



**City of Palm Coast
Minutes
PLANNING AND LAND
DEVELOPMENT
REGULATION BOARD**

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

***Chair Glenn Davis
Vice Chair Clinton Smith
Board Member Robert J. DeMaria
Board Member Sybil Dodson-Lucas
Board Member Christopher Dolney
Board Member Pete Lehnertz
Board Member Jake Scully
Alternate Board Member Charles
Lemon
Alternate Board Thomas Oelsner
School Board Rep David Freeman***

Wednesday, October 16, 2019

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.

Call to Order and Pledge of Allegiance

*Chair Davis called the Planning and Land Development Regulation Board
(PLDRB) Meeting of October 16, 2019 to order at 5:30PM.*

Present and answering to roll call were:

Chair Davis

Vice Chair Smith

Mr. Scully

Mr. Dolney

Mr. DeMaria

Absent were:

Mrs. Lucas

Mr. Lenhertz

Excused were:

Mr. Freeman

Roll Call and Determination of a Quorum

Approval of Meeting Minutes

1 MEETING MINUTES OF THE AUGUST 21, 2019 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

Motion made to approve as presented by Board Member DeMaria and seconded by Board Member Scully

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

Public Hearings

2 REQUEST FOR SPECIAL EXCEPTION TO ALLOW OFFICE WAREHOUSING AND SELF-STORAGE WITHIN GENERAL COMMERCIAL (COM-2) ZONING DISTRICT

Mr. Ray Tyner, Deputy Chief Development Officer introduced this item along with an explanation of a special exception. He also introduced staff members Damaris Ramirez, Planner who gave a presentation which is attached to these minutes. In addition to Ms. Ramirez, Ms. Jordan Myers, Environmental Planning Technican, and Mr. Carmelo Morales, Stormwater Design & Construction Engineer spoke on restrictions that have been added to the development order for this project.

Mr. Victor Silva, applicant, addressed the PLDRB members with regard to his decision to pursue this project. Mr. Scully, questioned the number of the buildings and the location of the bridge. There are 4 buildings including one covered building and the location of the bridge is crossing the conservation area.

Mr. DeMaria, questioned the fence or wall position along route 95. There was a lengthy discussion about hiding the buildings from the view of route 95. Also Mr. DeMaria questioned the hours of operations and Mr. Silva said that this facility will not be 24 hours.

Mr. Scully, questioned the process for getting the St. Johns River Waterway Management District rating for the floodplains/wetlands, optimal rating. Mr. Joseph Brinson, Environmental consultant for the applicant addressed this question indicating that if the floodplain is not rated as optimal than there is enough area along the side of the property to offset. Mr. Scully asked if the current FEMA maps (dated July 2016) are the same for this locations floodplains as were FEMA's prior maps. Ms. Myers clarified that the floodplains did not change from the previous FEMA maps.

Mr. Tyner clarified for the PLDRB members that the floodplain optimal buffer is recommended by staff in the conditions for this development order.

Mr. Tyner, reviewed the existing comments and concerns noted by staff for this project adding a comment that the landscape buffer condition and that the PLDRB see the site development application including any phasing plans may be added as conditions, if the PLDRB members wished to do so.

Chair Davis questioned how staff would mitigate effects to the flood way, Ms. Myers commented on the fact that the City maintains the zero base elevation impact.

Discussion and clarification between Mr. Scully and Mr. Tyner regarding if this application wasn't a special exception it would still come to the PLDRB for a Site Plan Tier 2 review.

Mr. Silva clarified that he was also very concerned about impact to the environmental.

Chair Davis opened this item to public comment at 6:01PM.

Mr. Richard Fenchak, owner 12 Fanshaw Lane, addressed the PLDRB members stating that he wished he received the certified meeting notification letter earlier in the process, however, since receiving documentation he is now in favor of the proposal.

Chair Davis seeing no one else approach the podium closed this item to public comment at 6:05PM.

Mr. DeMaria wanted to clarify that Ms. Maria J. Sequeira's letter of 10 8 2019 be added to the record. Irene Schaefer, Recording Secretary indicated that yes, it is part of the minutes and Mr. Tyner clarified that each of the PLDRB members were given a copy of the letter prior to the start of this meeting.

Mr. Tyner clarified that the commercial property is not associated with the special exception for the storage facility. He also clarified for the PLDRB members that if they wished they could add the condition that the final action for the site plan

come back to the PLDRB members for approval. And if that is their wish that they make that part of the conditions of the Development Order.

Chair Davis questioned staff on the impact to the flood zone as a result of this development. Ms. Myers clarified that the Land Development Code (LDC) doesnot allow a rise in a flood zone post development.

Discussion ensued between staff and the PLDRB members to clarify how the stormwater runoff would be addressed.

Ms. Reischmann, legal counsel, clarified the use of a special exception, the PLDRB members should be examining whether or not the use is appropriate for the land, with certain conditions added. It shouldn't be expected that every circumstance be addressed in the conditions. The more detailed examination happens during site plan review.

Mr. Silva, applicant, asked for clarification of the next steps if conditions were added to the Development Order. Mr. Tyner clarified that if the PLDRB members approve your special exception that the special exception is granted. Then your next steps would be a site plan submittal, staff would do a technical site plan review to ensure all conditions are being met, prior to staff taking the item back to PLDRB for final consideration of your site plan.

Mr. Scully questioned the radius of the certified letter notificaiton and Mr. Tyner said we follow the LDC. When we address the Land Development Code (LDC) chapter 3 rewrite, that is the time to review the notification area.

Pass

Motion made to approve as amended with staff conditions along with the additional conditions of review and provide an appropriate Route 95 landscape buffer and that the site plan come back to the PLDRB for review and approval by Board Member DeMaria and seconded by Board Member Dolney

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

3 AN AMENDMENT TO THE OARE MASTER PLANNED DEVELOPMENT- DEVELOPMENT AGREEMENT (MPD-DA) TO EXTEND DEADLINE FOR SUBMITTAL OF PRELIMINARY PLAT, TO BRING CONSISTENCY WITH LDC AND OTHER HOUSEKEEPING ITEMS

Mr. Tyner introduced this agenda item and Mr. Jose Papa, Senior Planner, who gave a presentation which is attached to these minutes. Mr. Charlie Faulkner, agent for the applicant, was present for any questions. Chair Davis, questioned the timing of the past extensions. Mr. Papa explained the prior extensions were granted in 2005, 2009 and 2014.

Chair Davis opened this item to public comment at 6:27PM and seeing no one approach the podium closed the item to public comment at 6:28PM.

Pass

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

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

4 APPROVING A FINDING THAT THE PROPOSED USE OF STATE LANDS IS CONSISTENT WITH THE CITY OF PALM COAST COMPREHENSIVE PLAN

Mr. Jose Papa, Senior Planner, gave background on this agenda item, as well as a presentation which is attached to these minutes.

Chair Davis asked that if the parking area would be paved and if the City was asking to lease the land from the State? Mr. Papa clarified that the City would be looking to pave the parking lot and we are asking the State for an easment to use the land, no lease is involved.

Mr. DeMaria asked for clarification that there would be permanent bathroom facilities at this site. Mr. Papa indicated yes.

Chair Davis opened this item to public comment at 6:35PM and seeing no one approach the podium closed the item to public comment at 6:36PM.

Pass

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

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

Board Discussion and Staff Issues

Mr. Tyner informed the PLDRB members that the November 20, 2019 PLDRB agenda would be lengthy.

Adjournment

*Motion made that the meeting be adjourned by Mr. DeMaria and the motion was seconded by Mr. Scully.
The meeting was adjourned at 6:38 PM.*

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

ATTACHMENTS