



**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 Jake Scully
Alternate Board Member Charles
Lemon
Alternate Board Thomas Oelsner
School Board Rep David Freeman***

Wednesday, December 4, 2019

6:30 PM

COMMUNITY WING OF CITY HALL

RULES OF CONDUCT:

- >Public comment will be allowed consistent with Senate Bill 50, codified at the laws of Florida, 2013 – 227, creating Section 286.0114, Fla. Stat. (with an effective date of October 1, 2013). The public will be given a reasonable opportunity to be heard on a proposition before the City's Planning & Land Development Regulation Board, subject to the exceptions provided in §286.0114(3), Fla. Stat.
- >Public comment on issues on the agenda or public participation shall be limited to 3 minutes.
- > All public comments shall be directed through the podium. All parties shall be respectful of other persons' ideas and opinions. Clapping, cheering, jeering, booing, catcalls, and other forms of disruptive behavior from the audience are not permitted.
- >If any person decides to appeal a decision made by the Planning and Land Development Regulation Board with respect to any matter considered at such meeting or hearing, he/she may want a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.
- >If you wish to obtain more information regarding Planning and Land Development Regulation's Agenda, please contact the Community Development Department at 386-986-3736.
- >In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-986-3713 at least 48 hours prior to the meeting.
- >The City of Palm Coast is not responsible for any mechanical failure of recording equipment
- >All pagers and cell phones are to remain OFF while the Planning and Land Development Regulation Board is in session.

A Call to Order and Pledge of Allegiance

Chair Smith called the December 4, 2019 Special Planning and Land Development Regulations Board (PLDRB) meeting to order at 6:30PM.

B Roll Call and Determination of a Quorum

Present and responding to roll call were:

*Chair Smith
Mrs. Lucas
Mr. Dolney
Mr. DeMaria
Mr. Scully
Mr. Oelsner
Mr. Lemon
Mr. Freeman*

*Excused:
Chair Davis*

C Approval of Meeting Minutes

1 MEETING MINUTES OF THE NOVEMBER 20, 2019 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

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

Approved - 7 - Board Member Christopher Dolney, Board Member Robert DeMaria, Board Member Jake Scully, Vice Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Alternate Board Member Thomas Oelsner, Alternate Board Member Charles Lemon

D Public Hearings

2 59 FAWN LANE, A SETBACK VARIANCE, APPLICATION # 4157

Mr. Ray Tyner, Deputy Chief Development Officer, gave an introduction on this agenda item including the history of this parcel. He also introduced Mr. Bill Hoover, Senior Planner.

Mr. Bill Hoover, Senior Planner, gave a presentation which is attached to these minutes.

Mrs. Lucas questioned the age of the Oak tree on the subject property. Mr. Hoover reasoned based on the following formula (1" per 8 years) that the tree is roughly 250 years old. Mr. Hoover further explained that adding the deck would not cause any interference with the infrastructure. Mrs. Lucas questioned who would bear the financial responsibility of caring for the tree. Mr. Hoover explained that the owner would bear the burden of care of the tree.

Ms. Fatima Sena, applicant, addressed the PLDRB members and gave a presentation which is attached to these minutes.

Mr. DeMaria questioned whether or not the second condition should be reworded from excluding music to excluding any entertainment from 7PM to 7AM on the outside deck. Ms. Sena responded that due to the limited parking spaces (8) there are no plans to have live entertainment such as bands.

Chair Smith opened this agenda item to public comment at 6:55PM.

Ms. Norma Pippins, co-owner of the Fawn Project, addressed the PLDRB members and is in favor of this agenda item.

Pastor Jeff Barexdale, Life Coast Church, addressed the PLDRB members and is in favor of this agenda item.

Mr. DeMaria made a motion to approve with an additional restriction in item #2 to strike music and add the word entertainment. This motion was not seconded and therefore failed.

Pass

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

Approved - 7 - Board Member Christopher Dolney, Board Member Robert DeMaria, Board Member Jake Scully, Vice Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Alternate Board Member Thomas Oelsner, Alternate Board Member Charles Lemon

3 AN AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER TO AMEND THE USES IN BUSINESS/INSTITUTIONAL TRACTS, MEMORIALIZE AND AMEND CONDITIONS, AND REVISE PROCESS FOR ADDING LANDS AND CONVERSION OF ENTITLEMENTS

Mr. Ray Tyner, introduced this item along with history of the Development of Regional Impact. He also introduced Mr. Jose Papa, Senior Planner, who gave a presentation which is attached to these minutes. . He also explained that one presentation would be given for agenda items #3 and #4. However, two separate votes would be required.

Mr. Lemon asked for clarification on Tract 17 being both residential and commercially zoned. Mr Papa confirmed that the proposal is to include residential into the mix of existing commercial uses.

Mr. DeMaria asked if these parcels are on septic system. Mr. Papa clarified that these parcels are on City water and central sewer.

Mr. Michael Chiumento, representative for the applicant, addressed the PLDRB members.

Mr. Oelsner, questioned whether a power substation upgrade is required (electrical-FP&L)? Mr. Chiumento, clarified that all the right of ways have been given to FP&L. Mr. Oelsner rephrased his question, will this proposed change in the MPD agreement eat into excess capacity for other growth in the area or will the excess capacity be maintained? Mr. Chiumento explained that initially this project was approved for approximately 3,600 residential units and 3.5 million square feet for office/retail/industrial. When the project was initially discussed a review was done by both the State and the City capacity needs for water, sewer, electricity, and roads (etc.). were all evaluated and is part of Development of Regional Impact (DRI) document. So the requested changes are not in addition to but merely changing some of the uses. Mr. Tyner added that the DRI includes a conversion factor (which allows a conversion from non-residential to residential) and this amendment includes a required analysis that has the applicant prove that there are no adverse effects from this proposal.

Mr. Freeman, questioned that the agenda item that listed tracks 15 -18 are included in the proposal however track 16 is the school site. Mr. Papa clarified that track 16 is not included in the proposal. Mr. Tyner pointed out that there is a addendum that was given out to the PLDRB members this evening clarifying the proposed changes. This addendum is attached to these minutes.

Chair Smith open this item to public comment at 7:27PM.

Mr. John Links, 54 LaMancha Drive, questioned the location of the proposed development modification. Mr. Tyner clarified the area that Mr. Links is questioning is the area for the Matanzas West Multi-family development, (located at the south west corner of Belle Terre Parkway and Matanzas Woods Parkway) and that item was heard by the PLDRB at a previous meeting.

Mr. Walter Dehart, 33 Leaman Lane, wanted to get a copy of the map. Mr. Tyner informed Mr. Dehart that the map is available at the City's website: PalmCoastgov.com. Mr. Dehart asked that the PLDRB members "go slow" with future development in this area.

Mr. Bob Dance, 12 Bud Hollow, questioned if the apartments (previously discussed by Mr. Links) are age restricted. Mr. Chiumento informed Mr. Dance that nothing has been determined with regard to that question. Mr. Dance also was not in favor of the number of the apartments and the height of the buildings proposed. Mr. Dance is not in favor of more development in this area. Chair Smith clarified that the apartment development project is not on the agenda for tonight and therefore not open to comment. Also he clarified that the apartment project has some 1 bedroom apartments not all were 1 bedroom and that all the apartments were proposed as market rate. Therefore, there would not be any tax credits.

Amy, resident of the B section, questioned the development in the area of the B & L sections and asked the PLDRB to consider limiting growth in this area.

Mr. Mike LeButti, L section, questioned the development in the area of L section and the affects of high-density building in this area.

Ms. Laurie Savoka, 69 Buttermilk Drive, questioned the track across from the fire station which had been rezoned for multi-family units.

Ms. Linda Little, 45 Londonderry Drive, questioned if a proposed new school is included in the plan for Palm Coast Park.

Ms. Becky Mitchell, Butterfield Drive, wishes the PLDRB members to go slow on apartment developments and how the lack the business in Flagler County might affect these new resident's ability to find work.

Mr. Rick Lees, Ludlow Lane, questioned the availability of schools, the orange signs, announcing the dates of the public meetings are not maintained on the properties. Questioned who will be paying for all this new development.

Chair Smith closed this item to public comment at 7:50PM.

Mr. Tyner clarified the Development of Regional Impact (DRI) process as a follow up to address for some of the questions brought up during the public comment section. The application for a DRI is reviewed by a number of agencies (state, county and city level) to look at the impacts for a proposed development. A developer has to pay for the impact fees to support the infrastructure of any new developments, which includes a transportation impact fee, school concurrency, fire impact fees, parks impact fees, along with utility impact fees. Mr. Tyner also explained the conversion factor that is built into a DRI agreement, meaning the conversion process used to convert from a commercial unit to a residential unit within a DRI site. Mr. Tyner clarified that the City nor the citizens pay for the infrastructure, the developer pays for the build out of all infrastructure facilities. Mr. Tyner clarified that the Land Development Code (LDC) requires all neighbors within 300 feet of the parcel being impacted by a rezoning be notified in writing of the plan to rezone. Finally, he clarified that the Comprehensive Plan calls for diversity of home types (i.e. single family, apartments, town homes, and condos), along with being consistent with the neighborhoods proposed.

Chair Smith mentioned that not all people who want to buy a home need to have a job. He further stated that a number of people work from home (via the internet) and others commute to other cities for work (i.e. Jacksonville, Orlando).

Pass

Motion that PLDRB recommend approval of Application # 4165 (DRI Amendment) to the City Council and find that based on the Staff Report and the testimony and evidence presented, the request meets the applicable provisions of the Land Development Code and is consistent with the Comprehensive Plan as per the written findings contained the staff report by Board Member Dolney and seconded by Board Member Dodson-Lucas

Approved - 7 - Board Member Christopher Dolney, Board Member Robert DeMaria, Board Member Jake Scully, Vice Chair Clinton Smith, Board Member

Sybil Dodson-Lucas, Alternate Board Member Thomas Oelsner, Alternate Board Member Charles Lemon

4 AN AMENDMENT TO THE PALM COAST PARK MPD-DEVELOPMENT AGREEMENT TO ALLOW RESIDENTIAL HIGH DENSITY USE ON TRACTS 15, 17, AND 20; ALLOW RESIDENTIAL MEDIUM DENSITY USE ON TRACT 22, ALLOW COMMERCIAL ON TRACT 17, AND LIMIT INDUSTRIAL USES TO US-1

Mr. Jose Papa gave a presentation for this agenda item under agenda item #3.

Chair Smith opened this agenda item to public comment at 8:02PM.

Mr. Tom Olney, 78 Butterfield Drive, requested that the PLDRB provide some assurances of what can be expected by the citizens, much the same as the DRI gives the developer certain assurances of what can be expected.

Mr. Roland Cruz, B section, questioned the quality of life as a result of the amount of development (density) and urged the PLDRB members to go slow.

Mr. McClain, asked how many live up in this area being discussed.

Chair Smith clarified the difference between agenda item #3 and #4. Mr. Papa clarified the location of items # 3 and #4, which involves tract 22 which is located along Belle Terre Parkway and 3 tracts along US #1.

Mr. Bob Dance, 12 Bud Hollow, questions the impact of more development and its impact on fire and police.

Mr. Matt Spence, 38 Bickwick Lane, questioned the lack of commercial development in the area.

Chair Smith closed the public comment section on this item at 8:15PM.

Chair Smith asked Mr. Tyner to clarify if there are any tax incentives for Palm Coast Park and Mr. Tyner answered no there are not any tax incentives for Palm Coast Park.

Chair Smith informed the public that the next steps of agenda items #3 and #4 are to be the City Council public meetings.

Mr. Scully clarified for the public that the full agendas are available on the City of Palm Coast website.

Pass

Motion that PLDRB recommend approval of Application # 4171 (MPD Amendment) to the City Council and find that based on the Staff Report and the testimony and evidence presented, the request meets the applicable provisions of the Land Development Code and is consistent with the Comprehensive Plan as per the written findings contained the

staff report by Board Member Dolney and seconded by Board Member Dodson-Lucas

Approved - 7 - Board Member Christopher Dolney, Board Member Robert DeMaria, Board Member Jake Scully, Vice Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Alternate Board Member Thomas Oelsner, Alternate Board Member Charles Lemon

E Board Discussion and Staff Issues

Mr. Tyner mentioned that the PLDRB December 18th meeting will most likely be cancelled and that the PLDRB members will be notified by this Friday if that is the case.

F Adjournment

Motion made that the meeting be adjourned by Mr. Dolney and the motion was seconded by Mrs. Lucas. The meeting was adjourned at 8:16 PM.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

5 ATTACHMENTS