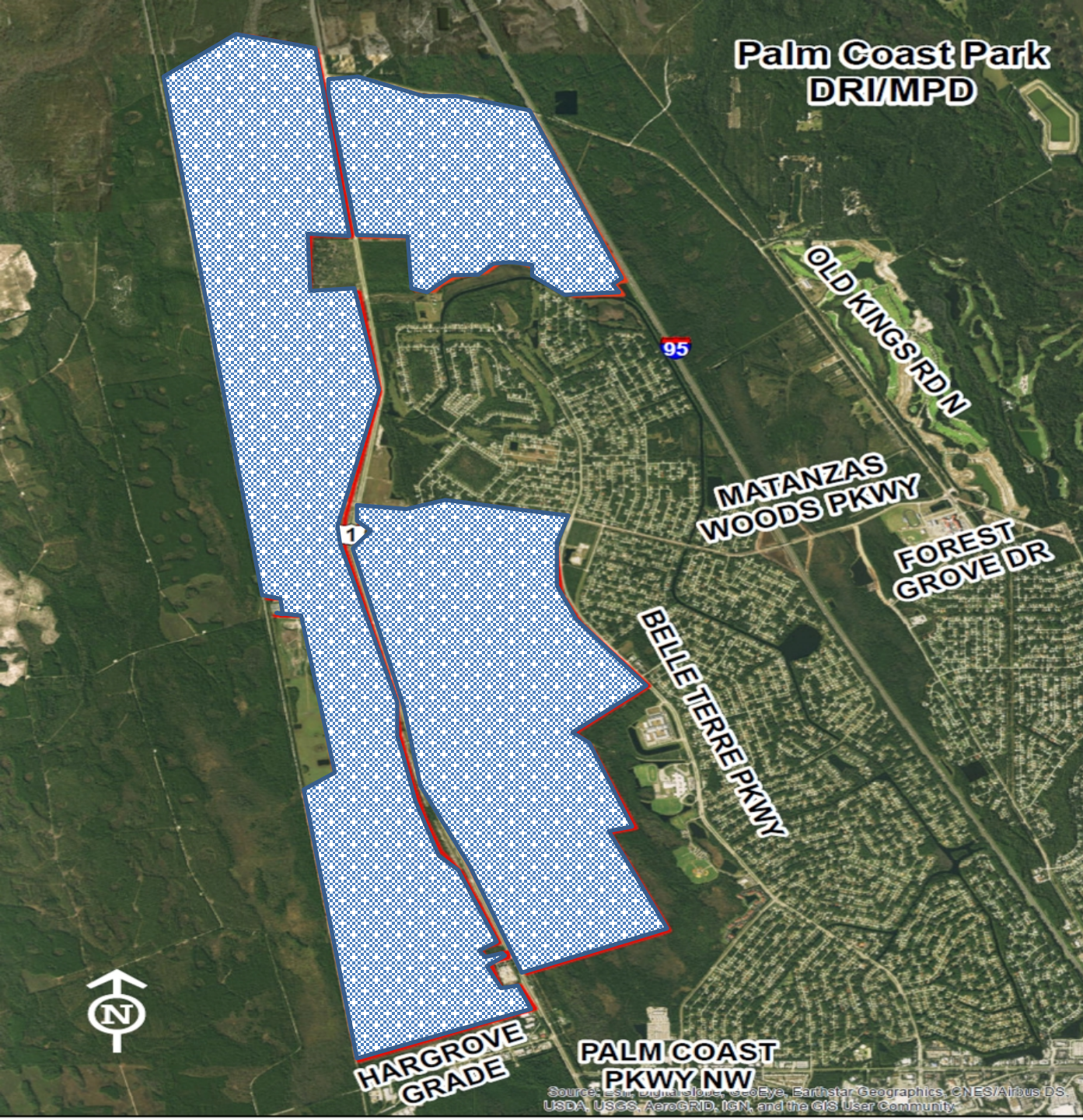
#### **CONCLUSION**

The land use conversion was conducted to evaluate how much retail space would need to be reduced to trade for the proposed increase of 1,000 MFDUs. Based on the analysis above, a reduction of 139,000 sf of retail space would equate to the proposed 1,000 MFDUs. Therefore, this land use exchange is recommended for approval.



# PALM COAST PARK DRI/MPD AMENDMENT





# Location/Aerial Map

Palm Coast Park DRI/MPD is 4,677 acres and located along US 1, between Palm Coast Pkwy and Old Kings Road

- Amendment to DRI Development Order, and
- Amendment to MPD Development Agreement



# Palm Coast Park DRI – Development Order Amendment Background/History

- Dec. 2004 - City Council approved 4,677 ac. Palm Coast Park DRI (3600 dwelling units, 3.2 million sq. ft. of non-residential)
- July 2007 – Amended and Restated DRI-DO to clarify permitted uses
- Oct. 2011 – Second Amended and Restated DRI-DO to update acreages, phasing dates, recreation conditions

# Palm Coast Park DRI – Development Order Amendment

## Background/History

- June 2014 – Conversion of 43,200 sq. ft. of commercial/retail to 360 dwelling units
- September 2017- Third amended and restated DRI-DO to convert 94 acres of land from Business/Institutional use to Residential use.
- January 2018- Update to amend the DRI DO to relocate borrow/soil extraction activities to more appropriate locations within the DRI

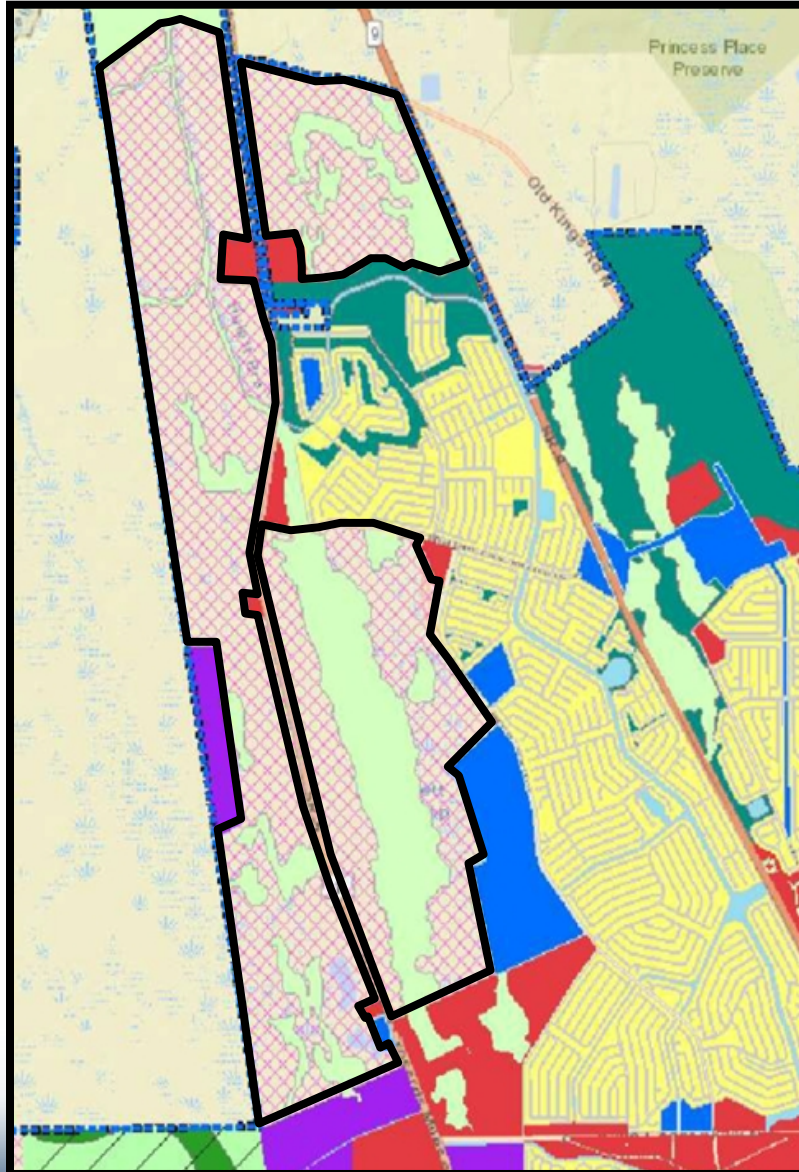
# Palm Coast Park DRI – Development Order Amendment

## Existing Entitlements

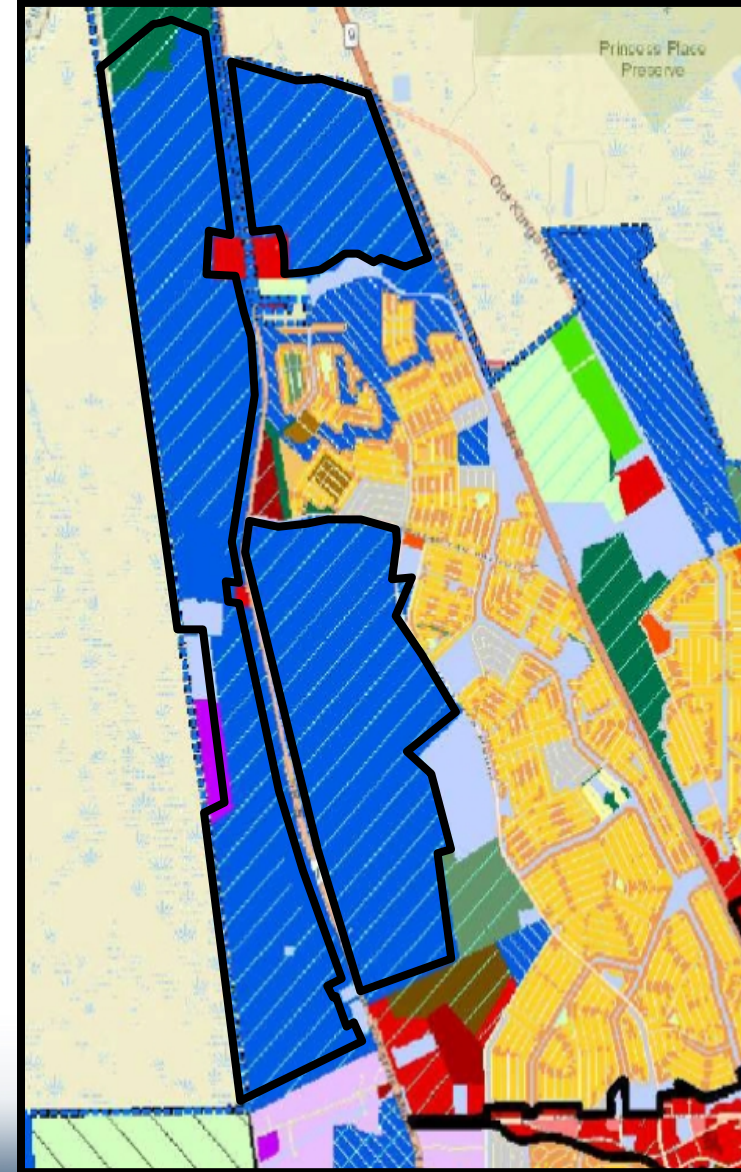
• <u>Land Use</u>	<u>Gross Bldg. Area</u>	<u>Res. Units</u>	<u>Area</u>
• Residential		3,960 Units	1,528 Acres
• Office	800,000 S.F.		140 Acres
• Commercial	1,456,800 S.F.		475 Acres
• Industrial	800,000 S.F.		300 Acres
• Institutional	100,000 S.F.		20 Acres
• <u>Common Area</u>			



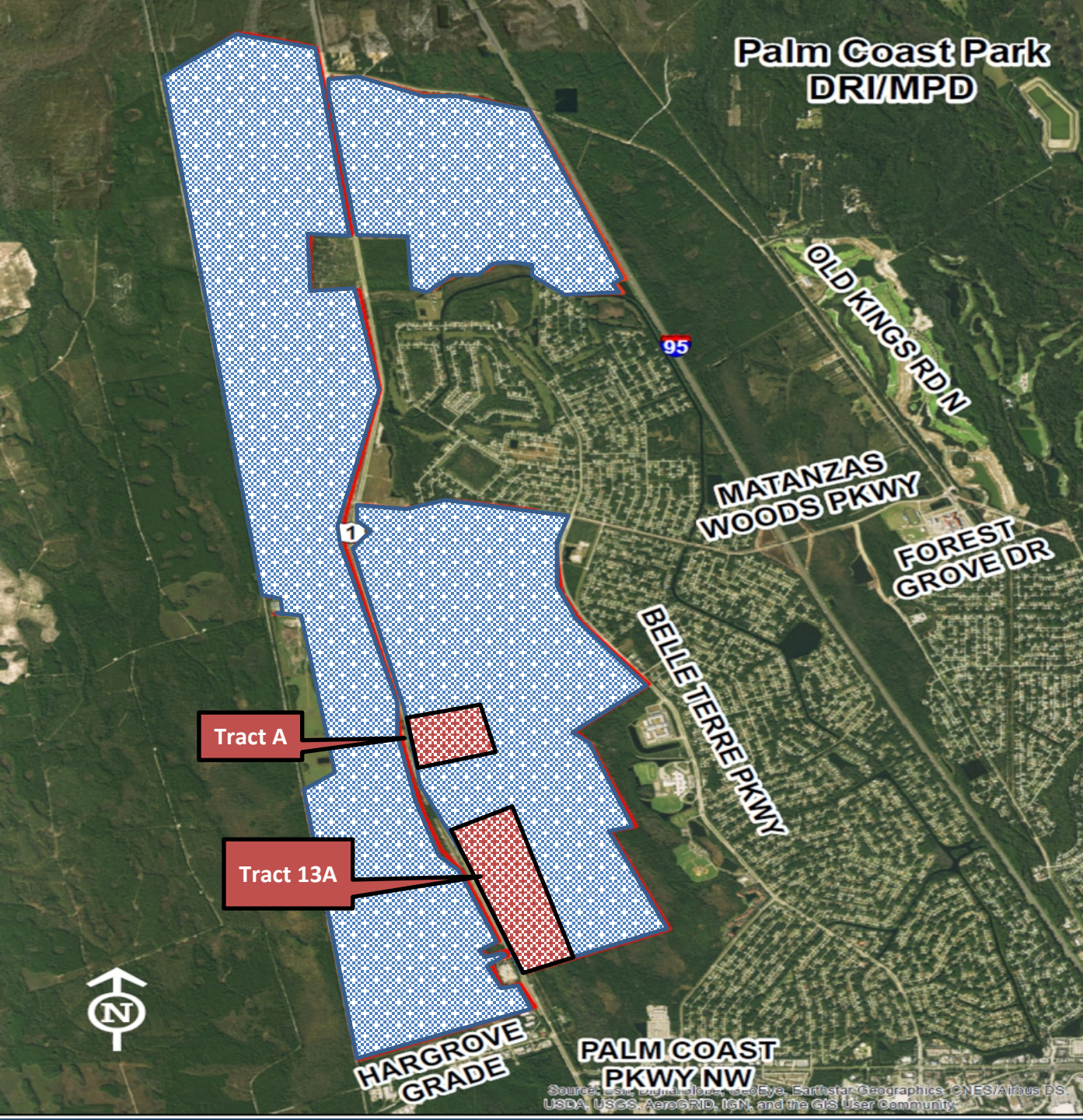
## FLUM Designation – DRI-Mixed Use



## Zoning Designation – Master Planned Development







# Summary of Request

## Amend DRI - Development Order

- 1,000 residential units
- conditions to address additional units
- land swap to accommodate larger park site
- permit Mixed Use in Tracts A & 13A (located US-1)

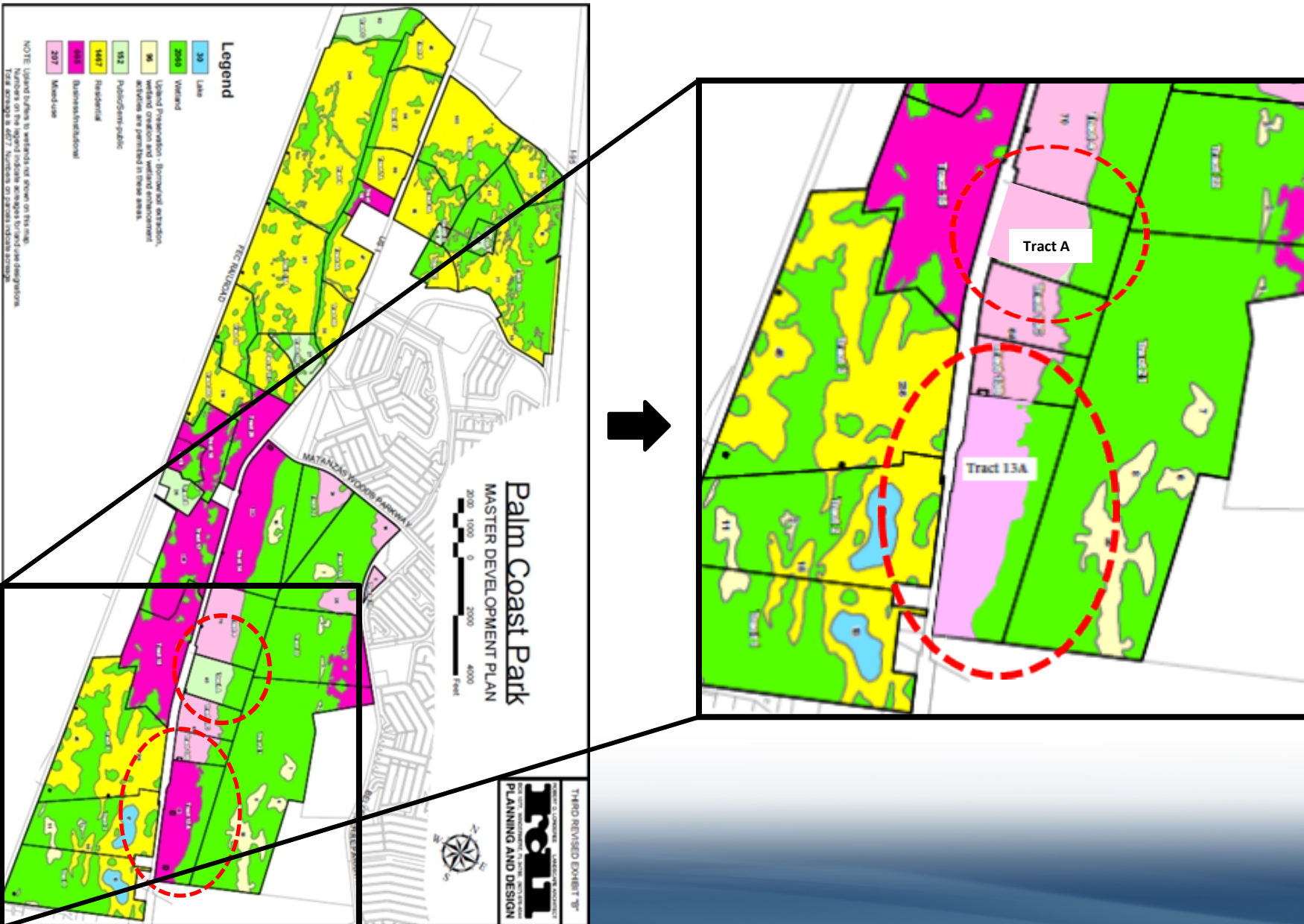


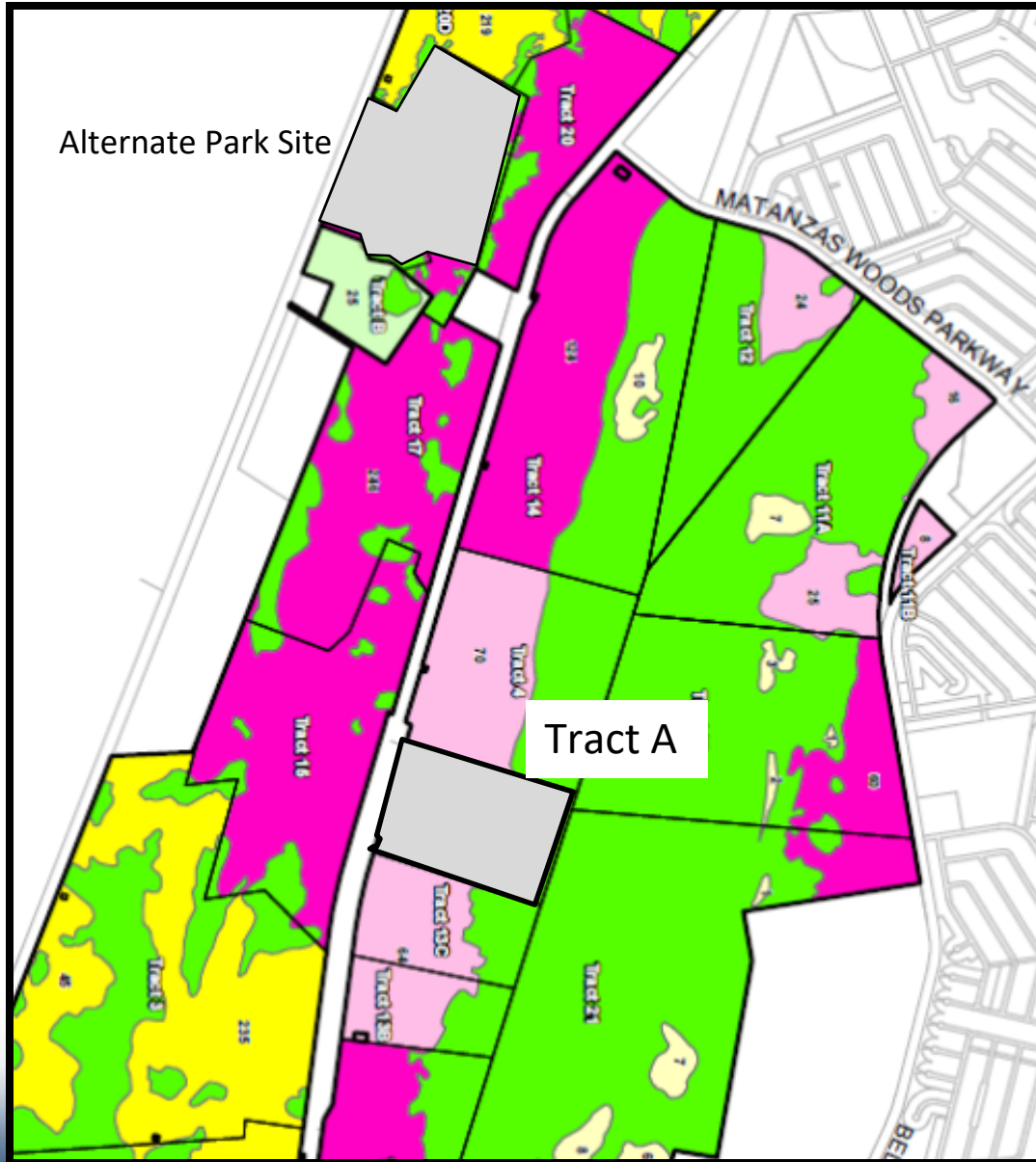
# Palm Coast Park DRI – Development Order Amendment – Summary of Request

**Amend Master Development Plan Tracts A & 13A**

**To: Mixed Use**

**Change to Tract A occurs only if 1,000 units are approved**





## Amend DRI - Development Order

- If 1,000 units is approved
- land swap to accommodate larger park site
  - Current Site – 35+/- ac. (Upland)
  - Alternate Site – 68 +/- ac. (Upland)
  - Impact fee credits for amount above mitigating amount (16 acres)

# Palm Coast Park DRI – Development Order Amendment - Summary

- Add 1,000 residential units (new total of 4,960 units)
- Reduction of 139,000 sq. ft. in retail use to address traffic impacts
- Land swap with applicant to provide additional acreage for a sports complex (Impact Fee Credits for acreage above required contribution)
- Condition for a Concurrency Agreement with School District to address student impacts



# Palm Coast Park DRI – Development Order Amendment

## Consistency with Comprehensive Plan Policies

- Availability of Infrastructure
- Promotes land use patterns that do not increase cost of providing utilities
- Diversify housing opportunities
- Location of mixed use development along major arterial

# Palm Coast Park DRI – Development Order Amendment

## Findings based on LDC Sec. 2.05.05 & 2.06.03

- *Criteria-Change does not cause significant financial liability or hardship on City*
  - Water and wastewater lines are available adjacent to site and there is adequate treatment capacity
- *Criteria – Accomplishes a legitimate public purpose*
  - Diversifies housing stock in the City,
  - Proposed zoning provides opportunity for additional residential use adjacent to service/retail uses

# Palm Coast Park DRI – Development Order Amendment

## Findings based on LDC Sec. 2.05.05 & 2.06.03

- *Criteria - No threat to general health, safety, and welfare of community*
- *Criteria - Must comply with other local, state, or federal regulations*
- *Criteria – Compatibility with surrounding land uses*
  - Potential uses on site are compatible with surrounding uses and will be subject to further development review (site plan and or platting)
  - Conditions to address impacts

# Recommendation

Planning staff recommends that the PLDRB recommend Approval to City Council of an amendment to the Palm Coast Park DRI-DO (Application No. 3700)



# **PALM COAST PARK MPD AMENDMENT**



# PALM COAST PARK MPD AMENDMENT

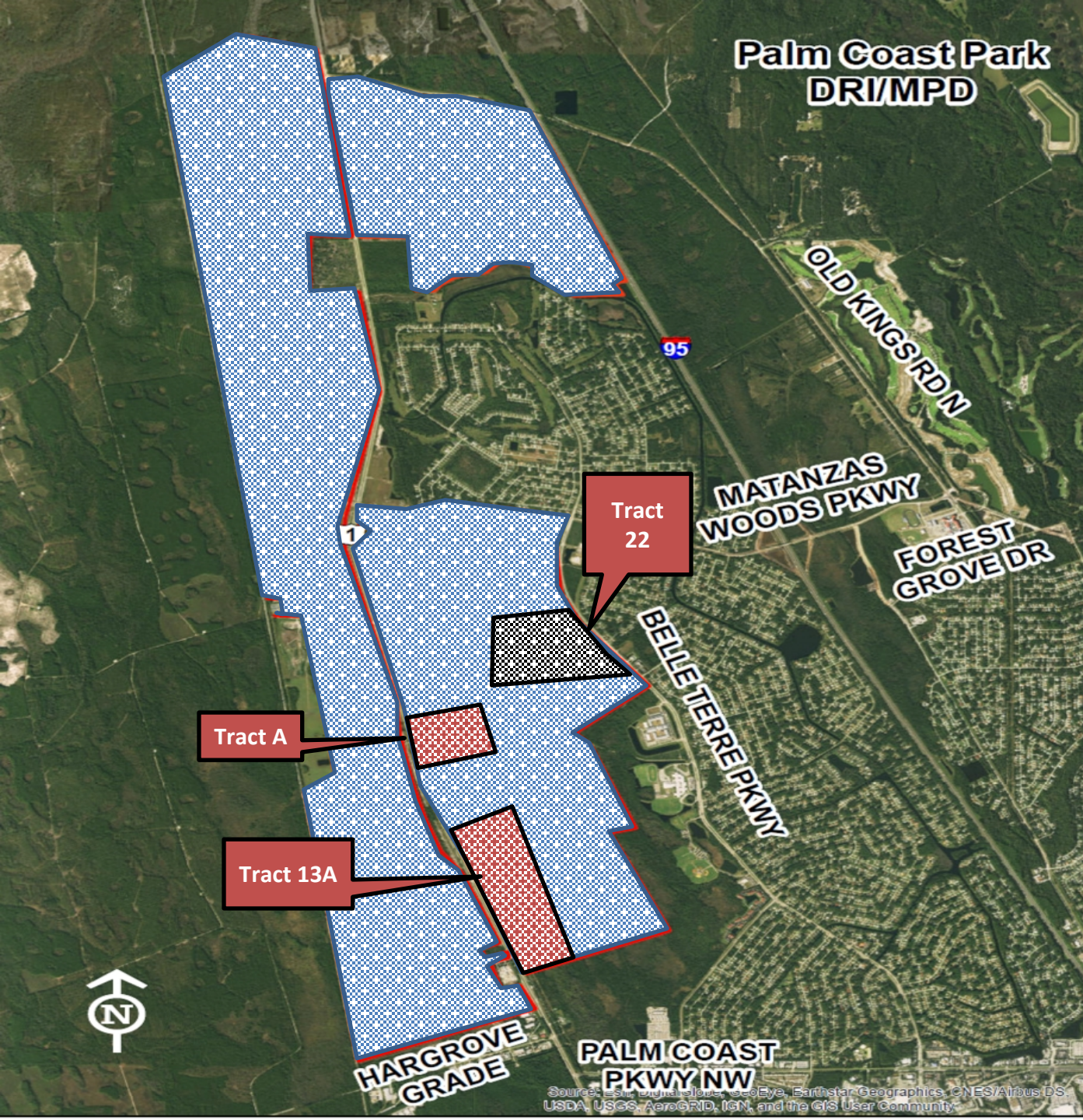
## Summary of Request

Permit multi-family in Tracts A and 13A (along US-1)

Change uses from COM-1 to COM-2 in Tract 22

Clean up of Tables 4-1 and 4-2 to recognize previously approved entitlements

Update MPD Uses Map



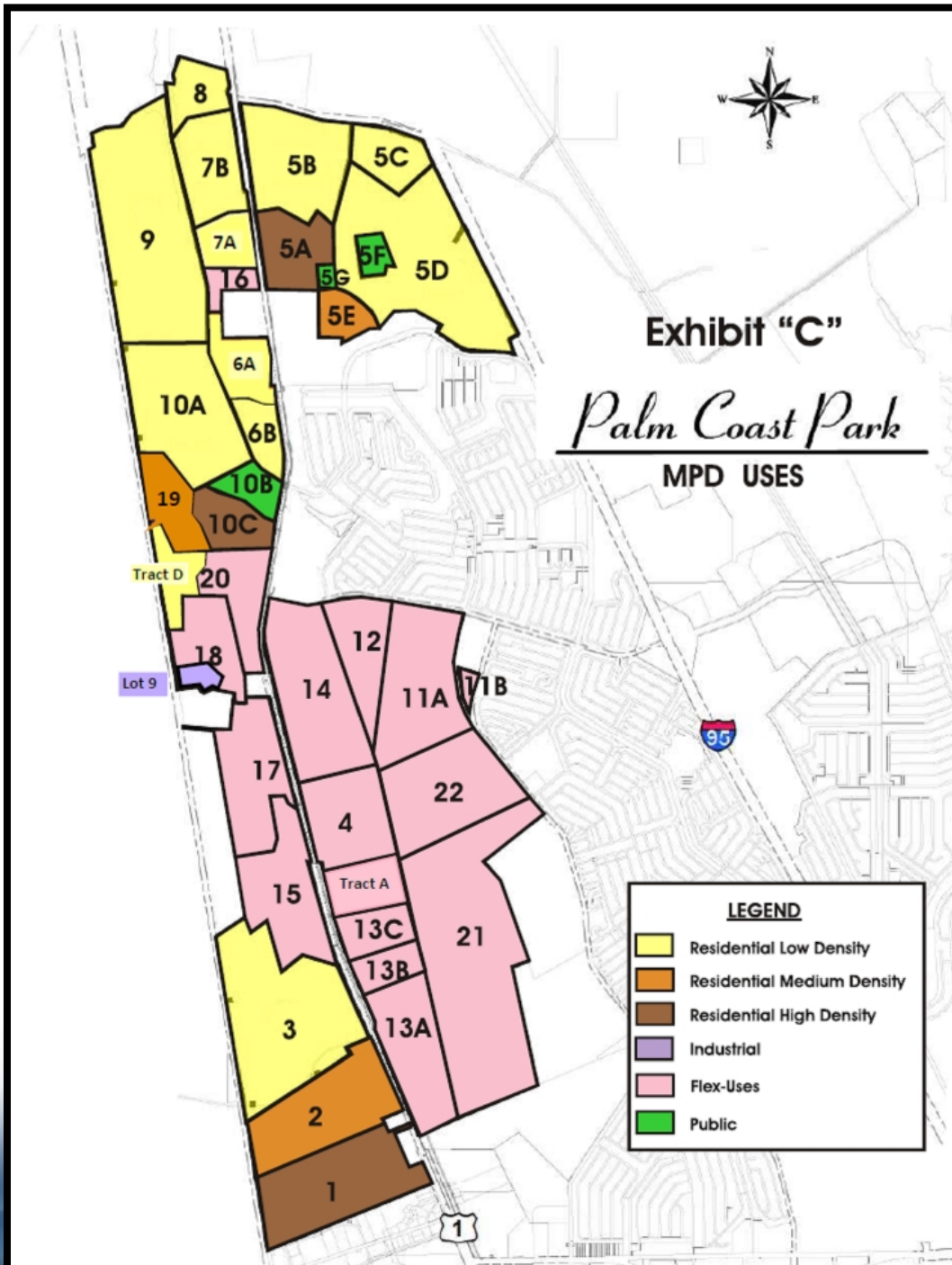


# PALM COAST PARK MPD AMENDMENT

## Summary of Request

Summary:

- Tract 6A & 7A from Residential Medium to Residential Low
- Lot 9 – Industrial only
- Tract 20 – from Residential Medium to Residential Low
- Tract “A” - from PSP to MFR-2, OFC-2, and COM-2



# Staff Analysis Based on LDC Chapter 2, Sec. 2.05.05 & 2.09.04

- Consistent with Comprehensive Plan and DRI-DO
- Facilities are available to serve the site (water, sewer, roads)
- Proposed land uses are already permitted within the DRI/MPD
- Development will continue to comply with other LDC requirements
- No additional impact on environmental resources (does not increase development footprint)
- Requested changes are generally consistent with surrounding areas (with staff recommended limits on Tract 22)



# Staff Analysis for Tract 22

- Requested COM-2 uses includes: drinking establishments, home improvement centers, hotels, motels, large-scale retailers, used merchandise stores, and motorcycle dealers that are not appropriate in Tract 22





# Staff Analysis for Tract 22



Staff recommends:

Limit Tract 22 to COM-1 uses plus one convenience store with up to 12 vehicle fueling stations and an accessory restaurant up to 1500 sq. ft. of building area/one drive-through

# Recommendation

Planning staff recommends that the PLDRB recommend approval to City Council of an amendment to the Palm Coast Park MPD Development Agreement (Application No. 3701).

Staff further recommends limiting Tract 22 to COM-1 uses plus one convenience store with a maximum of 12 vehicle fueling positions and an accessory restaurant space limited to a maximum of 1,500 sq. ft. building area with one drive-through service lane.



# Next Steps

Public hearings for DRI (one) and MPD Amendment (2) –  
Oct./Nov. City Council Business meetings

## Additional Approvals Necessary for Development

- Master Subdivision Plan, Plat and/or Site Plan approvals
- Site Development Permit
- Building Permits

# Questions ?