



City of Palm Coast Agenda COUNCIL MEETING

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

Mayor Milissa Holland
Vice Mayor Nick Klufas
Council Member Eddie Branquinho
Council Member Robert G. Cuff
Council Member Jack D. Howell, II

Tuesday, July 16, 2019

9:00 AM

CITY HALL

City Staff

Matthew Morton, City Manager

William Reischmann, City Attorney

Virginia A. Smith, City Clerk

- > Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- > Other matters of concern may be discussed as determined by City Council.
- > If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
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- > All pagers and cell phones are to remain OFF while City Council is in session.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue

further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

E. MINUTES

- 1. MINUTES**
MINUTES OF THE JULY 2, 2019 BUSINESS MEETING
MINUTES OF THE JULY 9, 2019 WORKSHOP MEETING

F. PRESENTATIONS

- 2. PRESENTATION -REQUEST FROM FLAGLER COUNTY SHERIFF FOR ADDITIONAL FUNDING FOR FY 2020**

G. ORDINANCES FIRST READ

- 3. ORDINANCE 2019-XX AMENDMENT TO THE TUSCAN RESERVE MPD DEVELOPMENT AGREEMENT TO ADD 8 ADDITIONAL UNITS, AMEND THE DEVELOPMENT STANDARDS, AND CLARIFY LANGUAGE FOR SIGNS**
- 4. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 49+/- ACRES FROM FLAGLER COUNTY DESIGNATIONS OF COMMERCIAL: HIGH INTENSITY & CONSERVATION TO CITY DESIGNATIONS OF MIXED USE AND RESIDENTIAL-OCEAN VILLAGE**
- 5. ORDINANCE 2019-XX ZONING MAP AMENDMENT FOR 49+/- ACRE FROM FLAGLER COUNTY DESIGNATIONS GENERAL COMMERCIAL AND AGRICULTURE TO CITY DESIGNATIONS OF MULTI-FAMILY RESIDENTIAL-2 AND GENERAL COMMERCIAL (COM-2)-OCEAN VILLAGE**
- 6. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 2.8+/- ACRES OF LAND LOCATED 250' NORTHWEST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PARKWAY INTERSECTION FROM CONSERVATION TO GREENBELT-ADVENT HEALTH**

H. RESOLUTIONS

- 7. RESOLUTION 2019-XX ADOPTING THE MAXIMUM MILLAGE (TRIM) RATE AND SETTING THE PUBLIC HEARING DATE, TIME, AND LOCATION FOR THE FY 2020 BUDGET**
- 8. RESOLUTION 2019-XX APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT**

I. CONSENT

9. RESOLUTION 2019-XX APPROVING A CONTRACT WITH KIRTON ENTERPRISES TO PROVIDE GENERAL CONTRACTOR SERVICES FOR THE INDIAN TRAILS SPORTS COMPLEX IMPROVEMENTS PROJECT

10. RESOLUTION 2019-XX APPROVING PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT WITH BOULEVARD TIRE CENTER FOR THE PURCHASE OF TIRES AND RELATED SERVICES

J. PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

K. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

L. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

M. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

N. ADJOURNMENT

11. CALENDAR/WORKSHEET

City of Palm Coast, Florida Agenda Item

Agenda Date : 07/16/2019

Department CITY CLERK	Amount
Item Key	Account
Subject MINUTES MINUTES OF THE JULY 2, 2019 BUSINESS MEETING MINUTES OF THE JULY 9, 2019 WORKSHOP MEETING	
Background :	
Recommended Action : Approve the minutes of the July 2, 2019 Business Meeting and the July 9, 2019 Business Meeting.	



City of Palm Coast Minutes COUNCIL MEETING

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

Mayor Milissa Holland
Vice Mayor Nick Klufas
Council Member Eddie Branquinho
Council Member Robert G. Cuff
Council Member Jack D. Howell, II

Tuesday, July 2, 2019

6:00 PM

CITY HALL

City Staff

Matthew Morton, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk

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A. CALL TO ORDER

Mayor Holland called the meeting to order at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

Ms. Settle called the roll. All members were present.

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council

Members and staff will be available after the meeting to discuss the matter and answer questions.

Celia Pugliese thanked the Council for the work that has been done on Florida Park Drive. She reported that the Sheriff's Water Patrol has been helpful to those on canals and is working toward putting signs for speed limits or for boaters to slow down.

Robert MacDonald thank the City for cleaning up the R Section and appreciated the meeting he attended with Council Member Branquinho and Mr. Morton.

Peter Sohoembs of Palm Coast Little League reported over 1,000 children are participating in Little League and the number of fields needs to be increased in order to fulfill the need.

Fred Moore of Palm Coast Little League also spoke of the need for the City to partner with the Little League and to increase the number of fields. The City is losing tournaments due to the lack of fields.

Wade Warren spoke of the softball league and how the league has improved over the years.

Alexis Samsell also spoke of the need for more fields.

Mayor Holland thanked Celia Pugliese and asked Commander Williams to contact the police water patrol. She also thanked Mr. MacDonald for his interest in the City and keeping it beautiful.

Mr. Morton met with the Little League. He is hoping to put together a Memorandum of Understanding with the County to work on utilizing County and City fields for Little League. Staff has recently put together an updated schedule and will be working to put together an inventory of the fields and how they are utilized.

E. MINUTES

- 1. MINUTES
MINUTES OF THE JUNE 18, 2019 BUSINESS MEETING
MINUTES OF THE JUNE 25, 2019 WORKSHOP MEETING**

Pass

Motion made to approve by Vice Mayor Klufas and seconded by Mayor Holland

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

F. PROCLAMATIONS

2. PROCLAMATION - JULY AS PARKS AND RECREATION MONTH

Vice Mayor Klufas presented the proclamation to the City's Parks and Recreation Team. Lauren Johnston spoke of the events that will be hosted by the City in the coming months.

3. PROCLAMATION OPIOID TASK FORCE

Council Member Cuff presented the proclamation to members of the Flagler County Opioid Task Force. Mr. Mike Belfar received the presentation and spoke how Opioids effects the Community. He asked for one of the members of Council to be part of the Task Force. Kathy Dalton spoke of her son's death and hoped the Task Force will bring awareness.

G. CONSENT

4. RESOLUTION 2019-XX APPROVING A PURCHASE AGREEMENT WITH VEOLIA WATER TECHNOLOGIES, INC. FOR KRUGER HYDROTECH DISCFILTER CAPACITY UPGRADES

R20190069

Pass

Motion made to approve by Council Member Howell, II and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

There were no public comments received.

H. OTHER BUSINESS

5. RATIFY FIREFIGHTER VOLUNTEER PENSION BOARD'S APPOINTMENT OF THE 5TH MEMBER

Pass

Motion made to approve by Vice Mayor Klufas and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

Ms. Settle reported Council appoints two members to the Pension Board, the Firefighters elect two members and the four select the fifth member. Mr. Schroeder has been selected as their fifth member and has served the Pension Board for two terms.

6. APPOINT TWO ALTERNATES TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD

Pass

Motion made to approve by Council Member Cuff and seconded by Council Member Howell, II

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

Ms. Settle reported that the City has received four applications for the alternate positions. The Council selected Thomas Olsner and Charles Lemon to serve as alternates to the PLDRB.

I. PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

Lewis McCarthy thanked Carl Cote for his time and explaining to him how the City is moving forward with improvements to Belle Terre Parkway.

George Mayo suggested if soccer fields are not being used, turn them into ball fields. He spoke of a recent employee of the School Board that makes below the poverty level. He hoped the companies that are being drawn to Palm Coast also pay a decent salary.

J. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Cuff wished everyone a Happy Fourth of July. He asked to keep their neighbors in mind while celebrating.

Council Member Branquinho wished everyone a happy and safe Fourth of July.

Vice Mayor Klufas thanked the children for their participation and asked them to appreciate the volunteers and staff for making our City better. He also wished everyone a Happy 4th of July.

Council Member Howell wished everyone a Happy Fourth of July. He gave tips for those heading to the beach over the weekend.

Mayor Holland wished everyone a Happy Fourth of July.

K. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

No Report

L. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

No report.

M. ADJOURNMENT

Motion by Vice Mayor Klufas to adjourn the meeting. The meeting adjourned at 6:45 p.m.

Respectfully submitted,

*Kathleen E. Settle, CMC
Deputy City Clerk*



**City of Palm Coast
Minutes
COUNCIL WORKSHOP**

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

**Mayor Milissa Holland
Vice Mayor Nick Klufas
Council Member Eddie Branquinho
Council Member Robert G. Cuff
Council Member Jack D. Howell, II**

Tuesday, July 9, 2019

9:00 AM

CITY HALL

City Staff

**Matthew Morton, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk**

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A CALL TO ORDER

Vice Mayor Klufas called the meeting to order at 9:00 a.m.

B PLEDGE OF ALLEGIANCE TO THE FLAG

C ROLL CALL

Mayor Holland and Council Member Cuff were absent. All other members were present.

D PUBLIC PARTICIPATION

Robert MacDonald thanked the City Council and Mr. Morton for the clean-up that took place in the R Section. There is a section of Rickenbacker and Royal Palm that is still in need of some clean-up. He thanked the Sheriff's Department for all that they do for the City and particularly, on the 4th of July.

E PRESENTATIONS

1 PRESENTATION - UPDATE ON THE CITY COUNCIL PRIORITIES FOR FISCAL YEAR '19

Denise Bevin presented an update on Council Priorities. Topics discussed included: IDAC membership and the value to the City; hack-a-thon; data driven improvements; Flagler Palm Coast High School's contributions; fiber and Mr. Kewley's role; P3 request for services; real time data regarding water usage; traffic control; grants; the need for street lights in sections of the City that are having issues with crime or mischief; street safety and how the high school students may be able to assist on the project; the County own Grand Haven Tower and what carriers will be on the tower other than Verizon; Palm Coast Connect currently has 1500 members; the improvement in communication with the residents; WastePro issues and volunteers and the necessary outreach.

2 PRESENTATION OF PROPOSED FY 2020 GENERAL FUND BUDGET AND DISCUSSION OF TRIM RATE OPTIONS

Helena Alves presented the proposed FY 2020 General Fund Budget. Topics discussed included: proposed millage rate 4.6989; the need for electricians; staff with an electrical skill set but not necessarily licensed; the change in the approach to the budget.

It was the consensus of the council to accept the millage rate.

F WRITTEN ITEMS

3 RESOLUTION 2019-XX APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT

Mr. Morton gave a brief overview of the item. This item will be continued at the next business meeting.

4 RESOLUTION 2019-XX APPROVING A CONTRACT WITH KIRTON ENTERPRISES TO PROVIDE GENERAL CONTRACTOR SERVICES FOR THE INDIAN TRAILS SPORTS COMPLEX IMPROVEMENTS PROJECT

Mr. Morton gave a brief overview of the item. Carl Cote explained the City owned facilities at the parks are 15 years old and the bathrooms need renovations as well as ADA compliant improvements. This item will be continued at the next Business Meeting.

5 RESOLUTION 2019-XX APPROVING PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT WITH BOULEVARD TIRE CENTER FOR THE PURCHASE OF TIRES AND RELATED SERVICES

Mr. Morton gave a brief overview of the item. This item will be continued at the next business meeting.

G PUBLIC PARTICIPATION

No comments were received.

H DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Branquinho was happy to hear safety issues being addressed in the City.

Council Member Howell spoke of the National Aviation Business Association. He and Wynn Newingham are trying to entice some of those businesses to the area.

Vice Mayor Klufas congratulated everyone on the 4th of July event. He welcomed Mr. Kewley to staff.

I DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

No report.

J DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Morton thanked everyone for the 4th of July. He expressed his thanks to staff and their passion for their City.

K ADJOURNMENT

Motion by Council Member Howell to adjourn the meeting. The meeting adjourned at 10:15 a.m.

Respectfully submitted,

*Kathleen E. Settle, CMC
Deputy City Clerk*

City of Palm Coast, Florida Agenda Item

Agenda Date : 07/16/2019

Department	CITY CLERK	Amount
Item Key	6823	Account
Subject	PRESENTATION – REQUEST FROM FLAGLER COUNTY SHERIFF FOR ADDITIONAL FUNDING FOR FY 2020	
Background :	Sheriff Staly has requested to present to Council a request for additional funding for FY 2020.	
Recommended Action :	For Council discussion.	

City of Palm Coast, Florida Agenda Item

Agenda Date: 07/16/2019

Department	PLANNING	Amount	
Item Key	6724	Account	
		#	
Subject	ORDINANCE 2019-XX AMENDMENT TO THE TUSCAN RESERVE MPD DEVELOPMENT AGREEMENT TO ADD 8 ADDITIONAL UNITS, AMEND THE DEVELOPMENT STANDARDS, AND CLARIFY LANGUAGE FOR SIGNS		
<p>Background: Tuscan Reserve is an 8.2+/- acre Master Planned Development (MPD) site located at 402 Tuscan Reserve Dr. The project was originally part of the 21 +/- acre Madison Green Planned Unit Development (PUD) approved in 2001 and as amended in 2005 to split the parcel into Madison Green and Tuscan Reserve. In 2007, a 128 unit Madison Green apartment complex was constructed. An economic downturn ensued and construction of Tuscan Reserve was limited to two buildings (16 units), amenity center, and parking lot.</p> <p>In 2014, the original PUD agreement was amended and restated in reference to Tuscan Reserve. The amendment increased the number of dwelling units from 80 to 115 multi-family units. This proposed amendment will entitle an additional 8 multi-family units (new total of 123) as well as amend the development standards for Tuscan Reserve so that it meets the LDC requirements for landscaping, parking, and buffer(s). In addition to the changes in development standards, the revised conceptual master plan includes additional amenities (tot lot, dog park), greater setbacks for the buildings, as well as slightly greater open space area. The current amendment also clarifies, the vested rights for signage available to the MPD.</p> <p>Staff analyzed the proposed amendment based on the criteria established in the City of Palm Coast Land Development Code. In summary, staff makes the following findings:</p> <ul style="list-style-type: none"> • the proposed increase in dwelling units has a minimal impact on public infrastructure (a traffic study is provided to highlight the minimal impact of 8 multi-family units, - three (3) P.M. Peak hour trips), • the MPD agreement remains consistent with the objectives and policies of the Comprehensive Plan (density), • the proposed MPD agreement is consistent with the surrounding land uses, and • the proposed MPD Agreement will not negatively impact the health, safety, and welfare of the surrounding community. <p>Planning and Land Development Regulation Board (PLDRB) Meeting The PLDRB held a public hearing on June 12, 2019 to discuss the proposed MPD amendment. There were no comments and PLDRB recommended approval of the item.</p> <p>Neighborhood Meeting The Developer and staff attended a neighborhood meeting on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. Nine persons from surrounding properties attended the neighborhood meeting. The attendees provided information about flooding problems in the area and concerns regarding the project's potential impact on the flooding issues.</p>			

Recommended Action: Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council approve application number 3964 to amend the Tuscan Reserve MPD – Development Agreement.

ORDINANCE 2019 - _____
**AMENDMENT TO THE MADISON GREEN AND TUSCAN RESERVE MASTER
PLANNED DEVELOPMENT AGREEMENT**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING AND RESTATING THE MADISON GREEN AND TUSCAN RESERVE MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT AS TO TUSCAN RESERVE ONLY; PROVIDING FOR AN INCREASE IN THE MAXIMUM RESIDENTIAL UNITS FROM 115 TO 123, AND PROVIDING FOR REVISED DEVELOPMENT STANDARDS FOR PARKING, LANDSCAPING, BUFFER REQUIREMENTS AND ADDITIONAL LANGUAGE ABOUT SIGNAGE PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Tuscan Reserve, LLC a Florida Limited Liability Company is the Owner of a property known as the Tuscan Reserve Master Planned Development (MPD); and

WHEREAS, there is an Amended and Restated MPD Agreement for Tuscan Reserve as recorded in Official Record Book 2017, Page 719 to 772 of the public records of Flagler County, Florida; and

WHEREAS, the existing Amended and Restated MPD Agreement for Tuscan Reserve as recorded in Official Record Book 2017, Page 719 to 772 allows up to 115 dwelling units; and

WHEREAS, the Owner has requested to amend the Development Agreement in order to increase the number of residential units in Tuscan Reserve by 8 (eight), and to provide for revised development standards for parking, landscaping, buffers and additional language related to signage; and

WHEREAS, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

WHEREAS, three public hearings on the proposed amendment to the Madison Green and Tuscan Reserve Master Planned Development (MPD) Development Agreement (the “Development Agreement”) have been duly held in the City of Palm Coast, Florida

WHEREAS, the City of Palm Coast Staff and the Planning and Land Development Regulation Board have found the proposed amendment consistent with the City of Palm Coast Comprehensive Plan and have recommended Approval of the proposed amendment; and

WHEREAS, the City Council has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of City staff, and the Planning and Land Development Regulation Board at regularly scheduled meetings on _____, 2019 and _____, 2019; and

WHEREAS, the City Council of the City of Palm Coast hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety and welfare of the citizens of Palm Coast, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are true and correct and are fully incorporated herein by this reference.

SECTION 2. MPD Amendment. The Palm Coast City Council, pursuant to the Land Development Code of the City of Palm Coast hereby enacts an Ordinance amending and restating the Tuscan Reserve MPD Development Agreement. The Amended and Restated Tuscan Reserve MPD Development Agreement increases the residential density of the Tuscan Reserve parcel by 8 units, and provides for revised development standards for parking, landscaping, buffer, and signage. MPD Agreement is attached as “Exhibit A”.

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Palm Coast, Florida, and pursuant to the City Charter.

APPROVED on first reading the 16th day of July 2019, at a public hearing.

ADOPTED on second reading the 6th day of August 2019, at a public hearing.

CITY OF PALM COAST, FLORIDA

Milissa Holland, Mayor

ATTEST:

Virginia A. Smith, City Clerk

Approved as to form and legality

William E. Reischmann, Jr.
City Attorney

EXHIBIT A

TUSCAN RESERVE MPD DEVELOPMENT AGREEMENT

PREPARED BY:
Michael D. Chiumento III, Esq.
Chiumento Dwyer Hertel Grant & Kistemaker, PL
145 City Place, Suite 301
Palm Coast, FL 32164

RETURN TO:
City Clerk
City of Palm Coast
160 Lake Avenue
Palm coast, FL 32164

THIRD AMENDED AND RESTATED MASTER PLAN DEVELOPMENT AGREEMENT FOR TUSCAN RESERVE

This Third Amended and Restated Master Planned Development (MPD) Agreement for Tuscan Reserve (the “Agreement”) is entered into between the City of Palm Coast whose address is 160 Lake Avenue, Palm Coast, FL 32164 (the “City”) and SW Tuscan Reserve LP whose address is 360 Central Avenue, Suite 1130, St. Petersburg, Florida 33701 (the “Owner”).

Recitals

WHEREAS, on or about March 3, 2005, the City passed Ordinance 2005-14 (recorded in O.R. Book 1226, Page 1899, Public Records of Flagler County, Florida) approving an Amendment to the Madison Green Master Planned Development Agreement (hereinafter the “Original MPD Agreement”) which essentially permitted the construction of two multifamily projects on approximately 21 acres of land located off State Road 100 (the “Property”) (**Exhibit “1”**) which are now commonly known as Madison Green Apartments (“Madison Green”) and Tuscan Reserve Apartments (“Tuscan Reserve”).

WHEREAS, the portion of the Property commonly known as Tuscan Reserve is described in **Exhibit “2”** attached hereto and is identified herein as the “Tuscan Property” and/or the “Tuscan Project”.

WHEREAS, Madison Green was constructed in 2007 as a 128-unit apartment complex.

WHEREAS, in 2008, a prior owner constructed the infrastructure (roads, stormwater, utilities, etc.), 16 condominium units, and the clubhouse amenities for the Tuscan Project.

However, given the economic down turn, the remaining units permitted in the Tuscan Project were not constructed.

WHEREAS, the Original MPD Agreement was amended and restated with respect to only the Tuscan Property pursuant to that certain Amended and Restated Master Plan Development Agreement for Tuscan Reserve recorded August 5, 2014 in O.R. Book 2017, Page 54, Public Records of Flagler County, Florida (the “Tuscan MPD Agreement”).

WHEREAS, the Tuscan MPD Agreement permits, among other things, that the Owner can develop up to 115 units along with the associated amenities on the Tuscan Property.

WHEREAS, the Owner desires to resume construction of the remaining portion of the Tuscan Reserve Property but desires to amend and restate the Tuscan MPD Agreement to accommodate present market conditions and ensure the Tuscan Project's viability.

WHEREAS, on May _____, 2019, the Owner filed an application with City to amend and restate the Tuscan Reserve MPD Agreement.

WHEREAS, it is the intent of the City and the Owner to amend and restate the Tuscan Reserve MPD Agreement. The Original MPD Agreement shall continue in full force and effect as to Madison Green, and shall in no way affect the Madison Green Development Standards.

NOW THEREFORE, in consideration of the mutual covenant contained herein, the City and Owner amend and restate the Tuscan Reserve MPD Agreement as follows:

1. The aforementioned recitals are taken as true, incorporated by reference and made a material part of this Agreement.

2. **CONCEPTUAL SITE PLAN APPROVAL AND DEVELOPMENT REVIEW PROCESS**

- a. The provisions of the City of Palm Coast Land Development Code (the “LDC”), as shall be amended from time to time, shall be applicable to the Tuscan Property unless otherwise specifically stated herein. Any City Code provision not specifically identified will not be affected by the terms of this Agreement. As part of this approval, the Conceptual Master Plan (**Exhibit “3”**) shall be deemed the controlling Master Plan for the Tuscan Reserve Property. The Conceptual Master Plan depicts the Tuscan Project's characteristics and

delineates the Tuscan Project's boundaries, streets, easements, property lines, general location of buildings and intended uses. The Conceptual Master Plan also illustrates the design and location of access points, driveways, parking, signage, landscape buffers, tree preservation, primary sidewalk/pathway system and other pertinent information. The future site plan can allow up to a 25 percent accumulative design change from the Conceptual Master Plan provided that the substantial integrity of the Conceptual Master Plan is maintained. However, no deviation from applicable LDC, as shall be amended from time to time, requirements or specific requirements within this this Agreement may be approved during the Site Plan review process, including but not limited to items such as: height, density increase, setbacks, and buffer requirements.

Approval of this Agreement entitles Owner to proceed directly to Technical Site Plan Review pursuant to 2.11 of the LDC.

3. LAND DEVELOPMENT CODE NON-APPLICABILITY.

a. The development of the Tuscan Project shall proceed in accordance with the terms of this Agreement. In the event of an inconsistency between the terms of this Agreement and the LDC, as shall be amended from time to time, the terms of this Agreement shall prevail. Where specific requirements are not contained in the Agreement, the LDC, as shall be amended from time to time, shall apply to the extent that it does not conflict with the provisions of this Agreement or the general intent of the Conceptual Master Plan. The requirements of the Agreement supersede any inconsistent provisions of LDC of the City, as shall be amended from time to time, unless provided elsewhere in this Agreement.

4. DEVELOPMENT STANDARDS: The Development Standards identified below shall replace all design standards for the Tuscan Property.

a. PARKING: The Tuscan Project shall provide parking as outlined in the LDC and as generally depicted on Conceptual Master Plan.

b. OPEN SPACE: Minimum open space shall exceed fifty percent (50%) of the Tuscan Property's gross area. Open space shall be defined by the LDC and include storm water ponds. Flexibility to the minimum open space requirements shall be as provided by the LDC which may include but not limited to, green

building principles, land donation, or other mechanisms that would justify a lower percentage and approved by the LUA. Open Space shall be maintained by either the actual owner of the property or a property owners association as determined by the Owner.

- c. WATER/WASTEWATER: The Tuscan Project is located wholly within the City limits and is therefore within the City's water and wastewater service areas. All proposed permanent uses within the Tuscan Project will be served by central water and sewer services. The City shall be the potable water and wastewater service provider for the Tuscan Project upon payment of applicable fees.
- d. TRANSPORTATION CONCURRENCY: Pursuant to that certain Technical Memorandum prepared by LTG Engineering and Planning dated May 2, 2019 and in conjunction with the Minor Traffic Impact Study prepared by Lassiter Transportation Group, Inc., dated Dec. 2013 (both studies are filed with the City), there is adequate roadway capacity to support the Tuscan Reserve Project and that the proposed increase in development density will have a de minimus impact. Reservation of traffic concurrency shall be made only upon issuance of a Development Order (DO) for the Site Plan.
- e. DRAINAGE: As depicted on the Conceptual Master Plan, the Tuscan Project shall include a Master Stormwater System ("MSS"), which was permitted by the SJRWMD. The MSS design shall meet, and be governed by, applicable SJRWMD and City of Palm Coast rules and regulations. Best Management Practices (BMPs) to treat, control, attenuate, and convey stormwater and surface waters may include, but are not limited to, vegetated natural buffers, swales, dry retention and wet detention
- f. LANDSCAPING: The Tuscan Project shall be developed in in compliance with the LDC as generally depicted on the Conceptual Landscape Plan (**Exhibit "4"**).
- g. LIGHTING: All additional exterior Lighting shall comply with the LDC and be consistent with the Tuscan Project's architectural styles.

- h. FIRE PROTECTION: Fire protection requirements for the Tuscan Project have been met through a system of fire hydrants installed on the site by the Owner in accordance with City standards. The locations of fire hydrants shall be shown on all construction documents, site plans or preliminary plats. The water requirements for the fire system will be served by the City's Utility Department. The Tuscan Project shall comply with the City's fire protection requirements. The City will provide fire protection services to the Tuscan Project and in accordance with established local response agreements.
- i. UTILITIES: All internal utility lines for the Tuscan Project have been placed underground.
- j. INTERCONNECTIVITY: All buildings within the Tuscan Project shall be interconnected by roadways, driveways, sidewalks and paths, and the Tuscan Project shall be interconnected to the neighboring Madison Green portion of the Property as called for by the City's Comprehensive Plan, and as necessary to meet ADA Accessibility requirements.
- k. RESOURCE PROTECTION. The Owner shall comply with LDC, as shall be amended from time to time.
- l. WETLANDS: The Owner shall comply with LDC, as shall be amended from time to time and all applicable SJRWMD permits.
- m. EMERGENCY ACCESS: The Owner of the Brookhaven parcel to the West has provided an access easement for emergency ingress/egress between Brookhaven and the Tuscan Project as generally depicted by **Exhibit "5"**. The Owner shall provide an easement that connects to the easement location depicted in **Exhibit "5"** that provides access rights to Municipal and Emergency vehicles. The Site Plan for the Tuscan Project shall include an emergency access path, which shall be paved or constructed in an alternative method approved by the City LUA and the Fire Chief from the Tuscan Project to the Brookhaven access easement depicted in **Exhibit "5"**. This access shall be constructed by the Owner of the Tuscan Project during construction of any new residential units.

- n. SIGNAGE: Tuscan Reserve and Madison Green Master Planned Development (MPD) have vested rights to use the sign easement (**Exhibit “6”**) previously approved under the original Madison Green Planned Unit Development (PUD) project (Ordinance # 2001-28) and previously approved Madison Green Site Plan. The sign shall comply with the current Land Development Code, as may be amended from time to time.

5. DIMENSIONAL STANDARDS:

a. LOT SIZE/SET BACKS/HEIGHT:

- i. Project Size: The Tuscan Project is 8.20 +/- acres.
- ii. Building Setbacks: Building setbacks shall be a minimum of 85 feet from the north, south and west Tuscan Project boundaries, except for garage buildings, which may follow a 10 foot building setback. Building setbacks from the eastern boundary of the Tuscan Project shall be a minimum of 50 feet, consistent with the pattern of existing site development.
- iii. Buffers: All buffers within the Tuscan Project shall be created and constructed in accordance with the LDC.
- iv. Height: 45 feet maximum as measured by the LDC.

- b. IMPERVIOUS: Maximum impervious area shall be sixty five percent (65%) of the Tuscan Project's gross area. The terms "pervious" and "impervious" are defined by the LDC.

- c. DENSITY: Consistent with the City’s Comprehensive Plan, the maximum density for the Tuscan Project is 15 dwelling units per acre, and the proposed density for the Tuscan Project is 15 dwelling units per acre. A total of 123 multifamily units inclusive of the existing units may be constructed along with a leasing office and the recreational amenities as generally depicted on the Conceptual Master Plan.

- d. ARCHITECTURE: The architectural requirements shall comply with the LDC Chapter 13, ARCHITECTURAL DESIGN GUIDELINES, in effect at the time

of development. The Owner intends for the architectural features of the Tuscan Project as more as generally depicted on **Exhibit “7”** to be compatible with those portions of the Tuscan Project existing today.

e. UNITS: The minimum unit size shall be 650 square feet.

6. NOTICES. All notices required or permitted to be given under this Agreement must be in writing and must be delivered to the City or the Owner at its address set forth below (or such other address as may be hereafter be designated in writing by such party). Any such notice must be personally delivered or sent by registered or certified mail, overnight courier, facsimile, or telecopy. Any such notice will be deemed effective when received (if sent by hand delivery, overnight courier, telecopy, or facsimile) or on that date which is three (3) days after such notice is deposited in the United States mail (if sent by registered or certified mail). The party’s addresses for the delivery of all such notices are as follows:

As to the City Matthew Morton, City Manager
 160 Lake Avenue
 Palm Coast, Florida, 32164

As to the Owner: C/O Brandon Rosser, Esq.
 SW Tuscan Reserve LP
 360 Central Avenue, Suite 1130
 St. Petersburg, FL 33701

With copies to: Michael D. Chiumento III, Esq.
 Chiumento Dwyer Hertel Grant & Kistemaker, PL
 145 City Place, Suite 301
 Palm Coast, FL 32164

7. TERM / EFFECTIVE DATE. This Agreement shall be effective upon approval by the City Council of the City of Palm Coast, Florida and execution of this Agreement by all parties.

8. ENTIRE AGREEMENT EFFECT ON PRIOR AGREEMENTS. This Agreement constitutes the entire agreement between the parties and supersedes all previous oral discussions, understandings, and agreements of any kind and nature as between the parties relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Third Amended and Restated MPD

ATTEST:

CITY OF PALM COAST, FLORIDA

Virginia A. Smith, City Clerk

Milissa Holland, Mayor

APPROVED AS TO FORM AND LEGALITY:

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Milissa Holland, Mayor of the CITY OF PALM COAST, (check one) who is personally known to me or who produced _____ as identification.

Notary Public – State of Florida
Print Name: _____
My Commission expires:

WITNESSES:

“OWNER”

SW Tuscan Reserve LP, a Delaware limited partnership

(print)

By: SW Tuscan Reserve GP LLC, a Delaware limited liability company, its General Partner

By: Stoneweg U.S., LLC, a Florida limited liability company, its Managing Member

(print)

By: _____
Patrick Richard, Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Patrick Richard, Manager of Stoneweg U.S., LLC, a Florida limited liability company, the Managing Member of SW Tuscan Reserve GP LLC, a Delaware limited liability company, the General Partner of SW Tuscan Reserve LP, a Delaware limited partnership (check one) who is personally known to me or who produced _____ as identification.

EXHIBIT “1”

21.1 acres described as the E ½ of Tract 12, Block B, and the W ½ of Tract 8, Block A, Section 8, Township 12 South, Range 31 East, Bunnell Development Company’s Subdivision, a subdivision as recorded in Plat Book 1, Page 1 of the Public Records of Flagler County, Florida.

EXHIBIT "2"

A parcel of land lying in a portion of the East one-half (1/2) of Tract 12, Block B, Bunnell Development Company's Subdivision of Section 8, Township 12 South, Range 31 East, as recorded in Plat Book 1, Page 1, Public Records of Flagler County, Florida, being more particularly described as follows:

POINT OF BEGINNING at the Southwest corner of said East one-half (1/2) of Tract 12, proceed North 02°05'05" West, along the West line of the East (1/2) of said Tract 12 a distance of 694.40 feet to the North line of said Tract 12; thence run North 88°50'01" East along said North line a distance of 512.70 feet; thence, departing said North line, run South 02°18'22" East a distance of 695.01 feet to the South line of Tract 12; thence run South 88°53'45" West, along the South line of said Tract 12, a distance of 514.40 feet to the **POINT OF BEGINNING**.

Containing 8.20 +/- acres

EXHIBIT “3”
CONCEPTUAL MASTER PLAN

EXHIBIT “4”

CONCEPTUAL LANDSCAPE PLAN



LEGEND

- 'A' DOG PARK (LARGE AND SMALL DOG ZONES)
- 'B' LAKE PAVILION W/ OPEN AIR BOARDWALK
- 'C' INFORMAL GATHERING AREA
- 'D' SUMMER KITCHEN
- 'E' WALK TO PAVILION & WALKING TRAIL
- 'F' PLAYGROUND FEATURING A TODDLER AND KID ZONE
- 'G' BENCH SEATS AT WALKING TRAIL
- 'H' WALKING TRAIL
- 'J' EXISTING LANDSCAPE AND BUFFERS

PLANT SCHEDULE: NEW TREES

TREE	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QTY	SIZE
1		Avicennia	Red Mangrove	45-60"	12	14"
2		Baccharis	Iron Tree	8-10"	12	14"
3		Calliandra	Red Flowering Shrub	45-60"	7	8"
4		Elaeagnus	Japanese Olive	45-60"	7	8"
5		Leucaena	Acacia	8-10"	12	14"
6		Leucaena	Acacia	8-10"	12	14"
7		Leucaena	Acacia	8-10"	12	14"
8		Leucaena	Acacia	8-10"	12	14"
9		Leucaena	Acacia	8-10"	12	14"
10		Leucaena	Acacia	8-10"	12	14"
11		Leucaena	Acacia	8-10"	12	14"
12		Leucaena	Acacia	8-10"	12	14"
13		Leucaena	Acacia	8-10"	12	14"
14		Leucaena	Acacia	8-10"	12	14"
15		Leucaena	Acacia	8-10"	12	14"
16		Leucaena	Acacia	8-10"	12	14"
17		Leucaena	Acacia	8-10"	12	14"
18		Leucaena	Acacia	8-10"	12	14"
19		Leucaena	Acacia	8-10"	12	14"
20		Leucaena	Acacia	8-10"	12	14"
21		Leucaena	Acacia	8-10"	12	14"
22		Leucaena	Acacia	8-10"	12	14"
23		Leucaena	Acacia	8-10"	12	14"
24		Leucaena	Acacia	8-10"	12	14"
25		Leucaena	Acacia	8-10"	12	14"
26		Leucaena	Acacia	8-10"	12	14"
27		Leucaena	Acacia	8-10"	12	14"
28		Leucaena	Acacia	8-10"	12	14"
29		Leucaena	Acacia	8-10"	12	14"
30		Leucaena	Acacia	8-10"	12	14"
31		Leucaena	Acacia	8-10"	12	14"
32		Leucaena	Acacia	8-10"	12	14"
33		Leucaena	Acacia	8-10"	12	14"
34		Leucaena	Acacia	8-10"	12	14"
35		Leucaena	Acacia	8-10"	12	14"
36		Leucaena	Acacia	8-10"	12	14"
37		Leucaena	Acacia	8-10"	12	14"
38		Leucaena	Acacia	8-10"	12	14"
39		Leucaena	Acacia	8-10"	12	14"
40		Leucaena	Acacia	8-10"	12	14"
41		Leucaena	Acacia	8-10"	12	14"
42		Leucaena	Acacia	8-10"	12	14"
43		Leucaena	Acacia	8-10"	12	14"
44		Leucaena	Acacia	8-10"	12	14"
45		Leucaena	Acacia	8-10"	12	14"
46		Leucaena	Acacia	8-10"	12	14"
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48		Leucaena	Acacia	8-10"	12	14"
49		Leucaena	Acacia	8-10"	12	14"
50		Leucaena	Acacia	8-10"	12	14"
51		Leucaena	Acacia	8-10"	12	14"
52		Leucaena	Acacia	8-10"	12	14"
53		Leucaena	Acacia	8-10"	12	14"
54		Leucaena	Acacia	8-10"	12	14"
55		Leucaena	Acacia	8-10"	12	14"
56		Leucaena	Acacia	8-10"	12	14"
57		Leucaena	Acacia	8-10"	12	14"
58		Leucaena	Acacia	8-10"	12	14"
59		Leucaena	Acacia	8-10"	12	14"
60		Leucaena	Acacia	8-10"	12	14"
61		Leucaena	Acacia	8-10"	12	14"
62		Leucaena	Acacia	8-10"	12	14"
63		Leucaena	Acacia	8-10"	12	14"
64		Leucaena	Acacia	8-10"	12	14"
65		Leucaena	Acacia	8-10"	12	14"
66		Leucaena	Acacia	8-10"	12	14"
67		Leucaena	Acacia	8-10"	12	14"
68		Leucaena	Acacia	8-10"	12	14"
69		Leucaena	Acacia	8-10"	12	14"
70		Leucaena	Acacia	8-10"	12	14"
71		Leucaena	Acacia	8-10"	12	14"
72		Leucaena	Acacia	8-10"	12	14"
73		Leucaena	Acacia	8-10"	12	14"
74		Leucaena	Acacia	8-10"	12	14"
75		Leucaena	Acacia	8-10"	12	14"
76		Leucaena	Acacia	8-10"	12	14"
77		Leucaena	Acacia	8-10"	12	14"
78		Leucaena	Acacia	8-10"	12	14"
79		Leucaena	Acacia	8-10"	12	14"
80		Leucaena	Acacia	8-10"	12	14"
81		Leucaena	Acacia	8-10"	12	14"
82		Leucaena	Acacia	8-10"	12	14"
83		Leucaena	Acacia	8-10"	12	14"
84		Leucaena	Acacia	8-10"	12	14"
85		Leucaena	Acacia	8-10"	12	14"
86		Leucaena	Acacia	8-10"	12	14"
87		Leucaena	Acacia	8-10"	12	14"
88		Leucaena	Acacia	8-10"	12	14"
89		Leucaena	Acacia	8-10"	12	14"
90		Leucaena	Acacia	8-10"	12	14"
91		Leucaena	Acacia	8-10"	12	14"
92		Leucaena	Acacia	8-10"	12	14"
93		Leucaena	Acacia	8-10"	12	14"
94		Leucaena	Acacia	8-10"	12	14"
95		Leucaena	Acacia	8-10"	12	14"
96		Leucaena	Acacia	8-10"	12	14"
97		Leucaena	Acacia	8-10"	12	14"
98		Leucaena	Acacia	8-10"	12	14"
99		Leucaena	Acacia	8-10"	12	14"
100		Leucaena	Acacia	8-10"	12	14"



RECYCLE LANDSCAPE TREES
 SIZE = 3.5' DIA. @ 4' AC. (P/N) = 7 TREES

1 SHADE TREE PER ZONE (P/N INCLUDING FINISH) = 122 SHADE TREES REQUIRED: 56 NEW + EXISTING PROVIDED
 RECYCLED UNDERSTORY TREES AT RILES + FOUNDATION = 54 (TOTAL UNDERSTORY TREES REQUIRED: 40 NEW PROVIDED)
 EXISTING LANDSCAPE BUFFERS TO REMAIN. REQUIRES A TOTAL OF 61 SHADE TREES + 104 UNDERSTORY TREES

PROJ. NO.: 1920
 SCALE: 1"=40'-0"
 DATE: 5-6-19
 SHEET NO.: **LA-1**

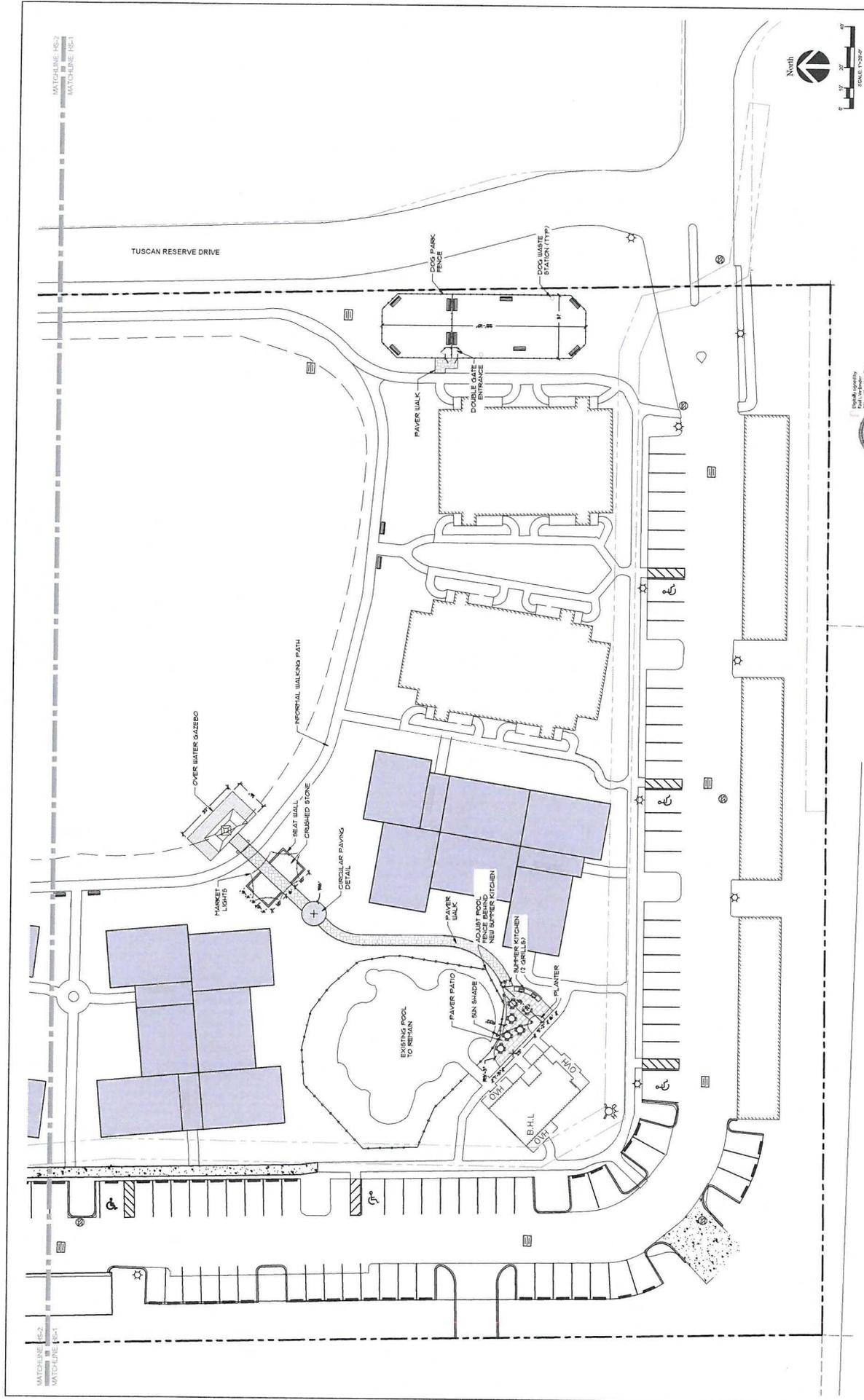
LANDSCAPE PLAN
 TUSCAN RESERVE
 APARTMENTS

PAUL VERLANDER, P.E.
 LANDSCAPE ARCHITECT

VERLANDER
 Landscape Architecture, LLC
 705 Tenth Avenue, Suite 501
 Alhambra, CA 91803
 Phone: 626-281-1111
 Fax: 626-281-1112
 Website: www.verlanderla.com

DATE	BY	DESCRIPTION
XXX	XXX	XXX

REVISIONS

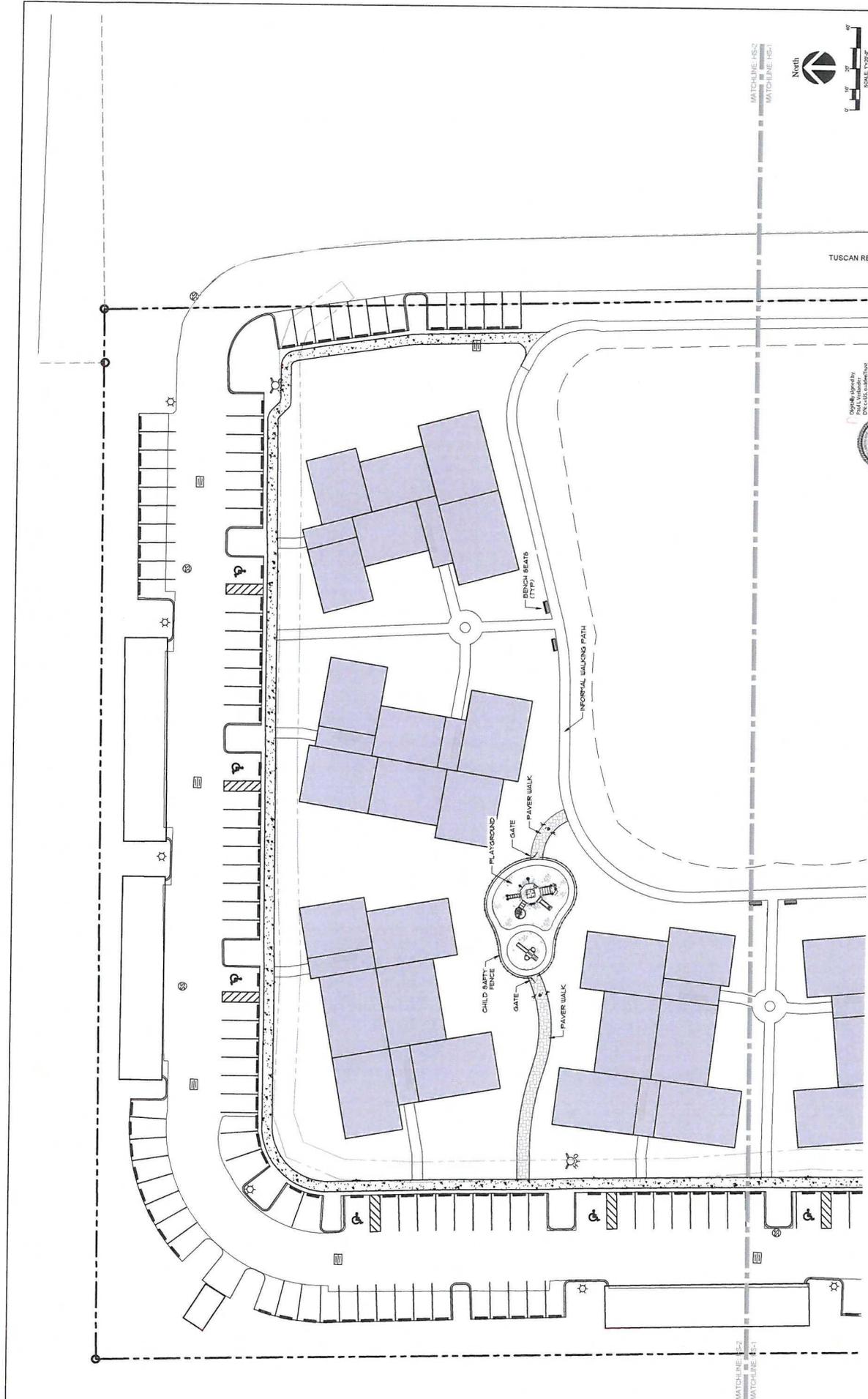


Proj. No.: 1920
 Scale: 1"=20'-0"
 Date: 5-6-19
 Sheet No.: **HS-1**

LANDSCAPE PLAN
TUSCAN RESERVE APARTMENTS
 PALM COAST, FL

Prepared by:
 VERLANDER ARCHITECTURE, LLC
 1875 Truscott Avenue, Suite 101
 Palm Coast, FL 32137
 Phone: (387) 844-6101
 Email: paul@verlander.com
 Website: www.verlander.com

DATE	BY	DESCRIPTION
XXX	PLV	XXXXX



PROJ. NO.: 1920
 DATE: 5-6-19
 SCALE: 1/8" = 1'-0"
 SHEET NO.: **HS-2**

LANDSCAPE PLAN
TUSCAN RESERVE
APARTMENTS

PAUL L. VERLANDER, LLC
 Landscape Architects
 1322 E. 15th St.
 Palm Beach, FL 33480



VERLANDER
 Landscape Architecture, LLC
 3700 Yonkers Avenue, Suite 101
 Palm Beach, FL 33411
 Phone: (561) 833-1111
 Website: www.verlander.com

DATE	BY	REVISIONS	DESCRIPTION
	PLV	000001	

EXHIBIT “5”

EMERGENCY ACCESS EASEMENT

A MAP SHOWING A SKETCH OF DESCRIPTION
LYING IN LOT 1,
TOWN CENTER PHASE 3 - BROOKHAVEN AT TOWN CENTER
MAP BOOK 36, PAGE(S) 50 - 56
FLAGLER COUNTY, FLORIDA

DESCRIPTION:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEASTERLY CORNER OF LOT 1, TOWN CENTER PHASE 3 - BROOKHAVEN AT TOWN CENTER AS RECORDED IN MAP BOOK 36, PAGE(S) 50 THROUGH 56 OF THE PUBLIC RECORDS OF FLAGLER COUNTY FLORIDA; THENCE NORTH 02°08'49" WEST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 156.72 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°26'45" WEST, LEAVING SAID EAST LINE OF LOT 1, A DISTANCE OF 140.49 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 72.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 66°37'59" WEST, 58.39 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°50'32", AN ARC LENGTH OF 60.12 FEET; THENCE NORTH 42°42'44" WEST, A DISTANCE OF 33.06 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 135.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 41°32'01" EAST, 20.10 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°32'21", AN ARC LENGTH OF 20.12 FEET; THENCE SOUTH 42°42'44" EAST, A DISTANCE OF 35.08 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 52.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 66°37'58" EAST, 42.17 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°50'28", AN ARC LENGTH OF 43.42 FEET; THENCE NORTH 89°26'48" EAST, A DISTANCE OF 139.94 FEET TO THE EAST LINE OF AFOREMENTIONED LOT 1; THENCE SOUTH 02°08'49" EAST, ALONG SAID EAST LINE OF LOT 1, A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 4515 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

GENERAL NOTES:

- 1.) BEARINGS SHOWN HEREON ARE BASED ON THE THAT CERTAIN PLAT OF "TOWN CENTER PHASE 3 - BROOKHAVEN AT TOWN CENTER" AS RECORDED IN MAP BOOK 36, PAGE(S) 50 THROUGH 56 OF THE PUBLIC RECORDS OF FLAGLER COUNTY FLORIDA. BEARINGS ARE REFERENCED TO THE EASTERLY LINE OF LOT 1 OF AFOREMENTIONED PLAT. BEARING BEING N 02°08'49" W.
- 2.) THIS SKETCH AND DESCRIPTION WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OR SEARCH OF TITLE, AND THE UNDERSIGNED AND R.D. RICHARDS SURVEYING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT, OR SEARCH OF TITLE.
- 3.) THERE MAY BE OTHER MATTERS, PUBLIC AND/OR PRIVATE, AFFECTING THIS PROPERTY NOT KNOWN TO THIS SURVEYOR.
- 4.) THIS IS A TWO PAGE DOCUMENT AND NOT VALID UNLESS BOTH SHEETS ARE PRESENT.
- 5.) ATTENTION IS DIRECTED TO THE FACT THAT THIS DRAWING MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN SCALING DATA.

SHEET 1 OF 2

ROBERT D. RICHARDS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERT. #5790

"NOT VALID WITHOUT THE SIGNATURE
AND THE RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER"

R.D. RICHARDS SURVEYING, INC.
PROFESSIONAL SURVEYING & MAPPING

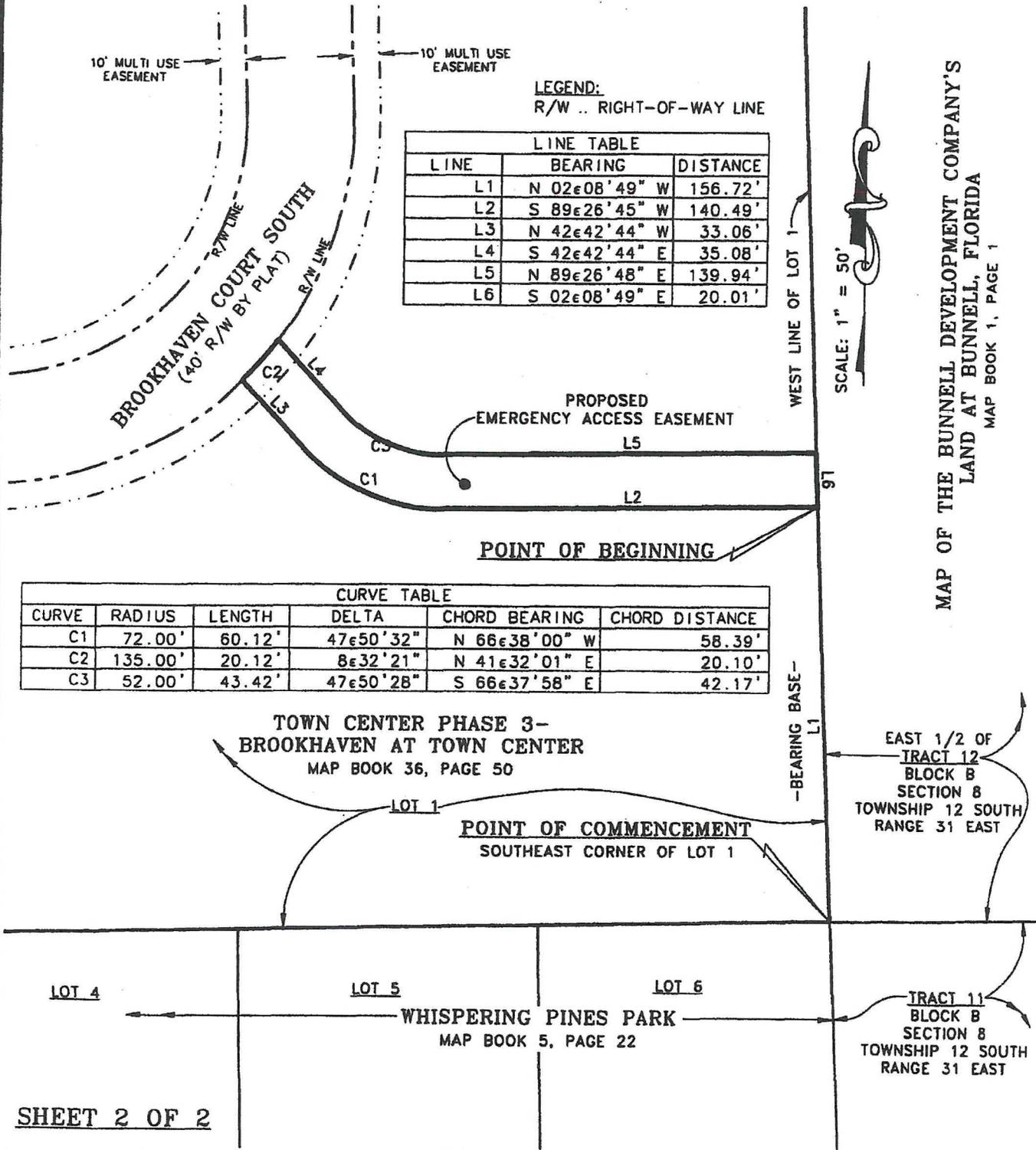
8567 C. R. 13 NORTH
SAINT AUGUSTINE, FL 32092
LICENSED BUSINESS NO. 7397

PHONE: (904) 940-0721
FAX: (904) 940-5896

FIELD WORK: NA FIELD FILE: NA JOB NO.: 12-107.2 DRAWING: 12-107EASE.DWG

A MAP SHOWING A SKETCH OF DESCRIPTION

LYING IN LOT 1,
TOWN CENTER PHASE 3 - BROOKHAVEN AT TOWN CENTER
MAP BOOK 36, PAGE(S) 50 - 56
FLAGLER COUNTY, FLORIDA



LEGEND:
R/W .. RIGHT-OF-WAY LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 02°08'49" W	156.72'
L2	S 89°26'45" W	140.49'
L3	N 42°42'44" W	33.06'
L4	S 42°42'44" E	35.08'
L5	N 89°26'48" E	139.94'
L6	S 02°08'49" E	20.01'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C1	72.00'	60.12'	47°50'32"	N 66°38'00" W	58.39'
C2	135.00'	20.12'	8°32'21"	N 41°32'01" E	20.10'
C3	52.00'	43.42'	47°50'28"	S 66°37'58" E	42.17'

TOWN CENTER PHASE 3-
BROOKHAVEN AT TOWN CENTER
MAP BOOK 36, PAGE 50

EAST 1/2 OF
TRACT 12
BLOCK B
SECTION 8
TOWNSHIP 12 SOUTH
RANGE 31 EAST

POINT OF COMMENCEMENT
SOUTHEAST CORNER OF LOT 1

TRACT 11
BLOCK B
SECTION 8
TOWNSHIP 12 SOUTH
RANGE 31 EAST

SHEET 2 OF 2

R.D. RICHARDS SURVEYING, INC.
PROFESSIONAL SURVEYING & MAPPING

8567 C. R. 13 NORTH
SAINT AUGUSTINE, FL 32092
LICENSED BUSINESS NO. 7397
PHONE: (904) 940-0721
FAX: (904) 940-5896

FIELD WORK: NA FIELD FILE: NA JOB NO.: 12-107.2 DRAWING: 12-107EASE.DWG

EXHIBIT “6”

SIGN EASEMENT

An easement lying in Section 8, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

COMMENCE a the Southwest corner of said Section 8, thence proceed North 01°13'43" West, along the West line of Section 8, a distance of 2542.14 Feet to the intersection of the Westerly one-quarter (1/4) corner of Section 8 and the Centerline of Section 8; thence North 89°09'25" East along said Centerline a distance of 2704.29 feet to the center of Section 8, thence North 02°26'27" West along the Centerline of Section 8, a distance of 38.28 feet to the intersection of the Centerline of Section 8 with the Northerly Right-of-Way line of State Road 100; thence North 89°09'05" East along said North Right-of-Way line a distance of 25.01 feet; thence leaving said North Right-of-Way line North 02°26'27" West, a distance of 20.00 feet to a Point on the North line of a 20.00 foot wide F.D.O.T acquisition (said acquisition being 20.00 feet northerly of and parallel to the North Right-of-Way line of State Road 100) and to the **POINT OF BEGINNING**; thence North 02°26'27" West, along the East line of a 50.00 foot wide road easement a distance of 36.01 feet; thence North 89°09'05" East, a distance of 29.00 feet, thence South 00°50'55" East, a distance of 36.00 feet to said North line of F.D.O.T. acquisition; thence South 89°09'05" West, along said North line a distance of 28.00 feet to the **POINT OF BEGINNING**.

Containing 1026.00 square feet (0.02 acres) more or less.

EXHIBIT “7”

CONCEPTUAL ELEVATION



Conceptual Elevation

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



PREPARED BY:
Michael D. Chiumento III, Esq.
Chiumento Dwyer Hertel Grant & Kistemaker, PL
145 City Place, Suite 301
Palm Coast, FL 32164

RETURN TO:
City Clerk
City of Palm Coast
160 Lake Avenue
Palm coast, FL 32164

THIRD AMENDED AND RESTATED MASTER PLAN DEVELOPMENT AGREEMENT FOR TUSCAN RESERVE

This Third Amended and Restated Master Planned Development (MPD) Agreement for Tuscan Reserve (the “Agreement”) is entered into between the City of Palm Coast whose address is 160 Lake Avenue, Palm Coast, FL 32164 (the “City”) and SW Tuscan Reserve LP whose address is 360 Central Avenue, Suite 1130, St. Petersburg, Florida 33701 (the “Owner”).

Recitals

WHEREAS, on or about March 3, 2005, the City passed Ordinance 2005-14 (recorded in O.R. Book 1226, Page 1899, Public Records of Flagler County, Florida) approving an Amendment to the Madison Green Master Planned Development Agreement (hereinafter the “Original MPD Agreement”) which essentially permitted the construction of two multifamily projects on approximately 21 acres of land located off State Road 100 (the “Property”) (**Exhibit “1”**) which are now commonly known as Madison Green Apartments (“Madison Green”) and Tuscan Reserve Apartments (“Tuscan Reserve”).

WHEREAS, the portion of the Property commonly known as Tuscan Reserve is described in **Exhibit “2”** attached hereto and is identified herein as the “Tuscan Property” and/or the “Tuscan Project”.

WHEREAS, Madison Green was constructed in 2007 as a 128-unit apartment complex.

WHEREAS, in 2008, a prior owner constructed the infrastructure (roads, stormwater, utilities, etc.), 16 condominium units, and the clubhouse amenities for the Tuscan Project.

However, given the economic down turn, the remaining units permitted in the Tuscan Project were not constructed.

WHEREAS, the Original MPD Agreement was amended and restated with respect to only the Tuscan Property pursuant to that certain Amended and Restated Master Plan Development Agreement for Tuscan Reserve recorded August 5, 2014 in O.R. Book 2017, Page 54, Public Records of Flagler County, Florida (the “Tuscan MPD Agreement”).

WHEREAS, the Tuscan MPD Agreement permits, among other things, that the Owner can develop up to 115 units along with the associated amenities on the Tuscan Property.

WHEREAS, the Owner desires to resume construction of the remaining portion of the Tuscan Reserve Property but desires to amend and restate the Tuscan MPD Agreement to accommodate present market conditions and ensure the Tuscan Project's viability.

WHEREAS, on May _____, 2019, the Owner filed an application with City to amend and restate the Tuscan Reserve MPD Agreement.

WHEREAS, it is the intent of the City and the Owner to amend and restate the Tuscan Reserve MPD Agreement. The Original MPD Agreement shall continue in full force and effect as to Madison Green, and shall in no way affect the Madison Green Development Standards.

NOW THEREFORE, in consideration of the mutual covenant contained herein, the City and Owner amend and restate the Tuscan Reserve MPD Agreement as follows:

1. The aforementioned recitals are taken as true, incorporated by reference and made a material part of this Agreement.

2. **CONCEPTUAL SITE PLAN APPROVAL AND DEVELOPMENT REVIEW PROCESS**

a. The provisions of the City of Palm Coast Land Development Code (the “LDC”), as shall be amended from time to time, shall be applicable to the Tuscan Property unless otherwise specifically stated herein. Any City Code provision not specifically identified will not be affected by the terms of this Agreement. As part of this approval, the Conceptual Master Plan (**Exhibit “3”**) shall be deemed the controlling Master Plan for the Tuscan Reserve Property. The Conceptual Master Plan depicts the Tuscan Project's characteristics and

delineates the Tuscan Project's boundaries, streets, easements, property lines, general location of buildings and intended uses. The Conceptual Master Plan also illustrates the design and location of access points, driveways, parking, signage, landscape buffers, tree preservation, primary sidewalk/pathway system and other pertinent information. The future site plan can allow up to a 25 percent accumulative design change from the Conceptual Master Plan provided that the substantial integrity of the Conceptual Master Plan is maintained. However, no deviation from applicable LDC, as shall be amended from time to time, requirements or specific requirements within this this Agreement may be approved during the Site Plan review process, including but not limited to items such as: height, density increase, setbacks, and buffer requirements.

3. LAND DEVELOPMENT CODE NON-APPLICABILITY.

- a. The development of the Tuscan Project shall proceed in accordance with the terms of this Agreement. In the event of an inconsistency between the terms of this Agreement and the LDC, as shall be amended from time to time, the terms of this Agreement shall prevail. Where specific requirements are not contained in the Agreement, the LDC, as shall be amended from time to time, shall apply to the extent that it does not conflict with the provisions of this Agreement or the general intent of the Conceptual Master Plan. The requirements of the Agreement supersede any inconsistent provisions of LDC of the City, as shall be amended from time to time, unless provided elsewhere in this Agreement.

4. DEVELOPMENT STANDARDS: The Development Standards identified below shall replace all design standards for the Tuscan Property.

- a. PARKING: The Tuscan Project shall provide parking as outlined in the LDC and as generally depicted on Conceptual Master Plan.
- b. OPEN SPACE: Minimum open space shall exceed fifty percent (50%) of the Tuscan Property's gross area. Open space shall be defined by the LDC and include storm water ponds. Flexibility to the minimum open space requirements shall be as provided by the LDC which may include but not limited to, green

building principles, land donation, or other mechanisms that would justify a lower percentage and approved by the LUA. Open Space shall be maintained by either the actual owner of the property or a property owners association as determined by the Owner.

- c. WATER/WASTEWATER: The Tuscan Project is located wholly within the City limits and is therefore within the City’s water and wastewater service areas. All proposed permanent uses within the Tuscan Project will be served by central water and sewer services. The City shall be the potable water and wastewater service provider for the Tuscan Project upon payment of applicable fees.
- d. TRANSPORTATION CONCURRENCY: Pursuant to that certain Technical Memorandum prepared by LTG Engineering and Planning dated May 2, 2019 and in conjunction with the Minor Traffic Impact Study prepared by Lassiter Transportation Group, Inc., dated Dec. 2013 ~~-(both studies are attached as Exhibit “4” filed with the City), it appears that there is adequate~~ roadway capacity ~~exists~~ to support the Tuscan Reserve Project and that the proposed increase in development density will have a de minimus impact. Reservation of traffic concurrency shall be made only upon issuance of a Development Order (DO) for the Site Plan.
- e. DRAINAGE: As depicted on the Conceptual Master Plan, the Tuscan Project shall include a Master Stormwater System (“MSS”), which was permitted by the SJRWMD. The MSS design shall meet, and be governed by, applicable SJRWMD and City of Palm Coast rules and regulations. Best Management Practices (BMPs) to treat, control, attenuate, and convey stormwater and surface waters may include, but are not limited to, vegetated natural buffers, swales, dry retention and wet detention
- f. LANDSCAPING: The Tuscan Project shall be developed in in compliance with the LDC as generally depicted on the Conceptual Landscape Plan (**Exhibit “54”**).

- g. LIGHTING: All additional exterior Lighting shall comply with the LDC and be consistent with the Tuscan Project's architectural styles.
- h. FIRE PROTECTION: Fire protection requirements for the Tuscan Project have been met through a system of fire hydrants installed on the site by the Owner in accordance with City standards. The locations of fire hydrants shall be shown on all construction documents, site plans or preliminary plats. The water requirements for the fire system will be served by the City's Utility Department. The Tuscan Project shall comply with the City's fire protection requirements. The City will provide fire protection services to the Tuscan Project and in accordance with established local response agreements.
- i. UTILITIES: All internal utility lines for the Tuscan Project have been placed underground.
- j. INTERCONNECTIVITY: All buildings within the Tuscan Project shall be interconnected by roadways, driveways, sidewalks and paths, and the Tuscan Project shall be interconnected to the neighboring Madison Green portion of the Property as called for by the City's Comprehensive Plan, and as necessary to meet ADA Accessibility requirements.
- k. RESOURCE PROTECTION. The Owner shall comply with LDC, as shall be amended from time to time.
- l. WETLANDS: The Owner shall comply with LDC, as shall be amended from time to time and all applicable SJRWMD permits.
- m. EMERGENCY ACCESS: The Owner of the Brookhaven parcel to the West has provided an access easement for emergency ingress/egress between Brookhaven and the Tuscan Project as generally depicted by **Exhibit "65"**. The Owner shall provide an easement that connects to the easement location depicted in **Exhibit "65"** that provides access rights to Municipal and Emergency vehicles. The Site Plan for the Tuscan Project shall include an emergency access path, which shall be paved or constructed in an alternative method approved by the City LUA and the Fire Chief from the Tuscan Project to the Brookhaven access easement

depicted in **Exhibit “65”**. This access shall be constructed by the Owner of the Tuscan Project during construction of any new residential units.

n. SIGNAGE: Tuscan Reserve and Madison Green Master Planned Development (MPD) have vested rights to use the sign easement (Exhibit “6”) previously approved under the original Madison Green Planned Unit Development (PUD) project (Ordinance # 2001-28) and previously approved Madison Green Site Plan. The sign shall comply with the current Land Development Code, as may be amended from time to time.

5. DIMENSIONAL STANDARDS:

a. LOT SIZE/SET BACKS/HEIGHT:

- i. Project Size: The Tuscan Project is 8.20 +/- acres.
- ii. Building Setbacks: Building setbacks shall be a minimum of 85 feet from the north, south and west Tuscan Project boundaries, except for garage buildings, which may follow a 10 foot building setback. Building setbacks from the eastern boundary of the Tuscan Project shall be a minimum of 50 feet, consistent with the pattern of existing site development.
- iii. Buffers: All buffers within the Tuscan Project shall be created and constructed in accordance with the LDC.
- iv. Height: 45 feet maximum as measured by the LDC.

b. IMPERVIOUS: Maximum impervious area shall be sixty five percent (65%) of the Tuscan Project's gross area. The terms "pervious" and "impervious" are defined by the LDC.

c. DENSITY: Consistent with the City’s Comprehensive Plan, the maximum density for the Tuscan Project is 15 dwelling units per acre, and the proposed density for the Tuscan Project is 15 dwelling units per acre. A total of 123 multifamily units inclusive of the existing units may be constructed along with a leasing office and the recreational amenities as generally depicted on the Conceptual Master Plan.

- d. ARCHITECTURE: The architectural requirements shall comply with the LDC Chapter 13, ARCHITECTURAL DESIGN GUIDELINES, in effect at the time of development. The Owner intends for the architectural features of the Tuscan Project as more as generally depicted on **Exhibit “87”** to be compatible with those portions of the Tuscan Project existing today.
- e. UNITS: The minimum unit size shall be 650 square feet.
6. NOTICES. All notices required or permitted to be given under this Agreement must be in writing and must be delivered to the City or the Owner at its address set forth below (or such other address as may be hereafter be designated in writing by such party). Any such notice must be personally delivered or sent by registered or certified mail, overnight courier, facsimile, or telecopy. Any such notice will be deemed effective when received (if sent by hand delivery, overnight courier, telecopy, or facsimile) or on that date which is three (3) days after such notice is deposited in the United States mail (if sent by registered or certified mail). The party’s addresses for the delivery of all such notices are as follows:
- As to the City Matthew Morton, City Manager
 160 Lake Avenue
 Palm Coast, Florida, 32164
- As to the Owner: C/O Brandon Rosser, Esq.
 SW Tuscan Reserve LP
 360 Central Avenue, Suite 1130
 St. Petersburg, FL 33701
- With copies to: Michael D. Chiumento III, Esq.
 Chiumento Dwyer Hertel Grant & Kistemaker, PL
 145 City Place, Suite 301
 Palm Coast, FL 32164
7. TERM / EFFECTIVE DATE. This Agreement shall be effective upon approval by the City Council of the City of Palm Coast, Florida and execution of this Agreement by all parties.

8. ENTIRE AGREEMENT EFFECT ON PRIOR AGREEMENTS. This Agreement constitutes the entire agreement between the parties and supersedes all previous oral discussions, understandings, and agreements of any kind and nature as between the parties relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Third Amended and Restated MPD

ATTEST:

CITY OF PALM COAST, FLORIDA

Virginia A. Smith, City Clerk

Milissa Holland, Mayor

APPROVED AS TO FORM AND LEGALITY:

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Milissa Holland, Mayor of the CITY OF PALM COAST, (check one) who is personally known to me or who produced _____ as identification.

Notary Public – State of Florida
Print Name: _____
My Commission expires:

WITNESSES:

“OWNER”

SW Tuscan Reserve LP, a Delaware limited partnership

(print)

By: SW Tuscan Reserve GP LLC, a Delaware limited liability company, its General Partner

By: Stoneweg U.S., LLC, a Florida limited liability company, its Managing Member

(print)

By: _____
Patrick Richard, Manager

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Patrick Richard, Manager of Stoneweg U.S., LLC, a Florida limited liability company, the Managing Member of SW Tuscan Reserve GP LLC, a Delaware limited liability company, the General Partner of SW Tuscan Reserve LP, a Delaware limited partnership (check one) who is personally known to me or who produced _____ as identification.

EXHIBIT “1”

21.1 acres described as the E ½ of Tract 12, Block B, and the W ½ of Tract 8, Block A, Section 8, Township 12 South, Range 31 East, Bunnell Development Company’s Subdivision, a subdivision as recorded in Plat Book 1, Page 1 of the Public Records of Flagler County, Florida.

EXHIBIT "2"

A parcel of land lying in a portion of the East one-half (1/2) of Tract 12, Block B, Bunnell Development Company's Subdivision of Section 8, Township 12 South, Range 31 East, as recorded in Plat Book 1, Page 1, Public Records of Flagler County, Florida, being more particularly described as follows:

POINT OF BEGINNING at the Southwest corner of said East one-half (1/2) of Tract 12, proceed North 02°05'05" West, along the West line of the East (1/2) of said Tract 12 a distance of 694.40 feet to the North line of said Tract 12; thence run North 88°50'01" East along said North line a distance of 512.70 feet; thence, departing said North line, run South 02°18'22" East a distance of 695.01 feet to the South line of Tract 12; thence run South 88°53'45" West, along the South line of said Tract 12, a distance of 514.40 feet to the **POINT OF BEGINNING**.

Containing 8.20 +/- acres

EXHIBIT “3”
CONCEPTUAL MASTER PLAN

EXHIBIT “4”

CONCEPTUAL LANDSCAPE PLAN

EXHIBIT “5”

EMERGENCY ACCESS EASEMENT

EXHIBIT “6”

SIGN EASEMENT

An easement lying in Section 8, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

COMMENCE a the Southwest corner of said Section 8, thence proceed North 01°13'43" West, along the West line of Section 8, a distance of 2542.14 Feet to the intersection of the Westerly one-quarter (1/4) corner of Section 8 and the Centerline of Section 8; thence North 89°09'25" East along said Centerline a distance of 2704.29 feet to the center of Section 8, thence North 02°26'27" West along the Centerline of Section 8, a distance of 38.28 feet to the intersection of the Centerline of Section 8 with the Northerly Right-of-Way line of State Road 100; thence North 89°09'05" East along said North Right-of-Way line a distance of 25.01 feet; thence leaving said North Right-of-Way line North 02°26'27" West, a distance of 20.00 feet to a Point on the North line of a 20.00 foot wide F.D.O.T acquisition (said acquisition being 20.00 feet northerly of and parallel to the North Right-of-Way line of State Road 100) and to the **POINT OF BEGINNING**; thence North 02°26'27" West, along the East line of a 50.00 foot wide road easement a distance of 36.01 feet; thence North 89°50'55" East, a distance of 36.00 feet to said North line of F.D.O.T. acquisition; thence South 89°09'05" West, along said North line a distance of 28.00 feet to the **POINT OF BEGINNING**.

Containing 1026.00 square feet (0.02 acres) more or less.

EXHIBIT “7”

CONCEPTUAL ELEVATION



**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
June 14, 2019**

OVERVIEW

Case Number: 3964 (Tuscan Reserve MPD Amendment)
Applicant: Michael D. Chiumento, III esq.
Property Owner: Tuscan Reserve, LLC
Property Description: 8.2+/- acres located at 402 Tuscan Reserve Drive
Real Estate ID #: 08-12-31-5830-00000-0000
Current FLUM designation: Mixed Use
Current Zoning designation: Master Planned Development
Current Use: Generally vacant with two 2-story buildings and recreational area.
Requested Action: Amendment to the Master Planned Development (MPD) Agreement to entitle an additional 8 multi-family units (new total of 123 multi-family units), amend parking, landscaping, and buffer requirements to be subject to the standards in the LDC, and add language regarding signage.
Recommendation: Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council APPROVE the proposed amendment to the Tuscan Reserve Development Agreement.

ANALYSIS

REQUESTED ACTION

The proposed action is to amend and restate the Master Plan Development (MPD) Agreement for Tuscan Reserve. The following is a summary of the proposed amendments to the MPD:

1. Increase the maximum number of units from 115 condominium units to 123 multi-family units.
2. Amend the parking, landscaping, and buffer standards to be consistent with the regulations contained within the LDC, and add language regarding signage.

BACKGROUND/SITE HISTORY

The application is for an 8.2+/- acre parcel known as Tuscan Reserve MPD. Tuscan Reserve MPD was once part of the Madison Green MPD which was approved in 2005. In 2014, the Tuscan Reserve MPD was created by splitting the subject parcel from the Madison Green MPD. The approved MPD Agreement in 2014, permitted up to 115 condominium units along with Development Standards that were developed specifically for the development.

LAND USE AND ZONING INFORMATION

Surrounding Future Land Use Map Designation:

North: DRI
 South: Mixed Use
 East: Mixed Use
 West: DRI

Surrounding Zoning Designation:

North: Master Planned Development
 South: Public/Semi-public & General Commercial
 East: Master Planned Development
 West: Master Planned Development

Surrounding Property Existing Uses:

North: Residential Multi-family
 South: Office building & Church
 East: Residential Multi-family
 West: Residential Multi-family

Consistency of Proposed Zoning Designation with Surrounding Properties

The application does not propose to change the approved uses on the subject site. The amendments will mainly bring the development standards to be consistent with the LDC.

The proposed amendment will have minimal impact on the surrounding properties.

COMPARISON OF SITE DEVELOPMENT REQUIREMENTS:

The following section provides a summary comparison of site development standards between the existing zoning and proposed zoning.

Development Feature	Current	Proposed
# of Units	115 (16 constructed)	123
Max. Height	40'	45'
Open Space Area	195,318 (54.71%)	198,220 (55.53%)
# of Buildings	9 (including 2 existing)	8 (including 2 existing)
Recreation Area	Existing Clubhouse with Amenity Center (Pool and Spa)	In addition to existing amenities, addition of Playground (tot lot) and Dog Park

Setback Table

Setback	Current	Proposed
Front Yard (S)	105'	105'
Rear Yard (N)	92'	97'
Side Yard (E)	50'	51'
Side Yard (W)	90'	100'

Other Development Standards

The proposed MPD Development Agreement will require the development to meet the development standards established in the Land Development Code for parking, landscaping, and buffers.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05 AND SECTION 2.06.03

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

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

Staff Finding: The proposed amendments to the MPD-DA is not in conflict with, or contrary to, the public interest. The proposed changes will use the development standards in the LDC for the development. Additionally, the 8 additional units will not have a significant impact on the public facilities capacity.

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

Staff Finding: The Tuscan Reserve MPD was found to be consistent with the Comprehensive Plan. The proposed amendments to the MPD-DA will continue the project's development consistent with the Comprehensive Plan and Land Development Code.

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

Staff Findings: No significant financial liability or hardship is expected from the proposed amendments.

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 amendment to the MPD-DA will not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants.

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

Staff Finding: The rezoning request would not affect any requirements imposed by Federal, State or local government. Moving forward, Tuscan Reserve will still need to apply for all applicable development orders and permits.

ULDC Chapter 2, Part II, Section 2.06.03 specifically 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 proposed rezoning is generally in conformance with the Comprehensive Plan.

B. Its impact upon the environment and natural resources;

Staff Finding: The proposed MPD-DA amendment will not increase the development area of the subject property. Therefore, there will be no additional impact on the environment and natural resources as a result of the rezoning.

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

Staff Finding: The proposed MPD-DA amendment does not negatively impact the economy of the surrounding area.

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 MPD-DA will entitle an additional 8 multi-family units. The additional impacts will not significantly impact the existing service and per the traffic report will have a “de minimus” impact on the roadway network.

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

Staff Finding: There are no changes to the circumstances or conditions affecting the area.

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

Staff Finding: The proposed amendment to the MPD-DA will not create an incompatibility with uses and development patterns in the proximate area. Therefore, the amendment will not cause a potential threat to the health, safety, and welfare of the surrounding residents. The area to the south of the subject property has some existing drainage issues. At the time of subdivision platting/construction plans the developer will ensure that off-site properties and off-site drainage facilities will not be negatively affected by the on-site project improvements, to the satisfaction of the City stormwater engineer.

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

Staff Finding: The proposed amendment to the Tuscan Reserve MPD accomplishes a legitimate public purpose by deeming the LDC as the required development standards for the development.

2.09.04. Review findings. 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 previously stated, 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: The proposed amendment will establish the LDC regulations as the standards for development of the Tuscan Reserve MPD.

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

Staff Finding: The application is consistent with the intent of the LDC. The development is consistent with the character and density/intensity of the areas to the north, west, and east.

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

Staff Finding: See previous finding.

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: As previously stated, the proposed MPD-DA will entitle an additional 8 multi-family units. The additional impacts will not significantly impact the existing service and per the traffic report have a “de minimus” impact on the roadway network.

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

Staff Finding: The MPD-DA does not propose to have development phases.

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

Staff Finding: The subject property was previously approved for 115 units. The proposed addition of 8 units will not create a significant impact on the roadway network. There is currently adequate capacity to accommodate the proposed development.

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-DA amendment will not impact the benefits provided by approving the development of Tuscan Reserve as an MPD.

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

Staff Finding: The project is within the City’s Community Redevelopment Area (CRA). The development of multi-family housing within the CRA is consistent with the objectives of the CRA.

J. Impact upon the environment or natural resources.

Staff Finding: The proposed rezoning will not increase the development area of the subject property. Therefore, there will be no additional impact on the environment and natural resources.

K. Impact on the economy of any affected area.

Staff Finding: As previously stated, the proposed rezoning of the property does not negatively impact the economy of the surrounding area.

PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers (defined as property owners or persons who are improving property within the City) to notify owners within 300' and hold a neighborhood meeting for Zoning Map Amendments.

A neighborhood meeting was held on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. Eight residents attended the neighborhood meeting to ask questions regarding the project's location, drainage plan, and price point.

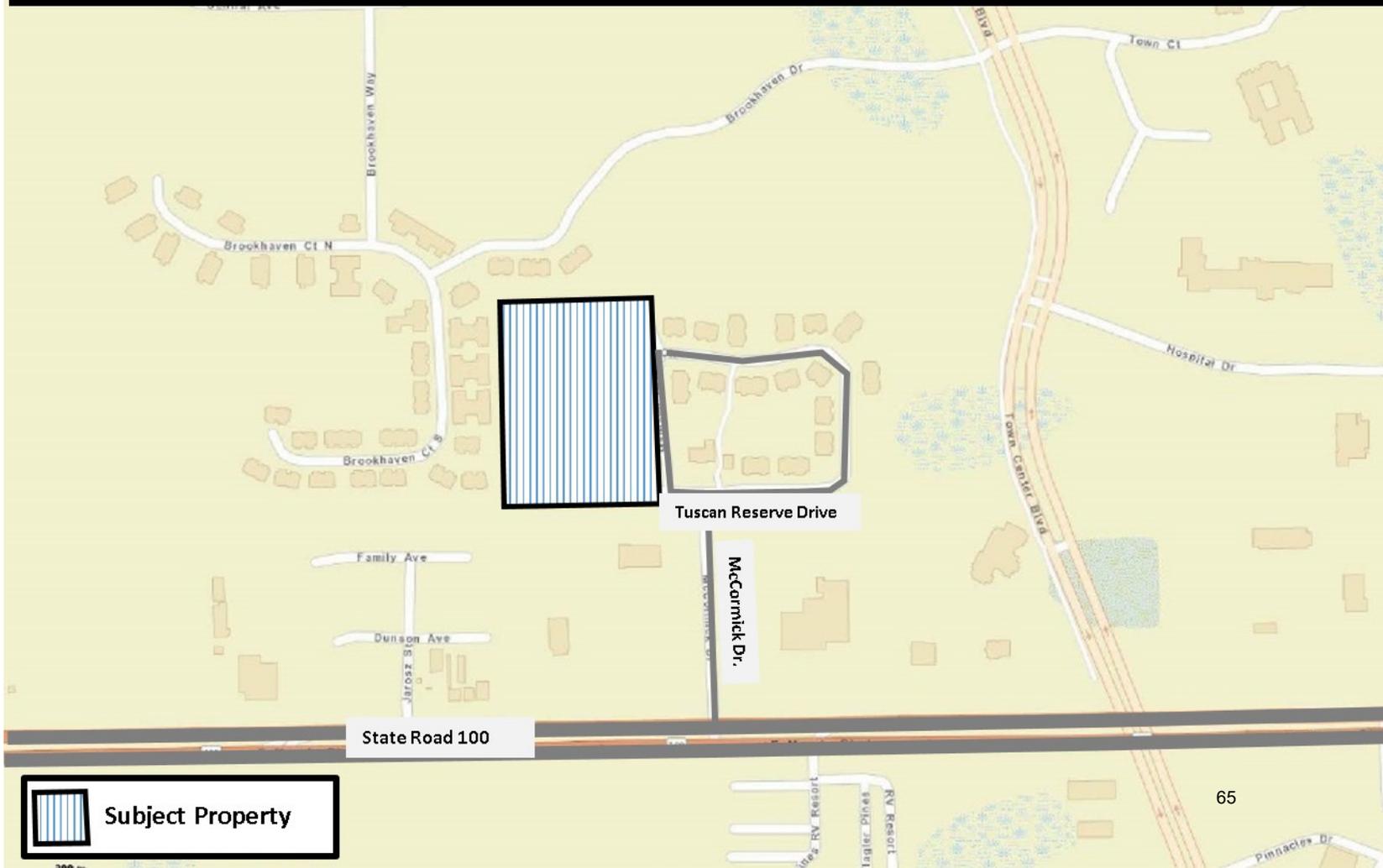
Planning and Land Development Regulation Board (PLDRB) Meeting

The PLDRB held a public hearing on June 12, 2019 to take action on the proposed amendment. There were no comments and PLDRB recommended approval of the item.

RECOMMENDATION

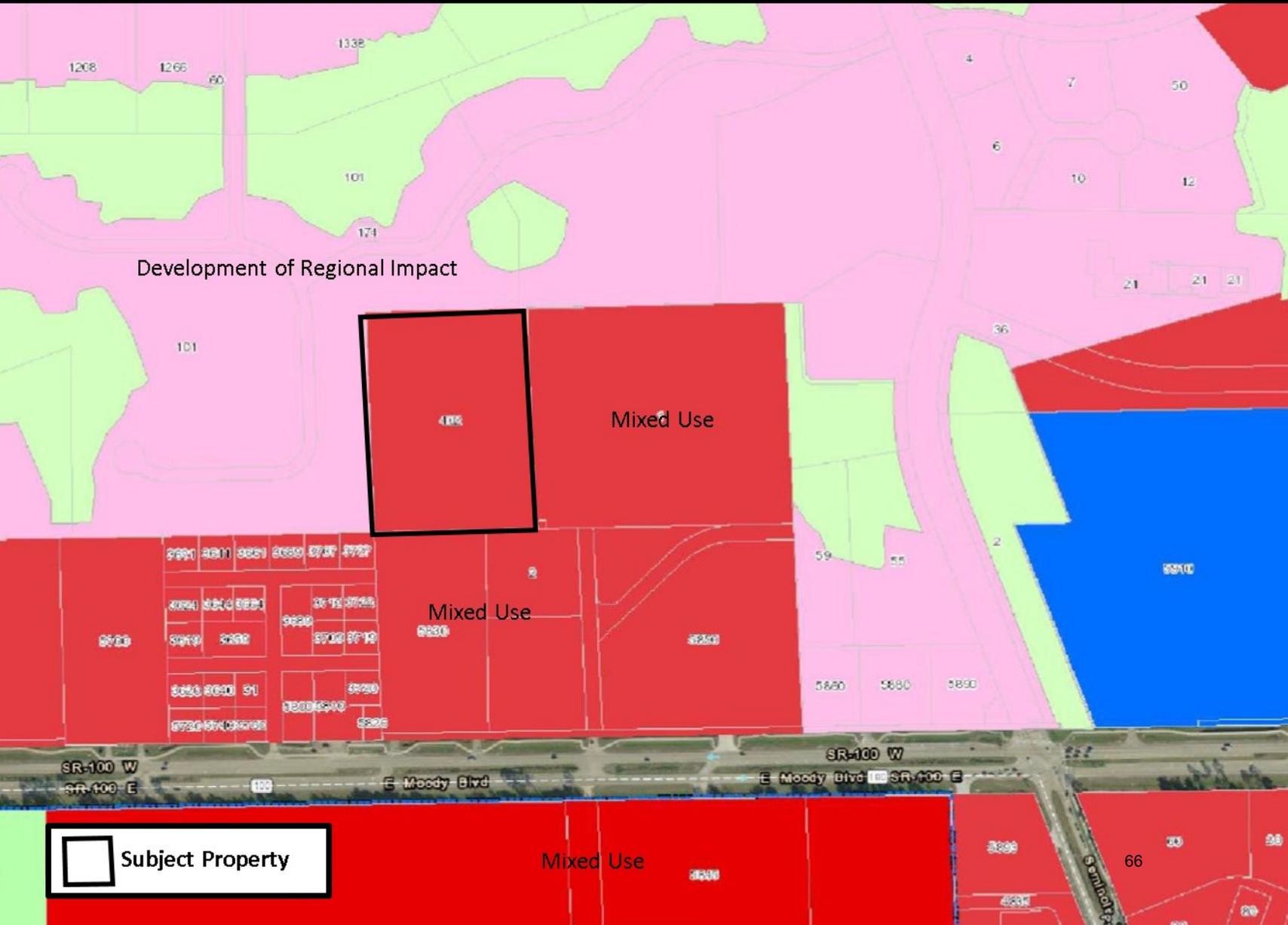
Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council APPROVE the proposed amendment to the Tuscan Reserve Development Agreement.

LOCATION MAP – TUSCAN RESERVE AMENDMENT

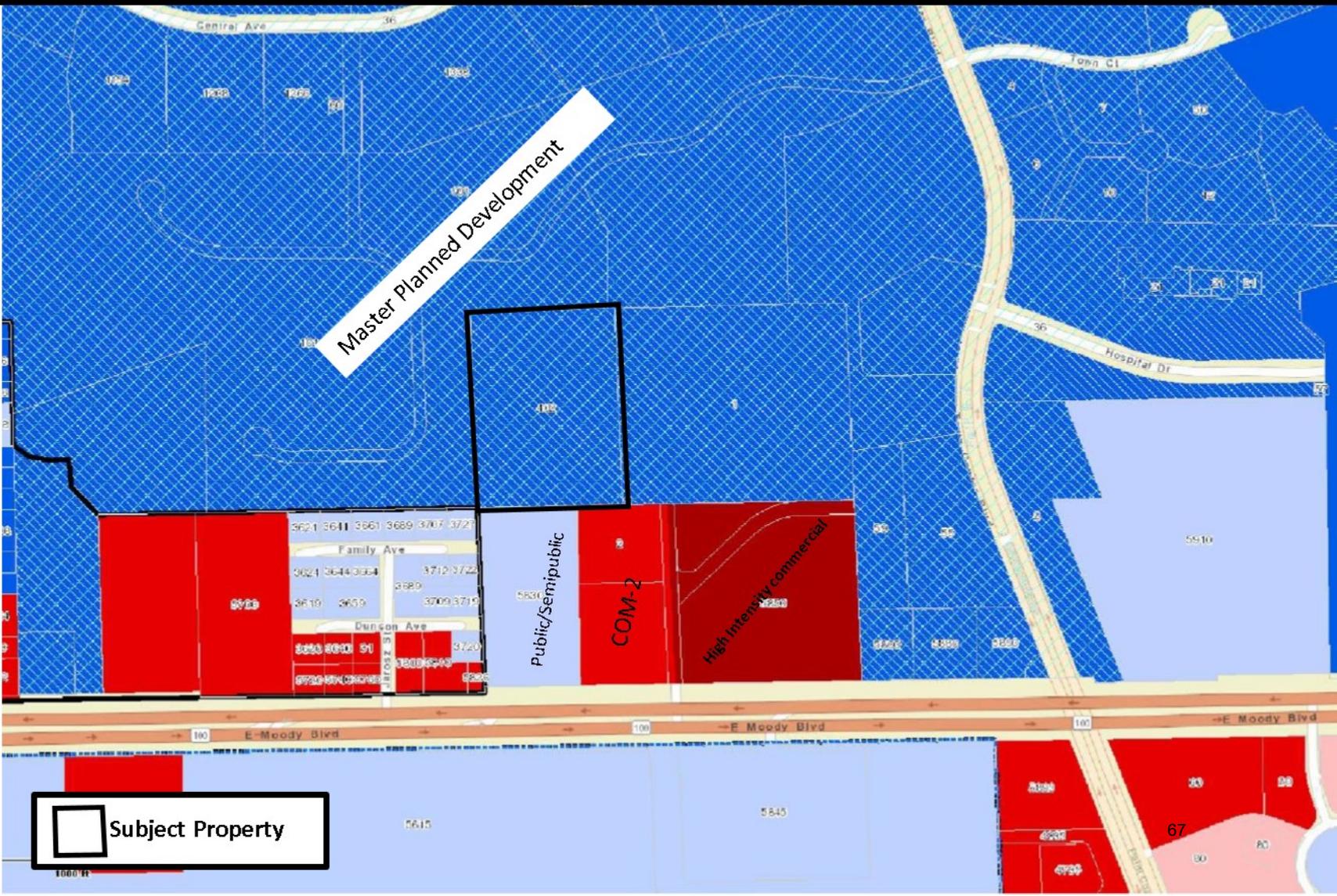


 **Subject Property**

CURRENT FLUM – TUSCAN RESERVE AMENDMENT



CURRENT ZONING – TUSCAN RESERVE AMENDMENT



Ref: 4826.01

TECHNICAL MEMORANDUM

To: Brandon Rosser
From: Matthew West, AICP
Subject: Tuscan Reserve MPD Modification – Palm Coast, FL
Date: May 2, 2019

INTRODUCTION

LTG, Inc. (LTG) has been retained by Stoneweg US, LLC to prepare a traffic analysis in support of amending the existing Master Planned Development (MPD). The modification will increase the number of Multi-Family Mid-Rise dwelling units from the currently approved number of 115 to a proposed 123. The subject property is located on Tuscan Reserve Drive north of SR 100 in the City of Palm Coast, Florida.

The methodology and procedures used in this analysis are consistent with the guidelines for the River to Sea Transportation Planning Organization’s Traffic Impact Analysis Guidelines.

TRIP GENERATION FOR THE EXISTING VS PROPOSED MPD

The trip generation for the maximum development scenarios for both the existing MPD and the proposed MPD designations were calculated using the nationally accepted trip generation software, *TripGen* (10th Edition), prepared by the Institute of Transportation Engineers (ITE).

The analysis is based on the existing zoning designation of MPD. The previously approved development program for the development includes 115 Multi-Family Mid-Rise dwelling units. As indicated in Table 1, the maximum development of the property under the existing MPD zoning is 51 gross p.m. peak-hour trips.

Next the maximum development potential of the amended MPD zoning was calculated. As proposed, the development program increases the number of dwelling units to 123. As indicated in Table 1, the proposed Future Land Use Map (FLUM) amendment potentially produces an estimated 54 gross p.m. peak-hour trips.

Table 1
Daily and P.M. Peak-Hour Trip Generation Comparison
Tuscan Reserve – Rezoning

	Designation	Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Existing Zoning	MPD	Daily	Multi-Family Housing (Mid-Rise)	221	$T = 5.45(X) - 1.75$	115	DU	50%	50%	313	313	625
		PM Peak-Hour			$T = 0.44(X)$			61%	39%	31	20	51
Proposed Zoning	MPD	Daily	Multi-Family Housing (Mid-Rise)	221	$T = 5.45(X) - 1.75$	123	DU	50%	50%	335	335	669
		PM Peak-Hour			$T = 0.44(X)$			61%	39%	33	21	54

The net change between the proposed zoning and the existing zoning designation is determined by subtracting the trips generated by the original MPD designation from the trips generated by the proposed MPD zoning. The proposed MPD zoning will potentially increase the p.m. peak-hour trips by 3 when compared to the existing MPD zoning. As indicated in Table 2, the net trip difference is less than a ten percent (10%) increase for both the number of daily trips and p.m. peak-hour trips, therefore further analysis is not required for the rezoning.

Table 2
Daily and P.M. Peak-Hour Trip Difference
Tuscan Reserve – Rezoning

Time Period	Net Trip Difference	Percent Increase
Daily	44	7.0%
PM Peak-Hour	3	5.9%

CONCLUSION

The study was conducted to evaluate the impact the proposed rezoning would have on area roadways. Based on this analysis, the net increase in potential traffic over what is currently approved will not exceed ten percent (10%). Therefore, this rezoning application is recommended for adoption. Concurrency and any required mitigation to support a proposed development plan will be assessed in greater detail during the final development permitting process.

I affirm, by affixing my signature below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name: Matthew West, AICP

Signature: 

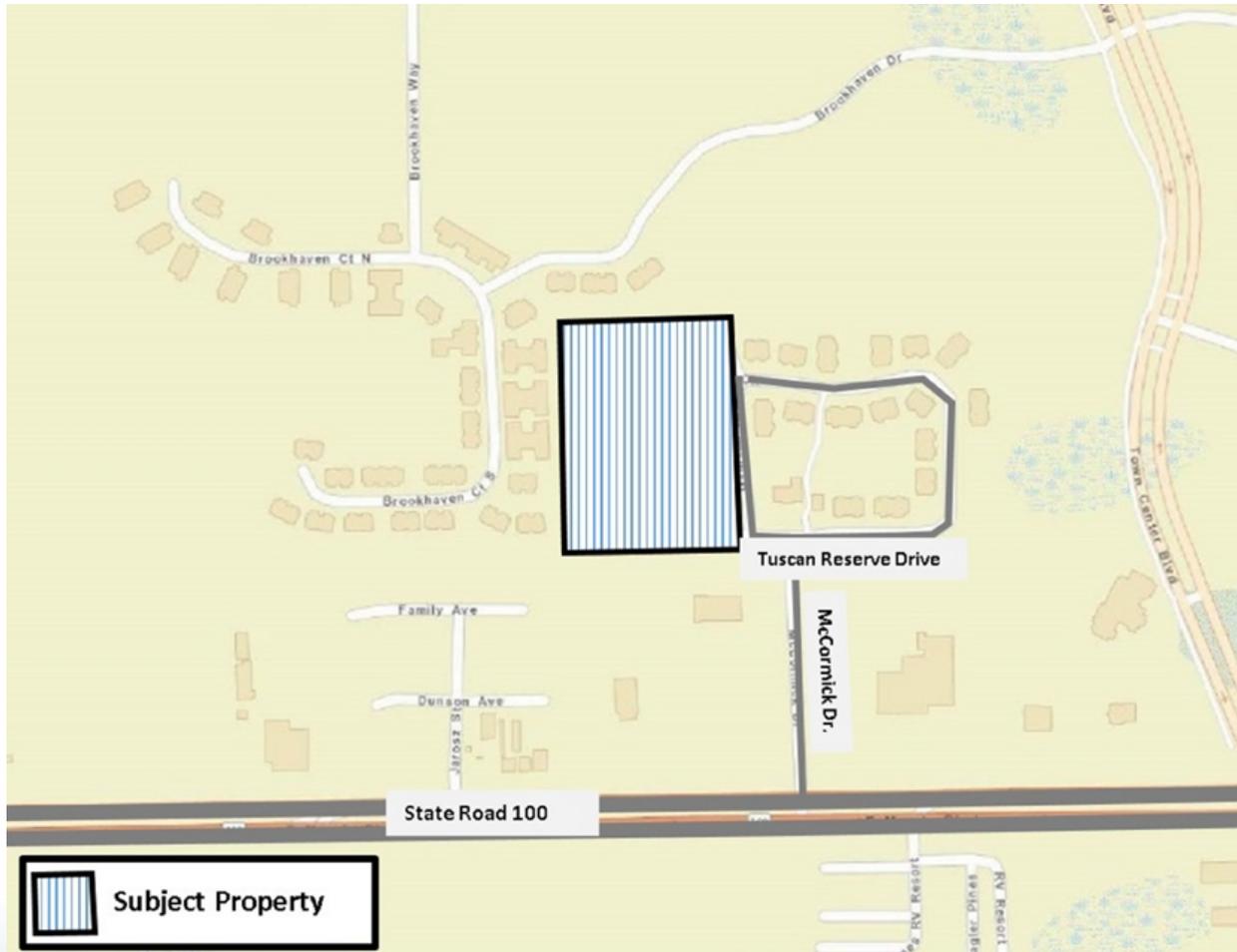
Date: May 2, 2019



Tuscan Reserve Master Planned Development (MPD)

Amendment to the Development Agreement

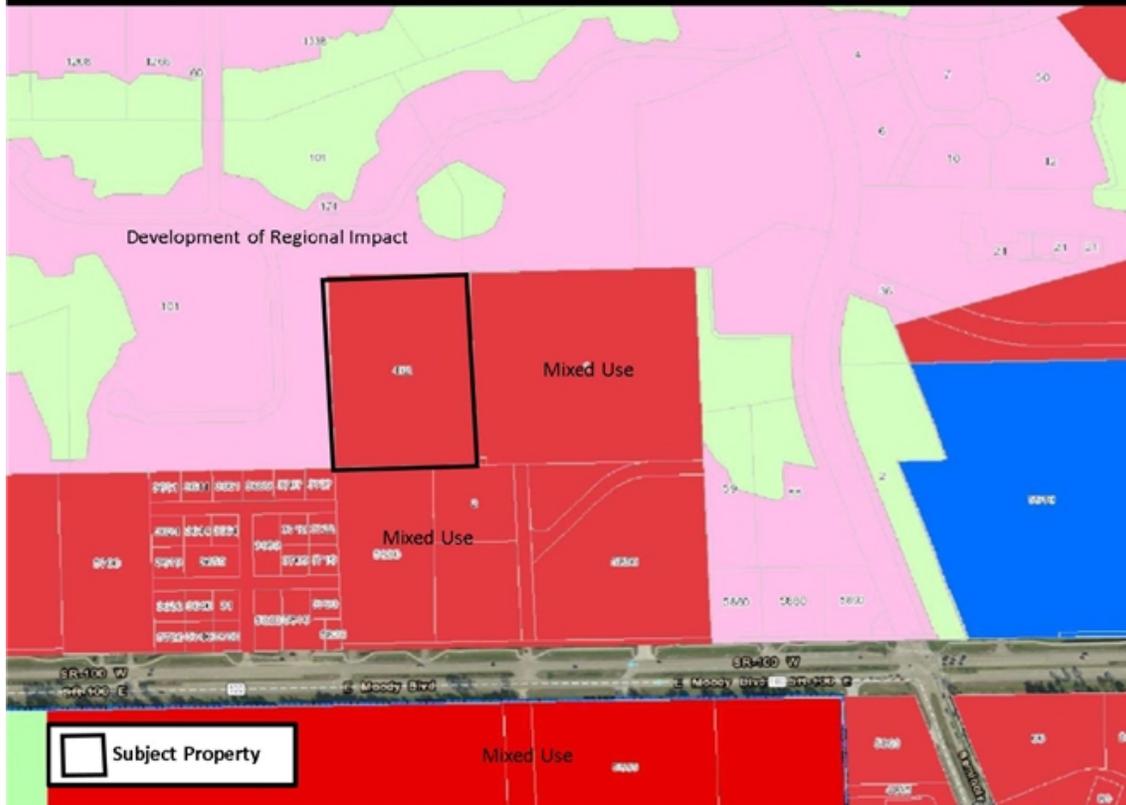
TUSCAN RESERVE MPD AMENDMENT – BACKGROUND



- 8.2+/- Acres
- Approved in 2005
- Amended in 2014
- Existing two 2-story buildings (16 units) & Amenity Center with swimming pool and spa

TUSCAN RESERVE MPD AMENDMENT – BACKGROUND

CURRENT FLUM – TUSCAN RESERVE AMENDMENT



CURRENT ZONING – TUSCAN RESERVE AMENDMENT



TUSCAN RESERVE MPD AMENDMENT – REQUEST

Development Feature	Current	Proposed
# of Units	115 (16 constructed)	123
Max. Height	40'	45'
Open Space Area	195,318 (54.71%)	198,220 (55.53%)
# of Buildings	9 (including 2 existing)	8 (including 2 existing)
Recreation Area	Existing Clubhouse with Amenity Center (Pool and Spa)	In addition to existing amenities, addition of Playground (tot lot) and Dog Park

Setback	Current	Proposed
Front Yard (S)	105'	105'
Rear Yard (N)	92'	97'
Side Yard (E)	50'	51'
Side Yard (W)	90'	100'

TUSCAN RESERVE MPD AMENDMENT – REQUEST

1. Additional 8 units to bring total to 123
2. Adopt parking, landscaping, buffer standards as written in Land Development Code
3. Clarification to install sign on existing sign easement must meet requirements in the LDC

TUSCAN RESERVE MPD AMENDMENT– ANALYSIS

- Amendment does not impact level of service
- Amendment does not create a hazard, development will be required to follow all federal, state, and local regulations
- Amendment is consistent with Comprehensive Plan and criteria in Land Development Code for amendments to MPD

TUSCAN RESERVE MPD AMENDMENT– RECOMMENDATION

Staff and the PLDRB recommend Approval of the Tuscan Reserve MPD Amendment (Application #3964)

TUSCAN RESERVE MPD AMENDMENT– Next Steps

- City Council Public Hearings
- Future Applications - Site Plan/Plat Approval



Questions?

City of Palm Coast, Florida Agenda Item

Agenda Date: 07/16/2019

Department	PLANNING	Amount	
Item Key	6722	Account	
		#	
Subject	ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 49+/- ACRES FROM FLAGLER COUNTY DESIGNATIONS OF COMMERCIAL: HIGH INTENSITY & CONSERVATION TO CITY DESIGNATIONS OF MIXED USE AND RESIDENTIAL-OCEAN VILLAGE		
Background:	<p>The application is for a 49+/- acre area which was annexed into the City in 2017 and 2018. The proposed large-scale Future Land Use Map (FLUM) amendment will designate the subject parcels as City of Palm Coast Residential (45+/- acres) and Mixed Use (4.5+/- acres).</p> <p>Currently, the subject property has a Flagler County FLUM designations of Commercial: High Intensity (46.7+/- acres) and Conservation (2.7+/- acres). The amendment will change the designations to Residential and Mixed Use, to accommodate a potential development of commercial and residential uses along State Road 100. There is a companion zoning map amendment to provide zoning designations on the parcel consistent with the proposed FLUM designations.</p> <p>The proposed amendment was reviewed for the following:</p> <ul style="list-style-type: none"> • An analysis of the proposed amendment’s impacts on public facilities and infrastructure indicates increases in the demand for public service and infrastructure. However, the increases may be accommodated without adversely affecting adopted the Level of Service. Furthermore, the impacts will be reviewed in greater detail during the site plan review process. • The environmental impacts on the subject parcel will not be significantly elevated due to the proposed FLUM amendment. The wetland areas on the subject parcel have previously been delineated and are protected through conservation easements. • The proposed FLUM designations are generally consistent with the surrounding properties and are typical for similarly situated lands. <p>Finally the proposed amendment is consistent with comprehensive plan policies regarding:</p> <ul style="list-style-type: none"> • Directing development where existing infrastructure is available, • Providing opportunities to diversify the housing stock in the City, and • Designating urban densities (1 d.u./acre) only in areas that have sufficient capacity for central sewer and water services. <p>Planning and Land Development Regulation Board Meeting The PLDRB held a public hearing on June 12, 2019 to consider the proposed amendment.</p>		

There were no comments and PLDRB recommended approval of the item.

Neighborhood Meeting

The Developer and staff attended a neighborhood meeting on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. There were no comments provided.

Recommended Action: Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend the transmittal of the Future Land Use Map Amendment to the State Land Planning Agency.

ORDINANCE NO. 2019-_____
OCEAN VILLAGE COMPREHENSIVE PLAN AMENDMENT
APPLICATION #3901

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO SECTION 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR 49+/- ACRES OF CERTAIN REAL PROPERTY FROM FLAGLER COUNTY FUTURE LAND USE MAP DESIGNATIONS OF COMMERCIAL: HIGH INTENSITY, AND CONSERVATION TO CITY OF PALM COAST DESIGNATIONS OF RESIDENTIAL AND MIXED USE, AS DESCRIBED IN MORE DETAIL IN THE LEGAL DESCRIPTION WHICH IS AN EXHIBIT TO THIS ORDINANCE; PROVIDING FOR CONFLICTS, RATIFICATION OF PRIOR ACTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

WHEREAS, Section 163.3161 et seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, the City of Palm Coast is desirous of amending the future land use designation of property located within the City from Flagler County Designations of Commercial: High Intensity, and Conservation to City of Palm Coast designation of Residential, and Mixed Use; and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB) acting as the City's Local Planning Agency, considered the proposed comprehensive plan amendment at a public hearing on June 12, 2019 and voted to recommend _____ of the proposed Comprehensive Plan Amendment; and

WHEREAS, on _____ and _____, 2019, the City of Palm Coast City Council held public hearings on this Comprehensive Plan amendment

after due public notice and upon thorough and complete consideration and deliberation, adopted the proposed Comprehensive Plan amendment; and

WHEREAS, the Comprehensive Plan amendments adopted by this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan of the City's *Comprehensive Plan*; and

WHEREAS, the City Council of the City of Palm Coast hereby reaffirms its commitment to the goal of enacting and implementing sound growth management practices within the City; and

WHEREAS, the City Council of the City of Palm Coast finds that this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Palm Coast.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

(a). The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

(b). The City Council of the City of Palm Coast hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum and packet relating to the application relating to the proposed amendment to the *City of Palm Coast Comprehensive Plan* relating to the subject property. The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

(c). The City of Palm Coast has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(d). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Palm Coast*.

SECTION 2. FUTURE LAND USE MAP AMENDED.

The 49+/- acres subject area, generally located ¼ mile west of Colbert Lane on the northside of State Road 100, as depicted and legally described in "Exhibit A", attached hereto, is hereby amended from Flagler County Designations of Commercial: High Intensity, and Conservation to City of Palm Coast designation of Residential, and Mixed Use, as depicted in "Exhibit B".

SECTION 3. CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.

Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Palm Cost Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 6. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

APPROVED on first reading after due public notice and hearing the ____ day of _____, 2019.

ADOPTED on second reading after due public notice and hearing the ____ day of _____, 2019.

ATTEST:

CITY OF PALM COAST, FLORIDA

Virginia Smith, City Clerk

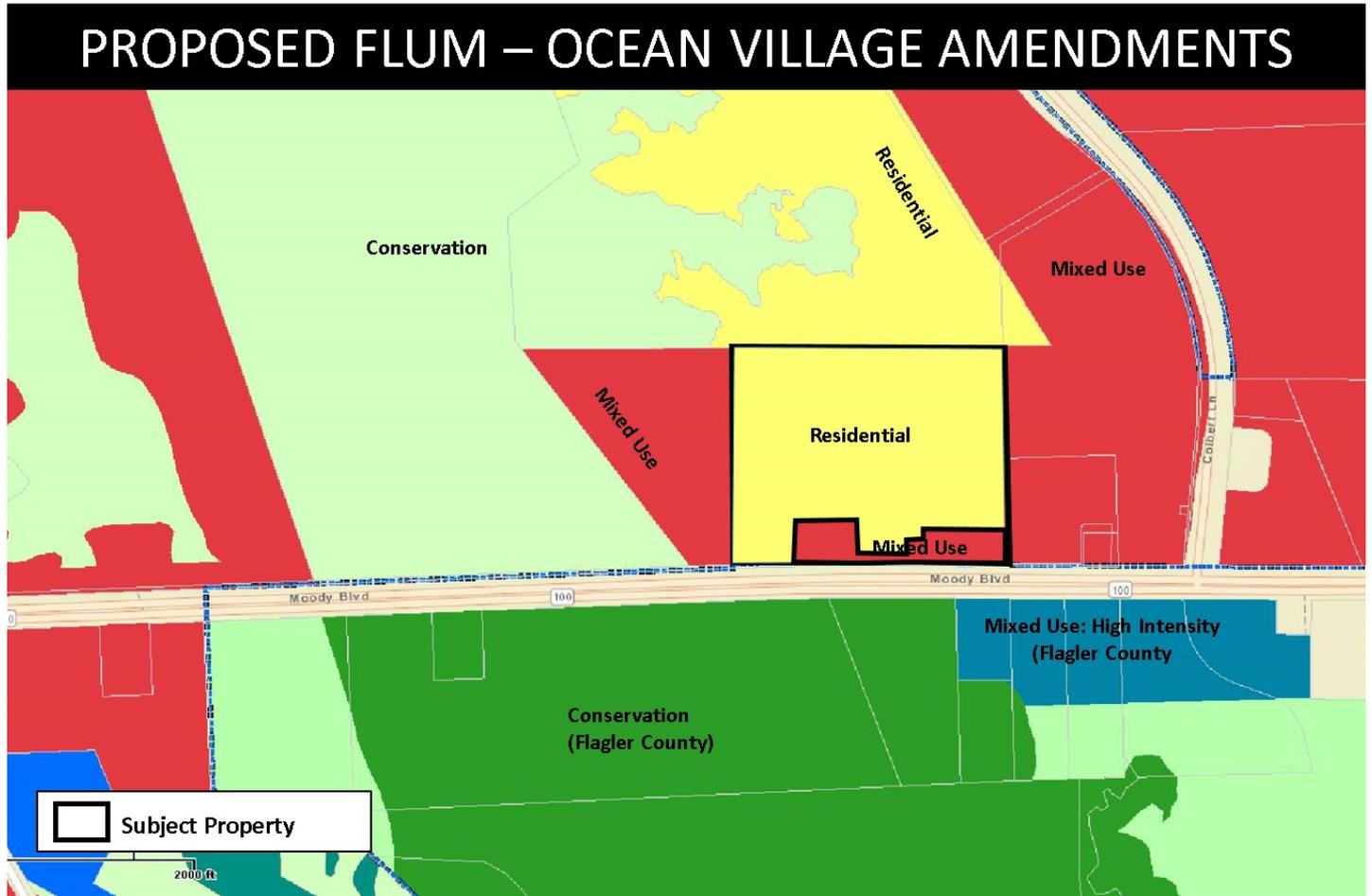
Milissa Holland, Mayor

EXHIBIT A
LEGAL DESCRIPTION

A parcel of land lying North of State Road 100 (200' R/W) within Government Sections 10 and 39, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as Follows:

A POINT OF REFERENCE being the northeast corner of said Government Section 10, Township 12 South, Range 31 East, thence South 01°23'05" East along the East Line of Section 10 a distance of 1280.24 feet to the POINT OF BEGINNING of this description, thence continue South 01°23'05" East a distance of 1328.00 feet, thence North 89°29'02" West a distance of 553.54 feet to a point of curvature, thence 1087.28 feet along the arc of a curve to the left (concave Southerly) having a central angle of 02°42'13", a radius of 23042.76 feet, a chord Bearing of South 89°09'51" West and a chord distance of 1087.18 feet to a point of tangency, thence North 01°23'05" West a distance of 1328.00 feet, thence North 89°37'15" East a distance of 1640.61 feet to the POINT OF BEGINNING.

EXHIBIT B
Proposed Future Land Use Map Designation





**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
June 21, 2019**

OVERVIEW

Case Number:	3901
Applicant:	BIA Development, LLC
Size of subject property:	49+/- acres
Property Description/Location:	An approximate 49 acre area located ¼ mile west of Colbert Lane on the northside of State Road 100
Real Estate ID #:	39-12-31-0000-01010-0090 & 10-12-31-0000-00010-0030
Current FLUM Designation:	Commercial High Intensity (46.7+/- acres), Conservation (2.7+/- acres) – Flagler County designations (includes a Comprehensive Plan Policy to limit development to 280,000 sq. ft. of commercial building area)
Current Zoning Designation:	Commercial-2 and Agriculture (Flagler County designations)
Current Use:	Vacant
Requested Action:	Large-scale Future Land Use Map (FLUM) amendment for an approximately 49-acre parcel from current Flagler County designations to City of Palm Coast designations of Residential (45+/- acres) and Mixed Use (4.5+/- acres). There is a companion zoning map amendment that will designate the properties with City of Palm Coast designation zoning designations of Multi-family Residential-2 (MFR-2) and General Commercial (COM-2).
Recommendation:	Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council approve Transmittal of the FLUM amendment to the State Land Planning Agency.

ANALYSIS

BACKGROUND

The application is for a 49+/- acre area which was annexed into the City in 2017 and 2018. The proposed large-scale Future Land Use Map (FLUM) amendment will designate the subject parcels as City of Palm Coast Residential (45+/- acres) and Mixed Use (4.5+/- acres).

There is a companion zoning amendment to designate the parcels with City of Palm Coast designations of Multi-family Residential-2 (MFR-2) and General Commercial (COM-2).

Planning and Land Development Regulation Board (PLDRB) Meeting

The PLDRB held a public hearing on June 12, 2019 to take action on the proposed amendment. There were no comments and PLDRB recommended approval of the item.

Neighborhood Meeting

A neighborhood meeting was held on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. There were no comments received.

DENSITY/INTENSITY AND POPULATION

Note: The analysis for comprehensive plan map amendments take into consideration the maximum development potential including any policy limiting development under the current and proposed land use category and represent the theoretical maximum development potential within the land use category. The analysis includes recognition that the subject parcel under its current designation is limited by policy to 280,000 sq. ft. of commercial uses.

The 49+/- acre subject area currently has Flagler County FLUM designations of Commercial High Intensity and Conservation. The proposed amendment will designate the area as City of Palm Coast Mixed Use and Residential.

As shown in Table 1, the proposed amendment will have a potential net increase of 610 dwelling units if completely developed for residential uses. As shown in Table 2, the proposed amendment will have a potential net increase of 418,746 sq. ft. if the parcels are completely developed for non-residential uses.

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)					
		# of Acres	Maximum Density	Maximum # of units ⁽¹⁾	Population (2.4 persons/dwelling unit)
Proposed FLUM: City of Palm Coast Designation	Residential	45.2	12 units/acre	543	1,302
	Mixed Use	4.5	15 units/acre	68	162
Current FLUM: Flagler County Designation	Commercial: High Intensity	47.0	0 unit/acre	0	0
	Conservation	2.7	0 unit/acre	0	0
NET CHANGE				610	1,464
<i>Footnotes:</i>					
⁽¹⁾ Max. # of units = # of Acres X Maximum Density					

TABLE 2 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (NON-RESIDENTIAL USE)				
		# of Acres	Maximum FAR ⁽¹⁾	Maximum Sq. Ft. ^{(1), (2)}
Proposed FLUM: City of Palm Coast Designation	Residential	45.2	0.30	590935
	Mixed Use	4.5	0.55	107811
Current FLUM: Flagler County Designation	Commercial: High Intensity	47.0	0.45	280000
	Conservation	2.7	0.00	0
NET CHANGE				418746
<i>Footnotes:</i>				
<i>(1) Max Sq. Ft. = # of Acres X Max. FAR X 43560 sq.ft/acre</i>				
<i>(2) Subject parcel is part of larger parcel that is subject to policy that limits commercial development to 280,000 sq. ft. Analysis pro-rates development potential based on acreage of subject parcel.</i>				

PUBLIC FACILITIES AVAILABILITY/IMPACT ANALYSIS (BASED ON THEORETICAL YIELD OF MAXIMUM DEVELOPMENT POTENTIAL)

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:

- A. Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City or the County 5-year Capital Improvement Program shall be considered.*
- B. Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials: (Palm Coast Pkwy and Old Kings Rd.; Palm Coast Pkwy. and Belle Terre Pkwy.; Palm Coast Pkwy. and U.S.1; Matanzas Woods Pkwy. and US-1; Belle Terre Pkwy. and SR 100; SR 100 and I-95; and SR 100 and Old Kings Rd.)*
- C. Existing and future availability and capacity of central utility systems.*
- D. Availability and capacity of receiving watercourses and drainage systems to convey design storm events.*

PUBLIC FACILITIES CAPACITY/IMPACT ANALYSIS

An analysis of the net impacts on public facilities is conducted with every FLUM amendment. The analysis looks at the maximum development potential under the current and proposed FLUM designations. The analysis provided in this section is a capacity analysis. At the time of site plan review or during the platting process, a more in-depth analysis of the public infrastructure needed to serve the proposed project is conducted. The analysis provided will assume that the proposed Residential areas will be developed for residential and that the Mixed Use area will be developed for commercial uses.

The results of the net impact analysis are shown on Table 3, and are summarized below:

Transportation

The proposed FLUM amendment will have a maximum potential net increase of 101 PM peak hour trips. State Road 100 from John Anderson Highway to I-95 currently operate at a Level of Service of "C". The net increase in trips will not impact the LOS for State Road 100. It should be noted that as part of the site plan review process, a traffic impact study which includes all proposed development on the subject parcel, will be completed and this analysis will include recommendations for operational improvements (traffic signals, turn lanes, etc.).

Potable Water

The proposed FLUM amendment will have a maximum potential net increase in demand for potable water of .13 MGD. Water Treatment Plants #1, 2, & 3 have a combined treatment capacity of 16.58 MGD and a current treatment demand of 11.49 MGD (based on Comprehensive Plan LOS standards). The potential net impact may be accommodated by the existing water treatment plant capacity. During the site plan review process, additional analysis will be conducted to ensure the adequacy of water lines and treatment capacity to serve a proposed development.

Wastewater

The proposed FLUM amendment will have a maximum potential net increase in demand for sanitary sewer treatment of .089 MGD. Wastewater Treatment Plants #1 and 2 currently have a treatment capacity of 8.83 MGD and a current treatment demand of 8.08 MGD (based on Comprehensive Plan LOS standards). The potential net impact may be accommodated by the existing wastewater treatment plant capacity. During the site plan review process, additional analysis will be conducted to ensure the adequacy of water lines and treatment capacity to serve a proposed development.

Solid Waste

The proposed FLUM amendment will have a maximum potential net increase of 11,213 lbs. of solid waste/day based on a comparison of residential development potential. The City currently has an agreement with Volusia County to accept solid waste until 2026.

Public Recreation and Open Space

The proposed FLUM amendment will have a maximum potential net decrease in demand of 10.4 acres of park facilities. The City currently owns 955+/- acres of park lands, (580+/- acres for active, 375+/- acres for passive uses). Should the property be proposed for residential development an analysis of the project's impact on recreational facilities will be conducted during the site plan or plat review process. Additionally, the City's Land Development Code requires multi-family projects to develop recreational space/amenities for their residents.

Public Schools

The proposed FLUM amendment will have a potential net increase in demand for 133 student stations. School concurrency will be reviewed during the plat/site plan review process to ensure adequate capacity for the potential new students.

Stormwater

Stormwater systems are reviewed for consistency with LOS during site plan review.

Table 3 Public Facilities Impact Analysis

Density ⁽¹⁾	# of units or sq. ft.	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation 49.7 acres								
Residential (45.22 acres) 12 units/acre	543	548	162,792	106,792	11,213	10.4	133	N/A
Mixed Use (4.5 acres) Max FAR .55	109008.9	432	18,531.5	10,900.9	0.0	0.0	0	N/A
(minus) 34% pass-by trips for shopping center		147						
Total		833	181324	117692	11213	10	133	N/A
Current FLUM designation								
Commercial: High Intensity (47.0 ac.)*	280000	1,109	47,600	28,000	0.0	0.0	0	N/A
(minus) 34% pass-by trips for shopping center		377						
Conservation (2.7 acres)		0	0.0	0.0	0.0	0.0	0	N/A
Total		732	47600	28000	0	0	0	
Net Change		101	133,724	89,692	11,213	10	133	N/A
			0.134	0.090				

*Per Flagler County Comprehensive Plan Policy, the subject parcel is limited to 280,000 sq. ft. of commercial development.

Footnotes:

- ⁽¹⁾ Calculation of Density: Lot Size (acre)*# of units/acre.
- ⁽¹⁾ Calculation of Intensity: Lot Size (acre)*FAR*43560.
- ⁽²⁾ Transportation: Residential PM Peak Hour Trips (PHT), Residential Development: = # of units*1.01 PM-PHT
- ⁽²⁾ Transportation: Non-residential PM Peak Hour Trips (PHT), Industrial Use = ITE Code 820: Shopping Center = 3.96/1000 sq. ft. based on equation in ITE Manual, 9th Edition (minus 34% for pass-by trips)
- ⁽³⁾ Potable Water: Residential = # of units*2.4*125 gallons/capita/day
- ⁽³⁾ Potable Water: Commercial = 17 gpd/100 sq. ft.
- ⁽⁴⁾ Wastewater: Residential = # of units*2.4*82 gallons/capita/day
- ⁽⁴⁾ Wastewater: Commercial = 10 gpd/100 sq. ft.
- ⁽⁵⁾ Solid Waste: Residential Demand = # of units*2.40*8.61 lbs/capita/day
- ⁽⁵⁾ Solid Waste: No Level of Service Requirement for Non-residential
- ⁽⁶⁾ Recreation and Parks: Residential Demand = # of units * 2.40 *8 acres/1000 persons
- ⁽⁶⁾ Recreation and Parks = No LOS Requirement for Non-residential
- ⁽⁷⁾ Public Education Residential: = Based on multiplier provided by Flagler County School District. See Table 3.
- ⁽⁷⁾ Public Education Non-Residential = No LOS Requirement for Non-residential
- ⁽⁸⁾ Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.

ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.1- At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

- A. Topography and soil conditions including the presence of hydric soils.
- B. Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.
- C. Location and extent of wetlands, certain vegetative communities, and protected wildlife species.
- D. Location and extent of other environmentally sensitive features.
- E. Proximity to wellfields and aquifer recharge areas.
- F. Impacts to potable water supply.

Analysis: The proposed comprehensive plan amendment does not cause additional environmental/cultural impacts on the subject property. The parcels were previously issued permits from St. Johns River Water Management District and the Army Corps of

Engineers which delineated and protected on-site wetlands through Conservation easements on approximately 13.7 acres.

LAND USE COMPATIBILITY ANALYSIS

Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.

- A. This policy shall not be construed to mean that different categories of uses are inherently incompatible; rather, it is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.*
- B. Buffers are encouraged as an effective means of transition between areas where there is a greater degree of disparity in terms of densities and intensities.*
- C. Impacts to the health, safety, and welfare of surrounding residents shall be considered.*

Surrounding Future Land Use Map Designation:

North: Residential

South: Mixed Use-High Intensity and Conservation (Flagler County designations)

East: Mixed Use

West: Mixed Use

Surrounding Zoning Designation:

North: Single-family Residential-1

South: Planned Unit Development (Flagler County designation)

East: High Intensity Commercial

West: High Intensity Commercial

Surrounding Property Existing Uses:

North: Vacant

South: Vacant

East: Vacant

West: Vacant

Analysis: The proposed FLUM amendment is consistent with the land use designations to the north. The parcels to the east and west are currently designated as Mixed Use with zoning designations that permit High Intensity Commercial. The subject parcel will primarily be buffered from the west by a large conservation easement. The eastern boundary of the subject parcel would be buffered as required by the land development code. Finally, the proposed Mixed Use designation abutting State Road 100 is appropriate due to its location along a major arterial roadway.

CONSISTENCY WITH COMPREHENSIVE PLAN

In addition to being consistent with Objective 1.1.3 and Policy 1.1.3.3 which establishes the criteria for review of Future Land Use Map Amendments as provided in the previous section. The proposed amendment is consistent with the following policies in the Comprehensive Plan:

Policy 1.3.1.1 - The City shall ensure that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in the LDC such as development phasing, programming, and appropriate sizing of public facilities.

Analysis: The proposed amendments are consistent with Policy 1.3.1.1, as the public facilities impacts can be accommodated by the existing infrastructure capacity. Additionally, the proposed FLUM designation does not add to the demand for services compared to the current FLUM designation. There is a water main adjacent to the site, however, sewer lines will need to be extended to the property. The extension of the sewer lines will be the responsibility of the developer/property owner.

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

Analysis: The proposed amendment is consistent with Policy 1.4.2.1. The proposed amendment to have FLUM designations that may accommodate both residential and commercial uses provides the opportunity to provide commercial services within proximity of residential areas.

Objective 3.4.1 – Diversity in Housing Opportunities

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.

Analysis: The proposed amendment is consistent with this Comprehensive Plan Objective and Policy to provide opportunities to diversify housing opportunities in the City. The proposed Residential land use designation adjacent to a major arterial (SR 100) provides an opportunity to develop an alternate product to the predominant single-family dwelling development found throughout the City.

Policy 5.1.3.2 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for potable water facilities and wastewater facilities where connection is available consistent with Policies 1.1.1.2 and 1.1.3.2. For the purposes of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The location of the proposed amendment is served by an existing water main.

Policy 5.2.2.3 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for sanitary sewer facilities and where connection is available as set forth in State law and City regulations. The City shall minimize the use of septic tanks in accordance with the provisions of Objective 5.2.3 and policies implementing that objective. For the purpose of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The site is currently not served by an existing sewer main. Owner/developer of the subject parcel will need to extend the sewer main by approximately 1,200 feet.

RECOMMENDATION

Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council approve Transmittal of the FLUM amendment to the State Land Planning Agency.



Moody Blvd

100

Moody Blvd

Preserve Ln

Colbert Ln

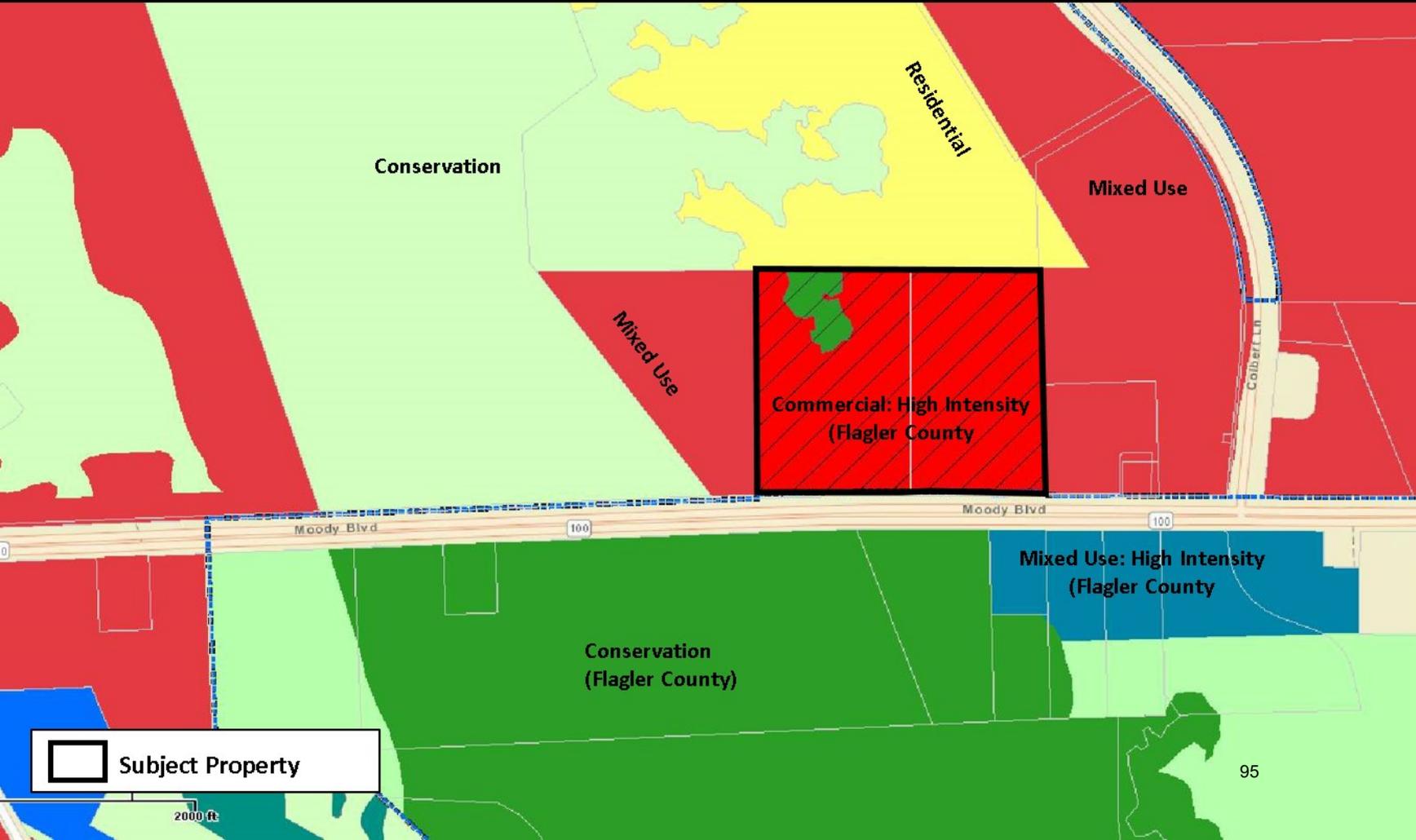
Roberts Rd

Colbert Ln

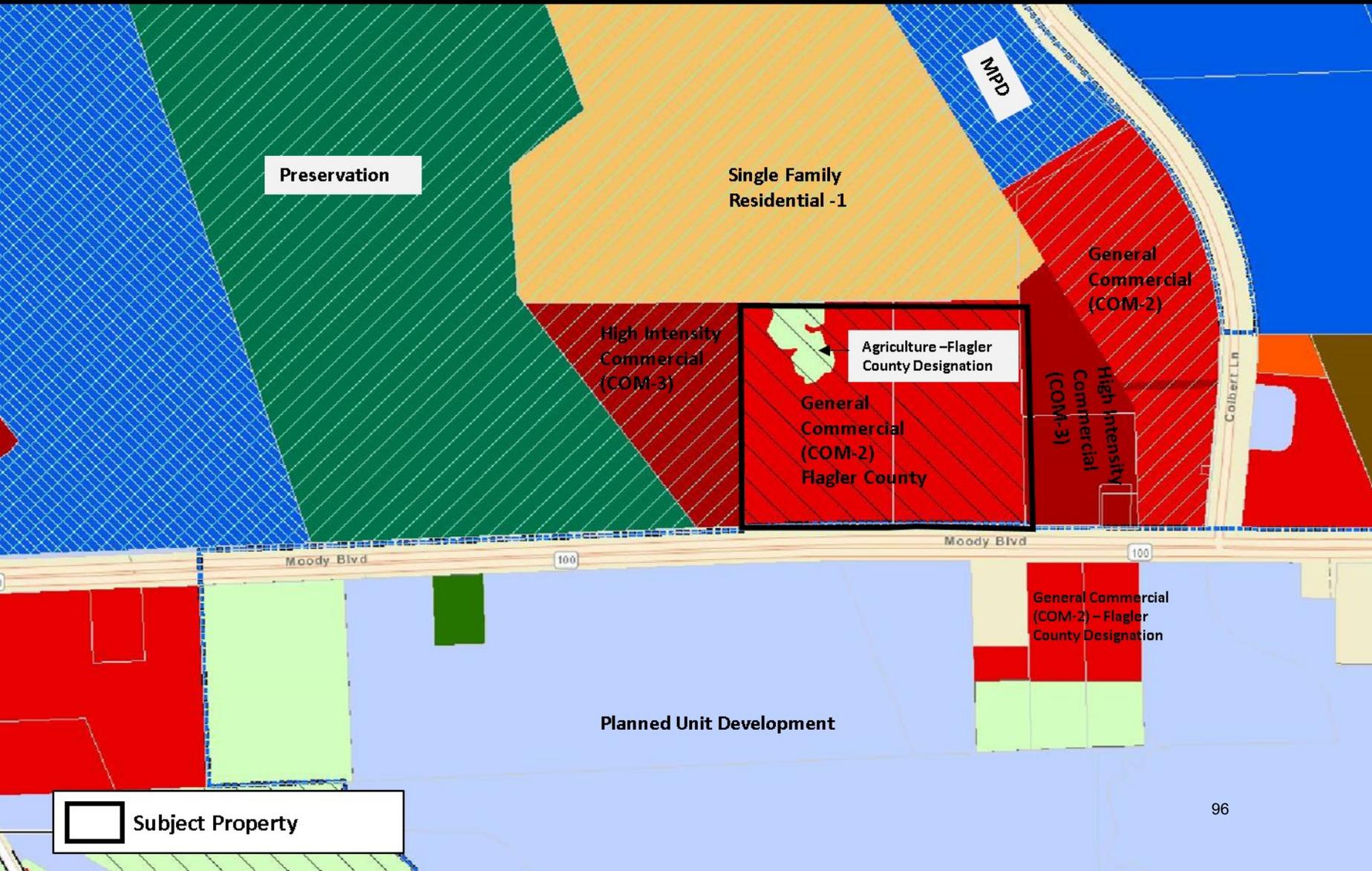
Branch
Village Dr

 Subject Property

CURRENT FLUM – OCEAN VILLAGE AMENDMENTS

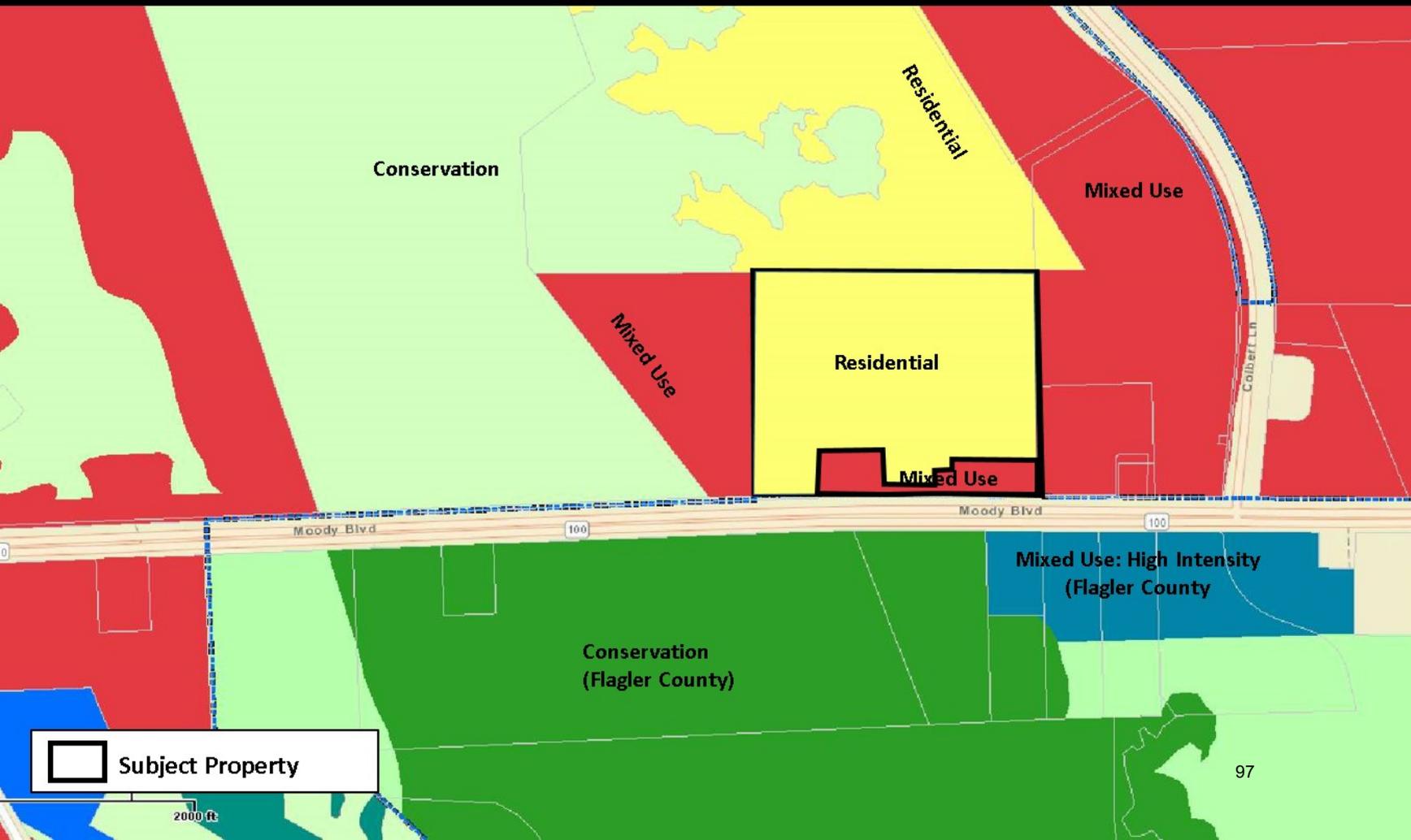


CURRENT ZONING MAP – OCEAN VILLAGE AMENDMENTS



 Subject Property

PROPOSED FLUM – OCEAN VILLAGE AMENDMENTS

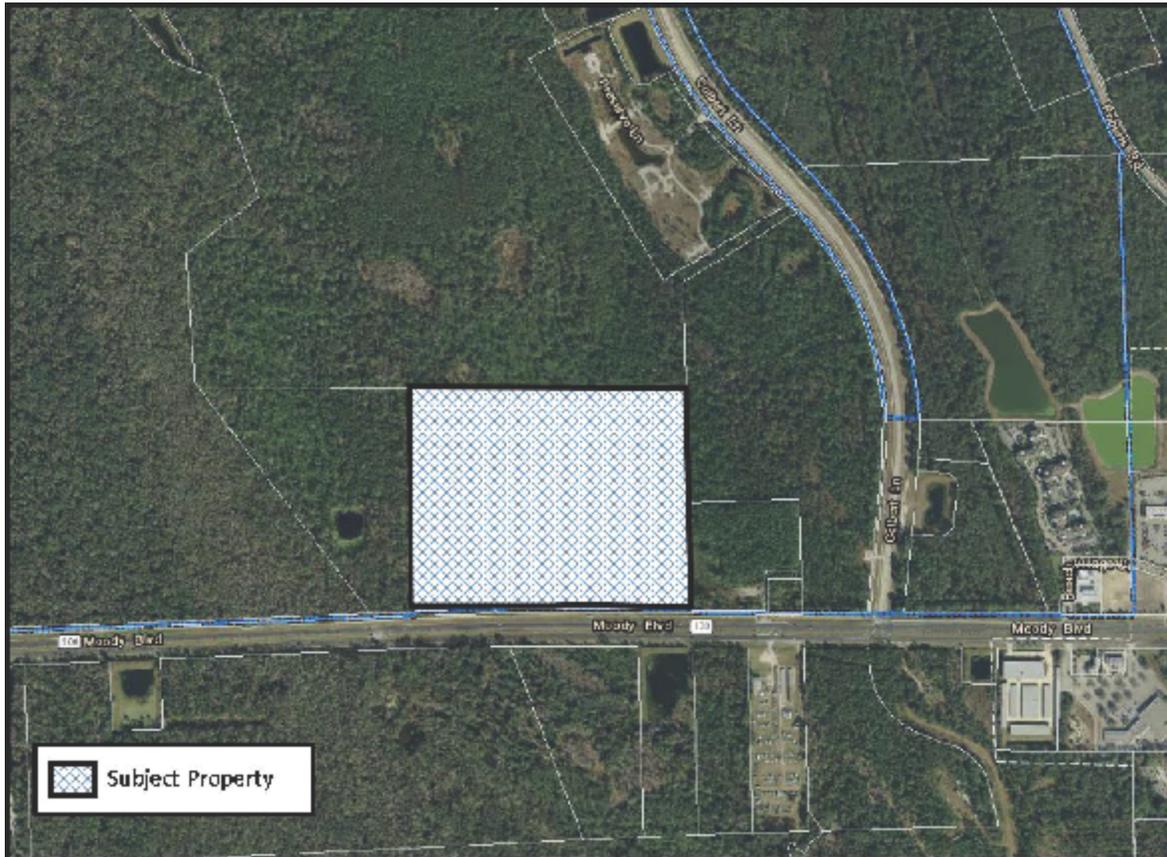




Ocean Village

Future Land Use Map & Zoning Map Amendment

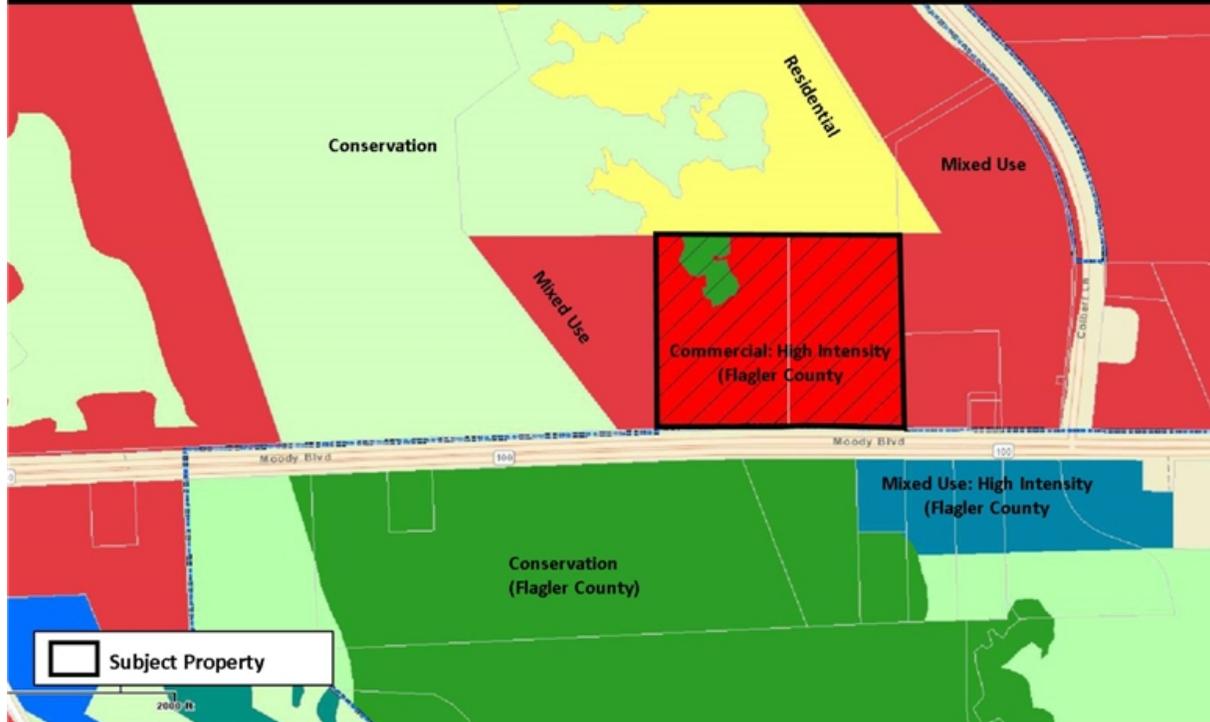
OCEAN VILLAGE— BACKGROUND



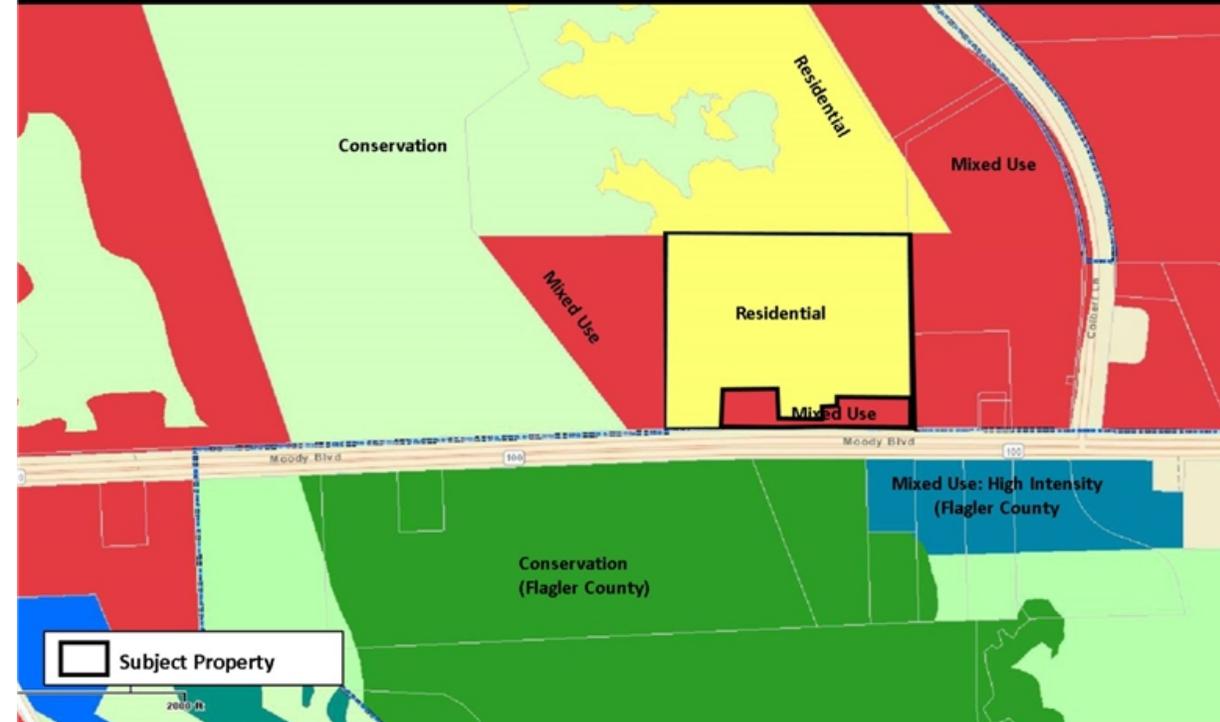
- 49+/- Acres
- Annexed in 2017 & 2018

OCEAN VILLAGE – Future Land Use Map Amendment

CURRENT FLUM – OCEAN VILLAGE AMENDMENTS

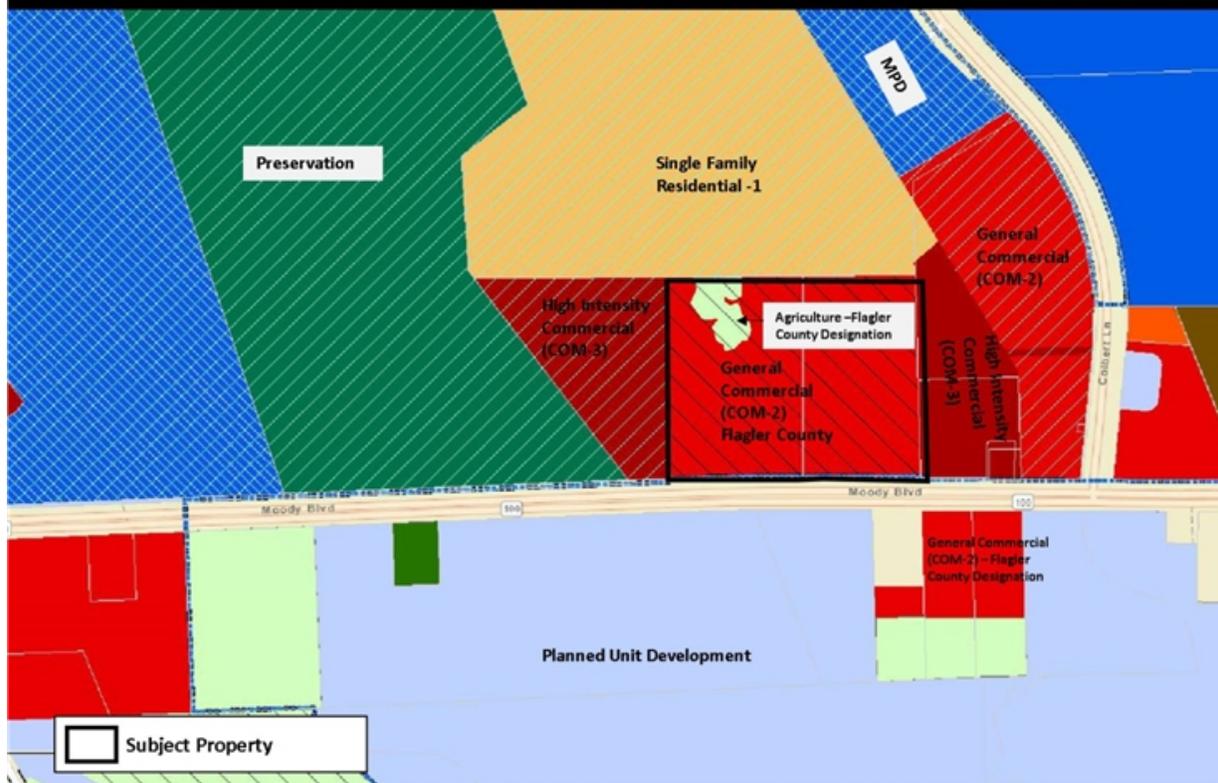


PROPOSED FLUM – OCEAN VILLAGE AMENDMENTS

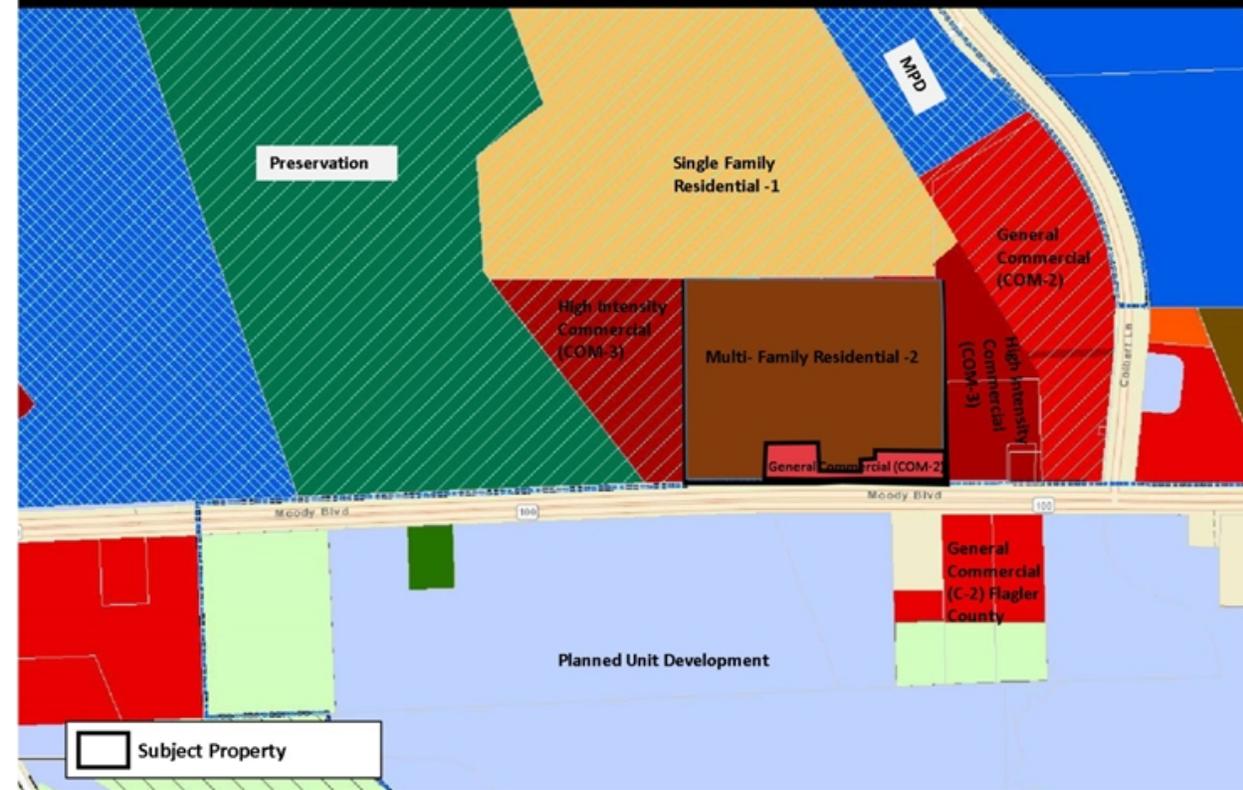


OCEAN VILLAGE– Zoning Map Amendment

CURRENT ZONING MAP – OCEAN VILLAGE AMENDMENTS



PROPOSED ZONING MAP – OCEAN VILLAGE AMENDMENTS



OCEAN VILLAGE – Future Land Use Map Amendment

Density ⁽¹⁾	# of units or sq. ft.	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation 49.7 acres								
Residential (45.22 acres) 12 units/acre	543	548	162,792	106,792	11,213	10.4	133	N/A
Mixed Use (4.5 acres) Max FAR .55	109008.9	432	18,531.5	10,900.9	0.0	0.0	0	N/A
(minus) 34% pass-by trips for shopping center		147						
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- Increase in demand on public facilities may be accommodated by existing capacity.

OCEAN VILLAGE – Future Land Use Map Amendment

- Evaluation of Environmental Factors

Wetlands have been delineated and permitted for impacts or protected through conservation easement

OCEAN VILLAGE – Future Land Use Map Amendment

Consistency with Surrounding Land Use



- Proposed land uses are generally consistent with surrounding land uses

Ocean Village– Future Land Use Map Amendment

Consistency with Comprehensive Plan Policies

- Availability of Infrastructure
- Promotes land use patterns that do not increase cost of providing utilities
- No significant impact on environmental conditions
- Location of commercial/non-residential development
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Ocean Village– Future Land Use Map Amendment

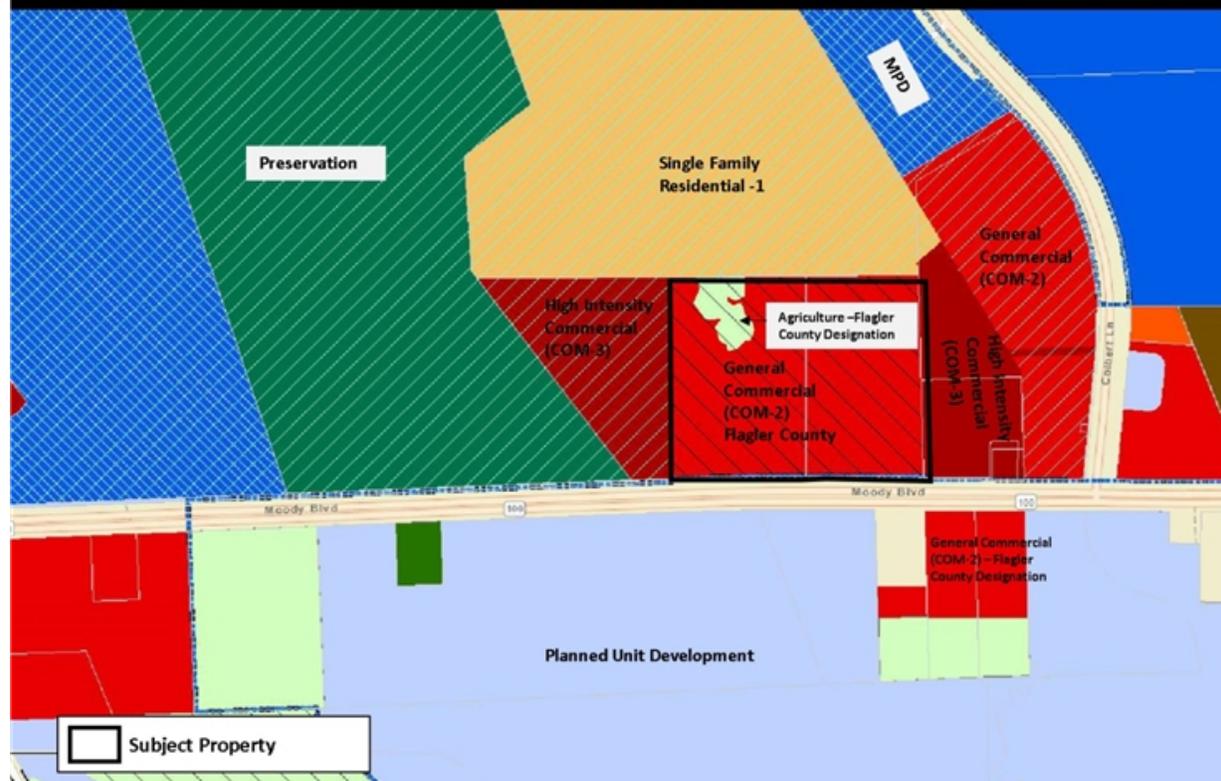
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Application # 3901



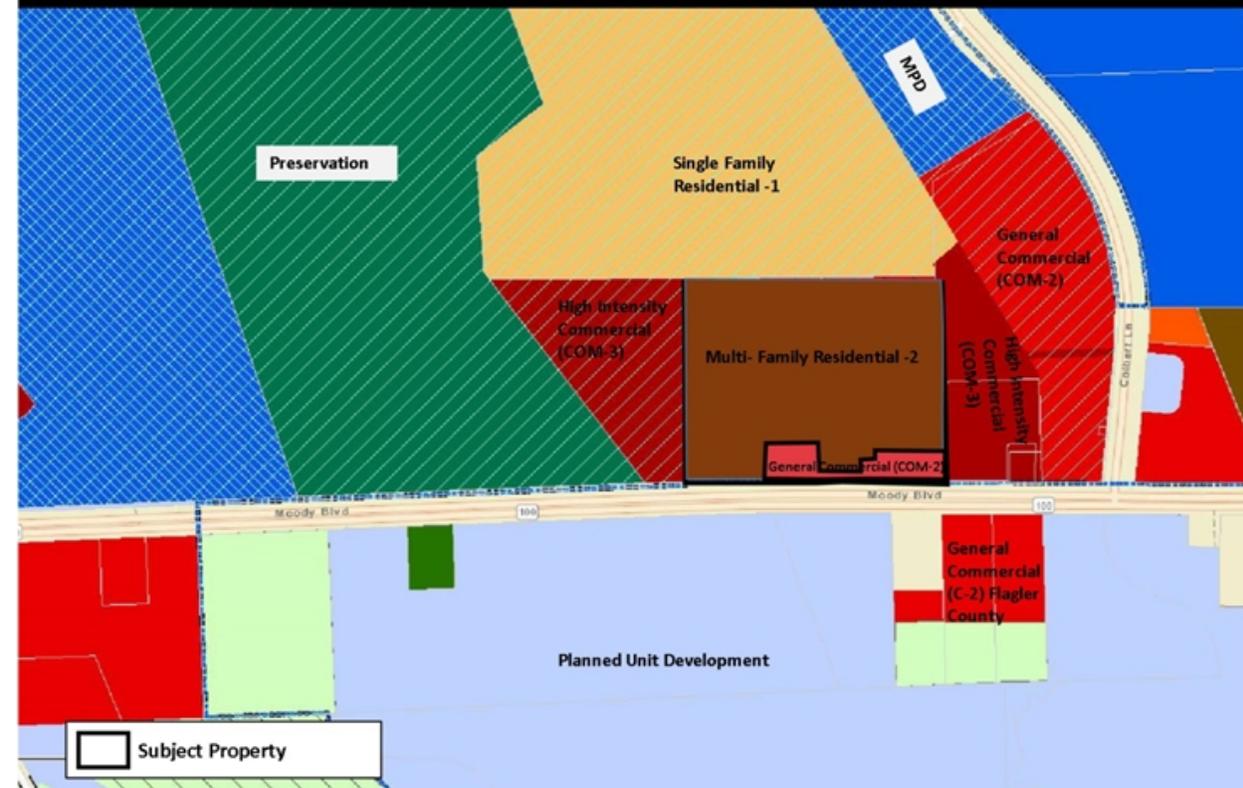
Zoning Map Amendment

OCEAN VILLAGE– Zoning Map Amendment

CURRENT ZONING MAP – OCEAN VILLAGE AMENDMENTS



PROPOSED ZONING MAP – OCEAN VILLAGE AMENDMENTS



OCEAN VILLAGE– Zoning Map Amendment

FINDINGS

- *Criteria-Change does not cause significant financial liability or hardship on City*
 - Water and wastewater lines are available within proximity of site
- *Criteria - Efficient Land Use Patterns & Location of non-residential uses*
 - Location on major arterial is appropriate for proposed uses

OCEAN VILLAGE – Zoning Map Amendment

FINDINGS

- *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*

OCEAN VILLAGE – Zoning Map Amendment

Staff and the PLDRB recommend that City Council Approve
Application # 3976

OCEAN VILLAGE – Next Steps

FLUM Amendment & Zoning Map Amendment

- Transmittal to State Agencies
- Adoption Public Hearing – City Council

Future Applications: Site Plan/Plat Approval



Questions?

City of Palm Coast, Florida Agenda Item

Agenda Date: 09/16/2019

Department	PLANNING	Amount	
Item Key	6723	Account	
		#	
Subject	ORDINANCE 2019-XX ZONING MAP AMENDMENT FOR 49+/- ACRE FROM FLAGLER COUNTY DESIGNATIONS GENERAL COMMERCIAL AND AGRICULTURE TO CITY DESIGNATIONS OF MULTI-FAMILY RESIDENTIAL-2 AND GENERAL COMMERCIAL (COM-2)-OCEAN VILLAGE		
Background:	<p>The subject property is 49 ± acres and generally located ¼ mile west of Colbert Lane on the north side of State Road 100 aka Ocean Village. The subject parcel(s) were annexed into the City in 2017 and 2018. The properties are currently have the Flagler County zoning designations of General Commercial and Agriculture. The proposed amendment will provide the properties with City zoning designations of Multi-family Residential (MFR-2) and General Commercial (COM-2).</p> <p>Staff analyzed the proposed rezoning based on the criteria in the City of Palm Coast Land Development Code. In summary, staff makes the following findings:</p> <ul style="list-style-type: none"> - the proposed rezoning is consistent with the Comprehensive Plan, - the proposed rezoning does not negatively impact the existing public facilities, and - the proposed rezoning is consistent with the surrounding land uses and is in an area appropriate for expansion of residential uses and does not cause a nuisance or threat to the general welfare and safety of the public. <p>Planning and Land Development Regulation Board Meeting The PLDRB held a public hearing on June 12, 2019 to consider the proposed amendment. There were no comments and PLDRB recommended approval of the item.</p> <p>Neighborhood Meeting The Developer and staff attended a neighborhood meeting on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. There were no comments provided.</p>		
Recommended Action:	<p>Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council, approve application number 3976 to rezone 49+/- acres from Flagler County designations of General Commercial and Agriculture to City of Palm Coast designations of Multi-family Residential (MFR-2) and General Commercial (COM-2)-Ocean Village.</p>		

ORDINANCE 2019-_____
OCEAN VILLAGE ZONING MAP AMENDMENT
APPLICATION NO. 3976

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP FOR 49± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ¼ MILE WEST OF COLBERT LANE ON THE NORTHSIDE OF STATE ROAD 100 BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, FROM FLAGLER COUNTY DESIGNATIONS OF GENERAL COMMERCIAL (C-2) & AGRICULTURE TO GENERAL COMMERCIAL (COM-2) AND MULTI-FAMILY RESIDENTIAL-2 (MFR-2) (CITY OF PALM COAST DESIGNATIONS); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB); and

WHEREAS, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely and orderly development pattern;

4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. Legislative and Administrative Findings. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. Official Zoning Map Amended. The 49 ± acres of land, located ¼ mile west of Colbert Lane on the northside of State Road 100, as legally described in “Exhibit A” and attached hereto, is hereby amended from the Flagler County designations of General Commercial and Agriculture to City of Palm Coast designations of Multi-family Residential-2 (MFR-2) and General Commercial (COM-2).

SECTION 3. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 4. Conflicts. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Palm Coast, Florida, and pursuant to the City Charter.

Approved on first reading this 16th day of July 2019.

Adopted on the second reading after due public notice and hearing City of Palm Coast this 6th day of August 2019.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA SMITH, CITY CLERK

Approved as to form and legality: _____
William E. Reischmann, Jr., Esq.

Ordinance 2019-_____
Page 2 of 4

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land lying North of State Road 100 (200' R/W) within Government Sections 10 and 39, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as Follows:

A POINT OF REFERENCE being the northeast corner of said Government Section 10, Township 12 South, Range 31 East, thence South 01°23'05" East along the East Line of Section 10 a distance of 1280.24 feet to the POINT OF BEGINNING of this description, thence continue South 01°23'05" East a distance of 1328.00 feet, thence North 89°29'02" West a distance of 553.54 feet to a point of curvature, thence 1087.28 feet along the arc of a curve to the left (concave Southerly) having a central angle of 02°42'13", a radius of 23042.76 feet, a chord Bearing of South 89°09'51" West and a chord distance of 1087.18 feet to a point of tangency, thence North 01°23'05" West a distance of 1328.00 feet, thence North 89°37'15" East a distance of 1640.61 feet to the POINT OF BEGINNING.

EXHIBIT "B"
Revised Official Zoning Map





**COMMUNITY DEVELOPMENT DEPARTMENT
Zoning Map Amendment Staff Report
June 21, 2019**

OVERVIEW

Application Number: 3976

Applicant: City of Palm Coast

Property Description: 49 + acre property located ¼ mile west of Colbert Lane on the northside of State Road 100

Property Owner: BIA Development LLC

Parcel ID: 39-12-31-0000-01010-0090 & 10-12-31-0000-00010-0030

Current FLUM designation: High Intensity: Commercial and Conservation (Flagler County designations)

Current Zoning designation: Commercial-2 & Agriculture (Flagler County designations)

Current Use: Vacant

Size of subject property: 49.0 ± acres

Requested Action: Rezoning from Flagler County designations of Commercial-2 & Agriculture to Multi-family Residential-2 (MFR-2) and General Commercial (COM-2) (City of Palm Coast Designations)

Recommendation: Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council approve Application # 3976 to rezone 49 +/- acres from Flagler County designations of Commercial-2 & Agriculture to Multi-family Residential-2 (MFR-2) and General Commercial (COM-2) (City of Palm Coast designations)

ANALYSIS

REQUESTED ACTION

This a proposed rezoning two parcels comprising approximately 49+/- acres from Commercial-2 and Agriculture (Flagler County designations) to Multi-family Residential-2 (MFR-2) and General Commercial (COM-2) (City of Palm Coast designations).

BACKGROUND/SITE HISTORY

The subject parcels were annexed into the City in 2017 and 2018. The parcels currently have Flagler County FLUM and zoning designations and are entitled for up to 280,000 square feet of commercial uses. The project has approximately 1,650 feet of frontage on State Road 100.

Planning and Land Development Regulation Board (PLDRB) Meeting

The PLDRB held a public hearing on June 12, 2019 to take action on the proposed amendment. There were no comments and PLDRB recommended approval of the item.

Neighborhood Meeting (per Unified Land Development Code Chapter 2, Part II, Section 2.05.02) LDC Section 2.05.02 requires a neighborhood meeting and notification of property owners within 300 feet of any proposed parcel of the neighborhood meeting.

A neighborhood meeting was held on May 22, 2019 to provide an opportunity for neighboring property owners to receive information about the project. There were no comments provided.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	High Intensity: Commercial and Conservation (Flagler County designations)	Residential and Mixed Use (City of Palm Coast designations)
Zoning District	Commercial-2 & Agriculture (Flagler County designations)	Multi-family Residential-2 (MFR-2) and General Commercial (COM-2) (City of Palm Coast designations)
Use	Vacant	Multi-family and commercial

SURROUNDING LAND USES:

NORTH:	FLUM: Zoning: Use:	Residential Single-family Residential-1 Vacant
SOUTH:	FLUM: Zoning: Use:	Mixed Use-High Intensity and Conservation Planned Unit Development Vacant
EAST:	FLUM: Zoning: Use:	Mixed Use High Intensity Commercial (COM-3) Vacant
WEST:	FLUM: Zoning: Use:	Mixed Use High Intensity Commercial (COM-3) Vacant

**SITE DEVELOPMENT REQUIREMENTS
Proposed in Comparison to Existing**

Criteria	Multi-family Residential-2	COM-2 (Proposed)	C-2 (Existing)
Min. Lot Size (sq. ft.)	2,500	20,000	10,000
Min. Lot Width	25' townhouse 100' otherwise	100'	100'
Max. Impervious area	.70	.70	.70
Max. FAR Ratio	---	.40	.40
Max. Bldg. Height	60'	100'	65'
Min. Interior Side & Rear Setback	10'/20'	10'	10'
Min. Street Side Setback	20'	25' (Arterial/Collector) or 20' (Local)	---

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 proposed rezoning of the subject property is not in conflict with, or contrary to, the public interest. The subject site is abutted to the north by properties zoned for residential and properties zoned for commercial to the east and west. The site's location on a major arterial (SR 100) ensures good access to the transportation system without impacting local roads. The proposed zoning of COM-2 along SR 100 is consistent with other properties along SR 100, while the proposed MFR-2 behind the COM-2 area is appropriate as a buffer between single-family residential and the potential commercial uses along SR 100.

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:

- Policy 1.1.1.4 – The following principles and locational criteria shall be used for siting the multi-family residential zoning district within the Residential FLUM designation:
 - A. Availability of existing or planned roads or driveways, which provide accessibility to a collector or an arterial roadway.
 - B. Sites with at least 15 acres of contiguous uplands are preferable; sites less than 5 acres should not be considered.
 - C. Availability of central utilities.
 - D. Proximity to existing or planned commercial and employment centers preferable.

- E. Proximity to existing or planned parks and recreation facilities preferable.
- F. Proximity to existing or planned schools preferable.
- G. Preferred sites should have available land area to provide either a wide landscaped buffer or a natural buffer or barrier from proximate single family residential uses.
- H. Ability to provide architectural design compatibility with proximate single-family residential areas.

Analysis: The proposed zoning map amendment is consistent with Policy 1.1.4.1 as follows: the multi-family site has direct access to an arterial, contains greater than 15 acres of contiguous uplands, has or is within proximity of central utilities, is adjacent to a proposed commercial area, and will provide recreation facilities on-site. Finally, the project will need to meet the City's architectural design standards to ensure compatibility with proximate single-family residential areas.

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

Analysis: The proposed zoning map amendment is consistent with Policy 1.4.2.1. The proposed amendment will provide areas to accommodate both residential and commercial uses.

- 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.

Analysis: The proposed amendment is consistent with Comprehensive Plan Objective and Policy to provide opportunities to diversify housing opportunities in the City. The proposed MFR-2 zoning designation adjacent to a major arterial (SR 100) provides an opportunity to develop an alternate product to the predominant single-family dwelling development available throughout the City.

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

Staff Findings: Rezoning the subject property to COM-2 and MFR-2 will not impose a significant financial liability or hardship for the City. The property is located along a major arterial (SR 100) and has a water main adjacent to the site. The sewer lines will have to be extended to this site by approximately 1,200' and will be the responsibility of the developer/owner.

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 rezoning will not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. Future development of the site must comply with the performance standards contained in Unified Land Development Code (ULDC). Additionally, the proposed zoning designations of MFR-2 and COM-2 are generally consistent with the surrounding land uses.

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

Staff Finding: The future development of the property must comply with the City's Land Development Code, Comprehensive Plan and the requirements of all other applicable local, state and federal laws, statutes, ordinances, regulations and codes in order for the developer to successfully develop the property.

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 rezoning is in conformance with the Comprehensive Plan elements, and their goals, objectives and policies.

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

Staff Finding: The parcel was previously issued permits from St. Johns River Water Management District and the Army Corps of Engineers which delineated and protected on-site wetlands through Conservation easements on approximately 13.7 acres. Additionally, the subject property is still subject to all requirements of the Land Development Code regarding protection of environmental and natural resources (listed species report, wetlands assessment, etc.).

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

Staff Finding: Impacts to the economy of the affected area are anticipated to be positive. The proposed rezoning will maintain the availability of commercial area along this segment of SR 100. Additionally, the commercial area will serve the eventual residential development in the surrounding area.

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 impact on the necessary governmental services including wastewater, potable water, drainage, fire and police protection, solid waste and transportation systems shall be evaluated at the time of permit application. Future permits must fall within the adopted Level of Service Standards for all categories of services per the requirements of the City's ULDC.

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

Staff Finding: The subject parcels were annexed into the City in two phases (2017 and 2018). As annexed properties, a Comprehensive Plan amendment and Zoning Map amendment is necessary to designate the subject parcels with an appropriate City designation so that the development standards for the subject parcel will be based on the City's Land Development Code and other City regulations.

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

Staff Finding: The proposed zoning designation of Multi-family Residential-2 and General Commercial (COM-2) is compatible with the surrounding uses and zoning districts. This proposed change does not threaten the general health, welfare or safety of the surrounding residents. The proposed zoning will provide opportunities for retail space and services to the adjacent areas which are slated for residential uses.

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

Staff Finding: Yes, the rezoning accomplishes a legitimate public purpose. A zoning of General Commercial (COM-2) provides an appropriate transition from a major arterial (SR 100) to the residential uses slated north of SR100. Additionally, the COM-2 zoning provides opportunities for commercial/retail services along a major arterial.

PUBLIC PARTICIPATION

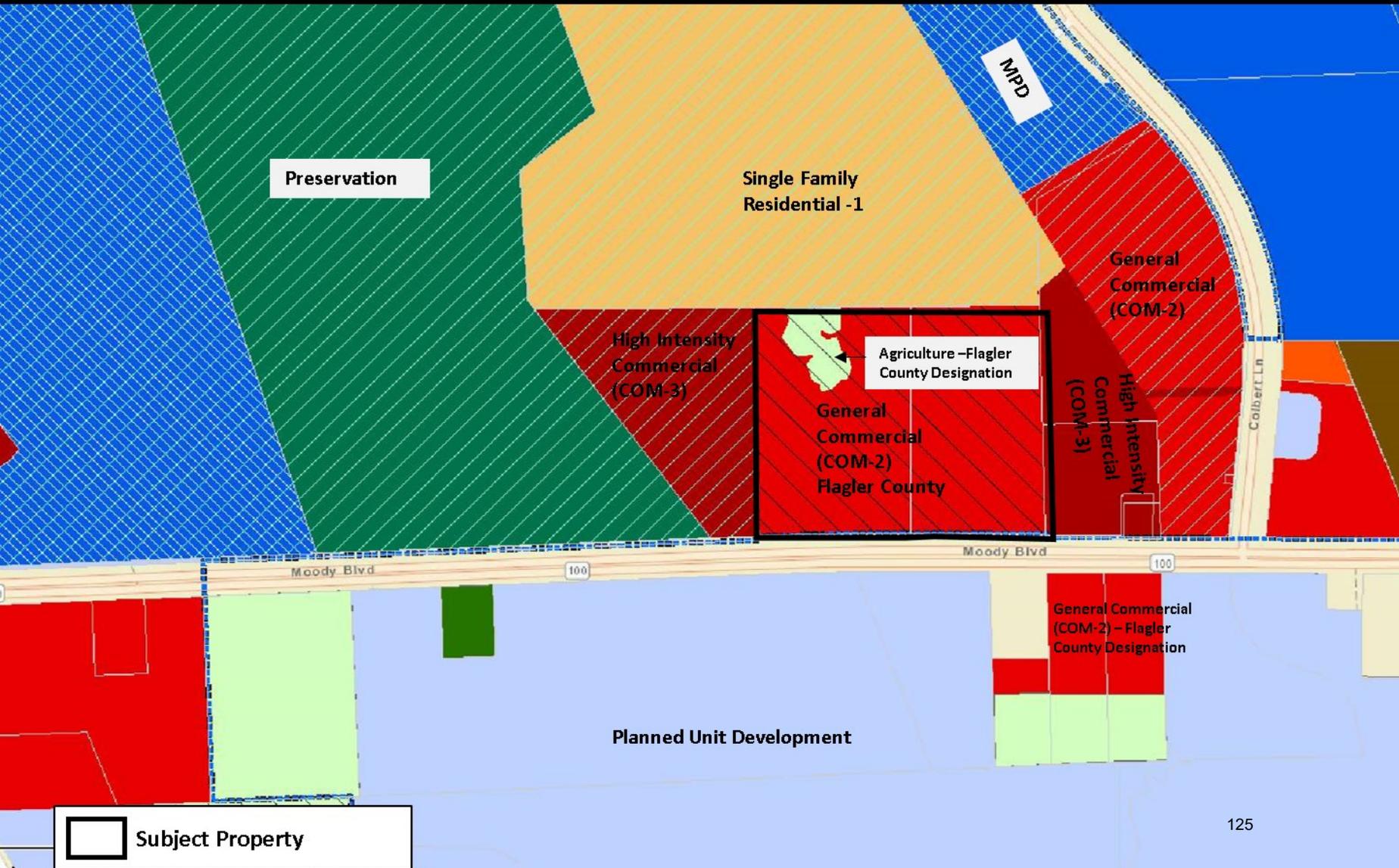
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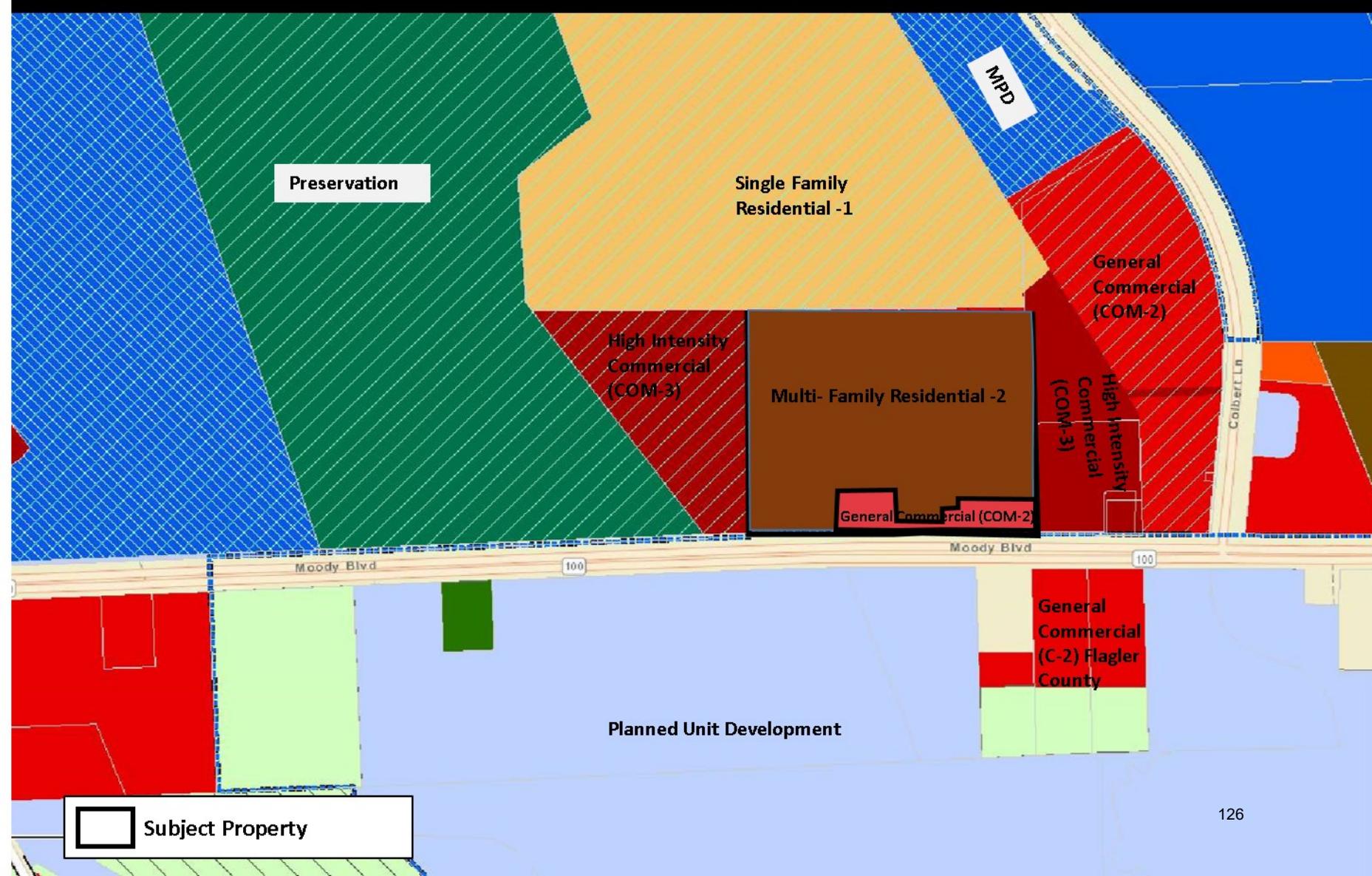
RECOMMENDATION

Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council approve Application # 3976 to rezone 49 +/- acres from Flagler County designations of Commercial-2 & Agriculture to Multi-family Residential-2 (MFR-2) and General Commercial (COM-2) (City of Palm Coast designations).

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PROPOSED ZONING MAP – OCEAN VILLAGE AMENDMENTS





Ocean Village

Future Land Use Map & Zoning Map Amendment

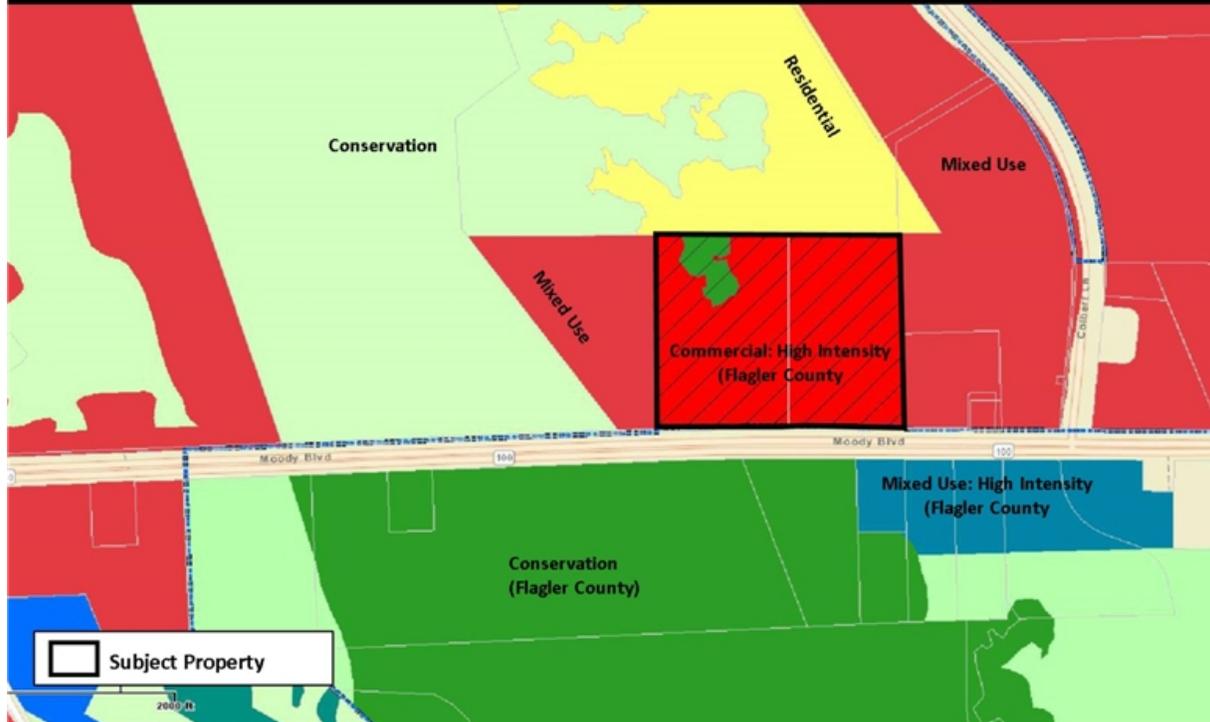
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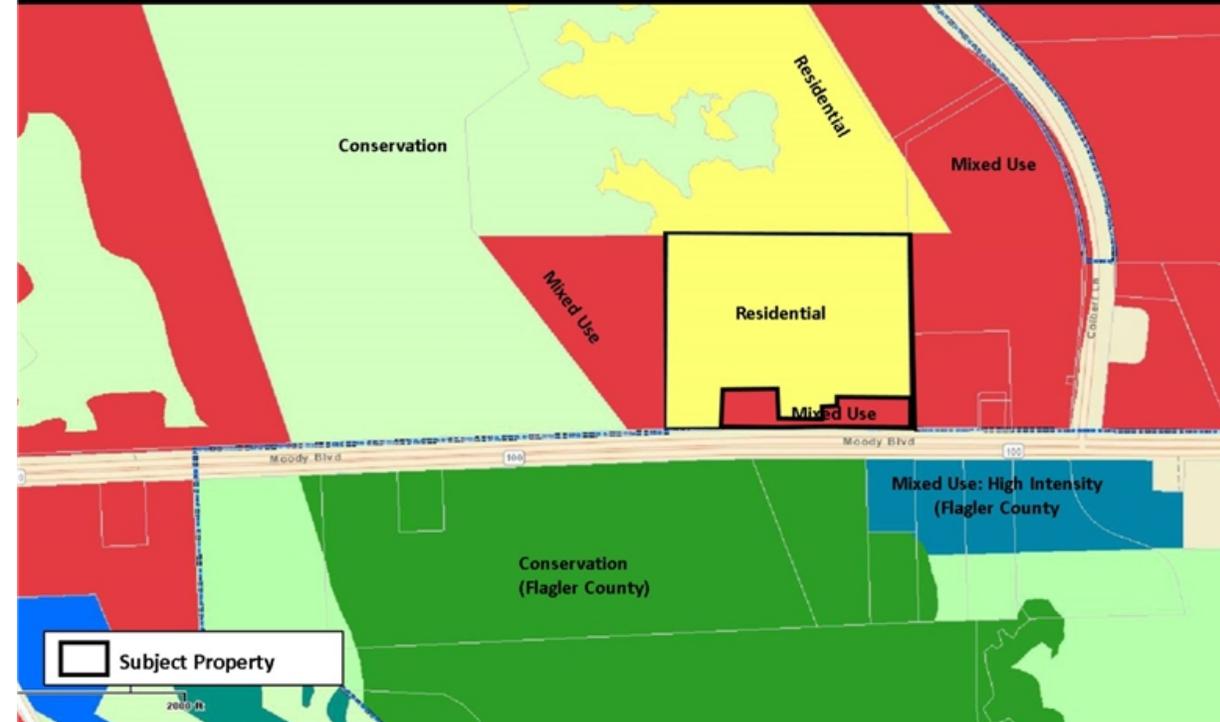
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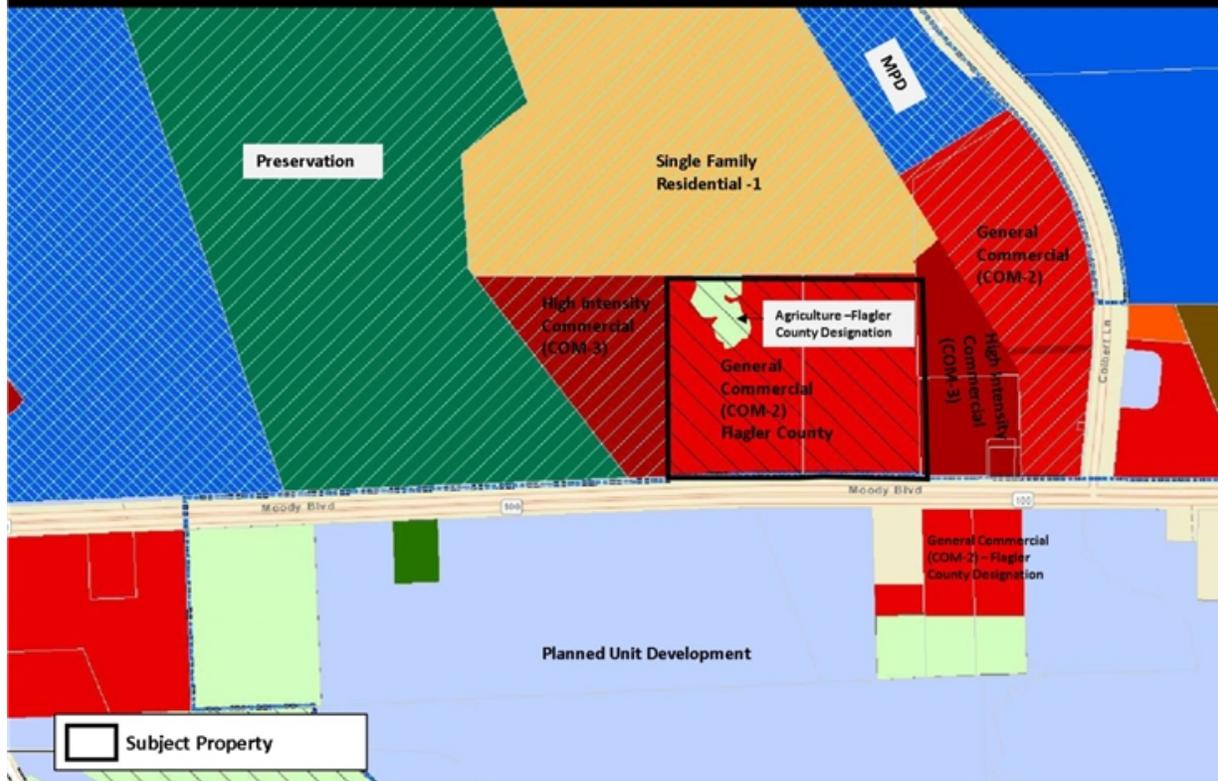


PROPOSED FLUM – OCEAN VILLAGE AMENDMENTS

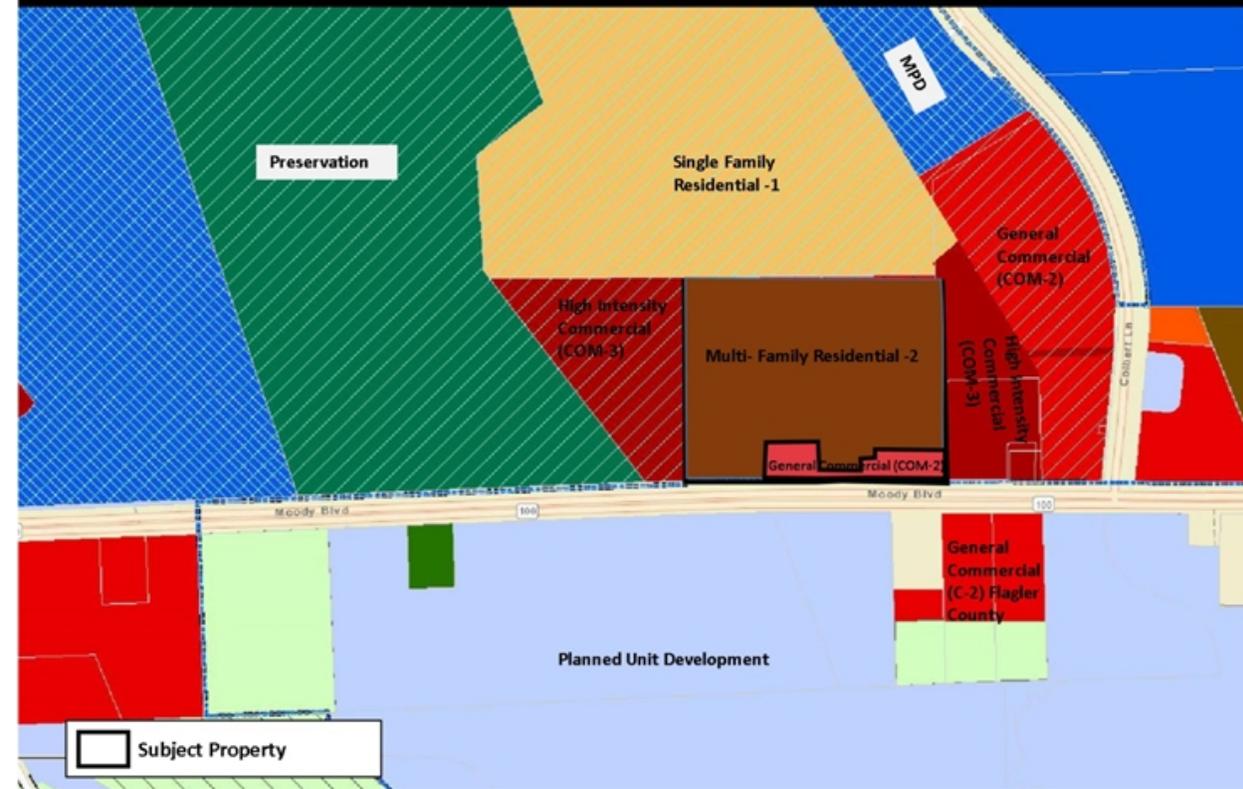


OCEAN VILLAGE– Zoning Map Amendment

CURRENT ZONING MAP – OCEAN VILLAGE AMENDMENTS



PROPOSED ZONING MAP – OCEAN VILLAGE AMENDMENTS



OCEAN VILLAGE – Future Land Use Map Amendment

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OCEAN VILLAGE – Future Land Use Map Amendment

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Consistency with Surrounding Land Use



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Ocean Village– Future Land Use Map Amendment

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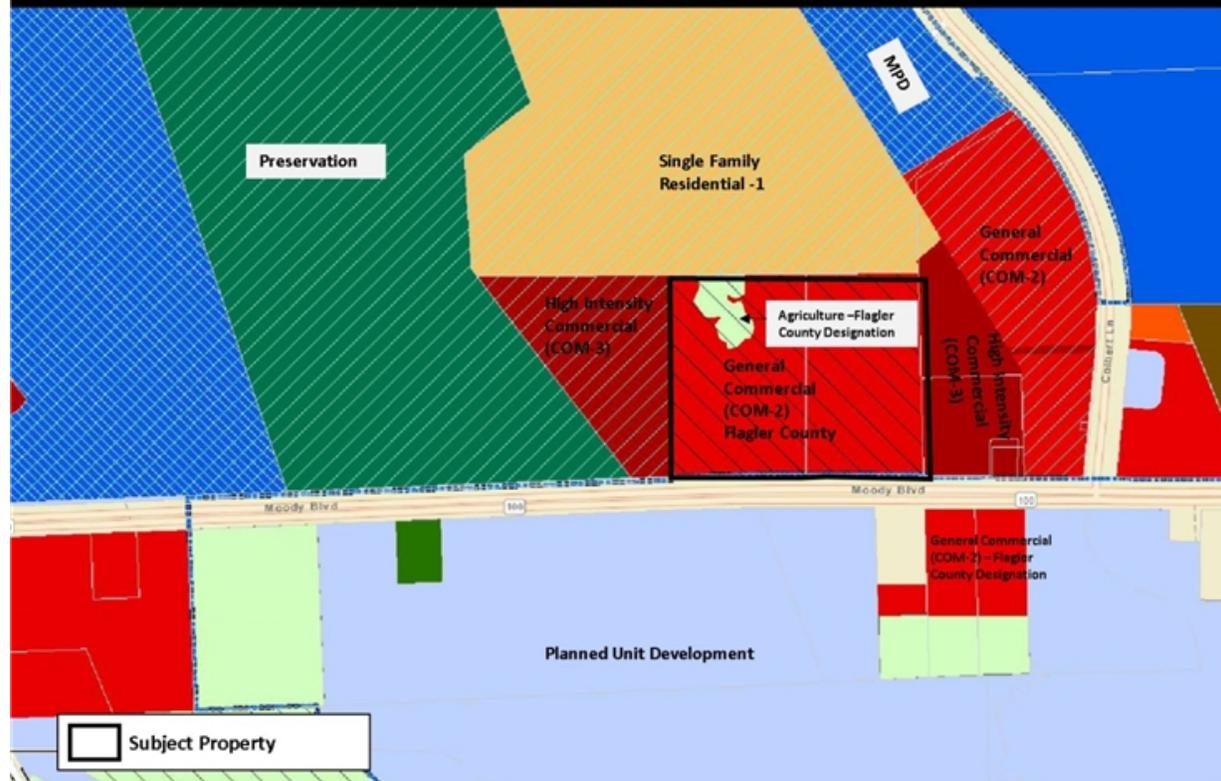
Staff and the PLDRB recommend that City Council Approve
Application # 3901



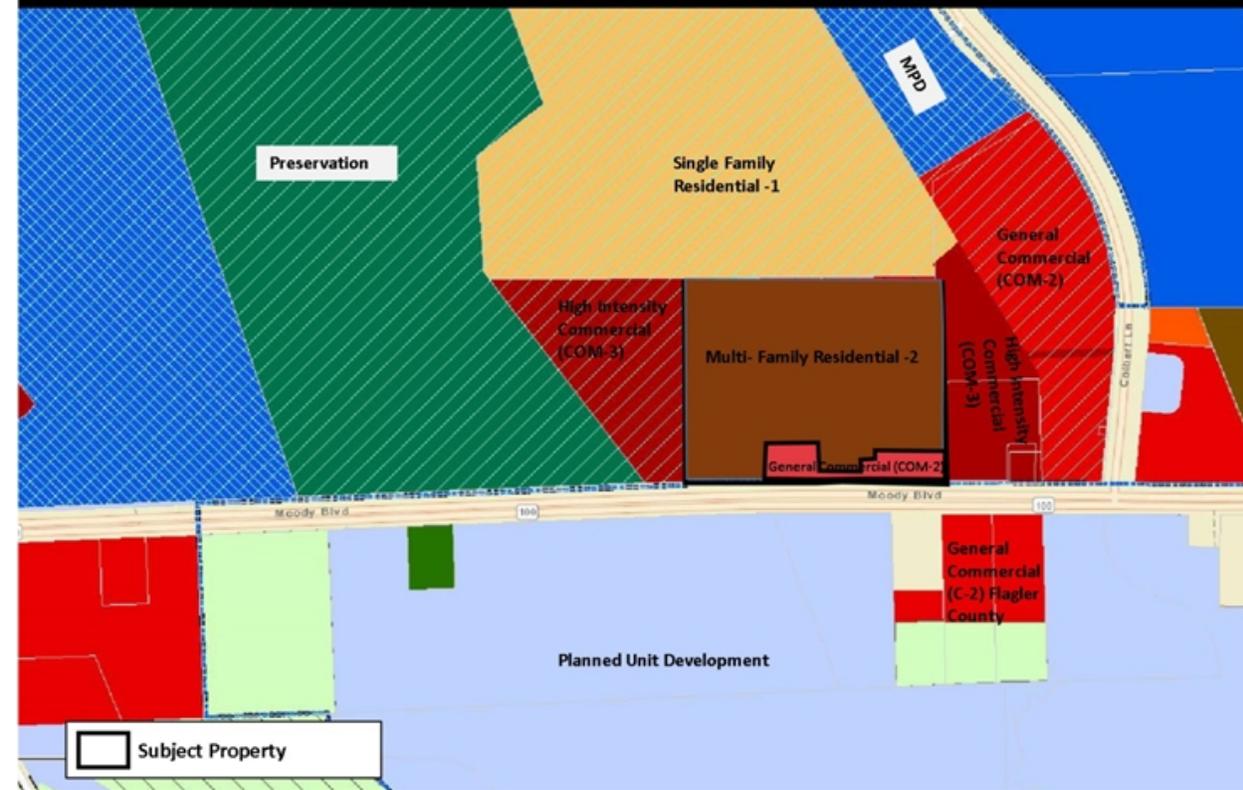
Zoning Map Amendment

OCEAN VILLAGE– Zoning Map Amendment

CURRENT ZONING MAP – OCEAN VILLAGE AMENDMENTS



PROPOSED ZONING MAP – OCEAN VILLAGE AMENDMENTS



OCEAN VILLAGE– Zoning Map Amendment

FINDINGS

- *Criteria-Change does not cause significant financial liability or hardship on City*
 - Water and wastewater lines are available within proximity of site
- *Criteria - Efficient Land Use Patterns & Location of non-residential uses*
 - Location on major arterial is appropriate for proposed uses

OCEAN VILLAGE – Zoning Map Amendment

FINDINGS

- *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*

OCEAN VILLAGE – Zoning Map Amendment

Staff and the PLDRB recommend that City Council Approve
Application # 3976

OCEAN VILLAGE – Next Steps

FLUM Amendment & Zoning Map Amendment

- Transmittal to State Agencies
- Adoption Public Hearing – City Council

Future Applications: Site Plan/Plat Approval



Questions?

City of Palm Coast, Florida Agenda Item

Agenda Date: 07/16/2019

Department	PLANNING	Amount	
Item Key	6721	Account #	
Subject	ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 2.8+/- ACRES OF LAND LOCATED 250' NORTHWEST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PARKWAY INTERSECTION FROM CONSERVATION TO GREENBELT-ADVENT HEALTH		
Background : Background:			
<p>The subject parcel is currently owned by Flagler County. The applicant, Advent-Health intends to use a 6.5+/- acre parcel to develop a Hospital Based Emergency Dept. (HBED). The applicant has submitted an application to amend the Future Land Use Map (FLUM) designation of 2.8+/- acre area within the 6.5+/- acre site for the HBED from Conservation to Greenbelt. The proposed amendment was reviewed for the following:</p> <p>Public Facilities Impacts. An analysis of the proposed amendment’s impacts on public facilities and infrastructure does not indicate significant impacts to public facilities (i.e. the impacts do not exceed the accepted Level of Service). Additionally, the impacts will be reviewed in greater detail during the site plan review process.</p> <p>Environmental Resource Impacts. Analysis indicates that the proposed change from “Conservation” to “Greenbelt” is consistent with the Comprehensive Plan based on jurisdictional authority (USACOE will issue “Notice of Intent to Permit” – therefore areas are not regulated as state wetland areas per grandfathering methodology); onsite federal wetland areas are deemed to be of “moderate” quality.</p> <p>Surrounding Land Use. The proposed FLUM designation is consistent with the surrounding areas FLUM designation.</p> <p>Consistency with Comprehensive Plan. The proposed amendment was reviewed for consistency with goals, objectives, and policies of the City’s Comprehensive Plan and is found to be consistent with the following goals, objectives, and policies:</p> <ul style="list-style-type: none"> • Objective and Policy to promote compact and contiguous development. • Promoting development in areas with availability of public service and infrastructure. • Creating employment centers and jobs near transportation corridors and neighborhoods. • Providing for appropriate balance of various land uses. <p>Planning and Land Development Regulation Board (PLDRB) Meeting The PLDRB held a public hearing on June 12, 2019 to take action on the proposed amendment. There were no comments and PLDRB recommended approval of the item.</p> <p>Neighborhood Meeting Consistent with the Land Development Code, an applicant may request a waiver of the NIM and such a waiver may be granted by the Land Use Administrator. The NIM requirement was</p>			

waived since the three land owners within 300' of the subject property were the City of Palm Coast, the FDOT, and Matanzas Holdings LLC (the agent for the application is also the representative for Matanzas Holdings LLC).

Recommended Action: Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council approve Application # 3981, an amendment to the Future Land Use Map (FLUM) for 2.8 +/- acres from Conservation to Greenbelt.

ORDINANCE 2019-_____
ADVENT HEALTH FUTURE LAND USEMAP AMENDMENT
APPLICATION # 3981

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR 2.8+/- ACRE AREA WITHIN A 6.5+/- ACRE PARCEL LOCATED 250 FEET NORTHWEST OF THE OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PKWY. INTERSECTION AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM CONSERVATION TO GREENBELT, PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

WHEREAS, this future land use amendment is a small scale amendment, and Section 163.3187, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to small scale amendments, and this Future Land Use Map Amendment meets the defined criteria of a small scale amendment as defined by Section 163.3187(1), *Florida Statutes*; and

WHEREAS, the Palm Coast Planning and Land Development Regulation Board (PLDRB) considered findings and recommendation of staff, citizens, and all interested parties submitting written and oral comments regarding amending the Future Land Use Map (FLUM) for 2.8+/- acre area within a 6.5+/- acre parcel with Flagler County Tax Parcel Identification Number 26-10-30-0000-01020-0010 described in Exhibit "A" from Future Land Use Map designation of Conservation to Greenbelt at a public hearing on June 12, 2019; and

WHEREAS, the City Council of the City of Palm Coast held a duly noticed public hearing on the proposed amendment and considered findings and recommendation of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby approves and adopts the FLUM Amendment; and

WHEREAS, the City Council of the City of Palm Coast hereby finds that this Ordinance is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.

(a). The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

(b). The City Council of the City of Palm Coast hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum and packet relating to the application relating to the proposed amendment to the *City of Palm Coast Comprehensive Plan* relating to the subject property. The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

(c). The City of Palm Coast has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(d). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Palm Coast*.

SECTION 2. FUTURE LAND USE MAP AMENDED. The 6.5+/- acre parcel of land, identified as Flagler County Tax Parcel Identification Number 26-10-30-0000-01020-0010, generally located 250 feet northwest of Old Kings Rd. Extension/Matanzas Woods Pkwy. intersection, includes 2.8+/- acres of area designated as Conservation. The designation of said 2.8+/- acre area is hereby amended to Greenbelt.

SECTION 3. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.

Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Palm Coast Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 4. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective thirty-one (31) days after enactment by the City Council. If challenged under the controlling provisions of State law within thirty (30) days after enactment, this small scale development amendment shall not become effective until the State land planning agency (the Florida Department of Economic Opportunity) or the Administration Commission, respectively, issues a final order determining this small scale development amendment is in compliance.

APPROVED on first reading after due public notice and public hearing the 16th day of July 2019.

ADOPTED on second reading after due public notice and public hearing the 6th day of August 2019.

ATTEST:

CITY OF PALM COAST, FLORIDA

Virginia A. Smith, City Clerk

Milissa Holland, Mayor

Attachments:

Exhibit “A” – Legal Description of property subject to FLUM amendment.

Exhibit “B” – Revised FLUM.

EXHIBIT "A"
LEGAL DESCRIPTION OF 6.5+/- ACRE PARCEL
PARCEL ID# (26-10-30-0000-01020-0010)

PROPERTY DESCRIPTION:

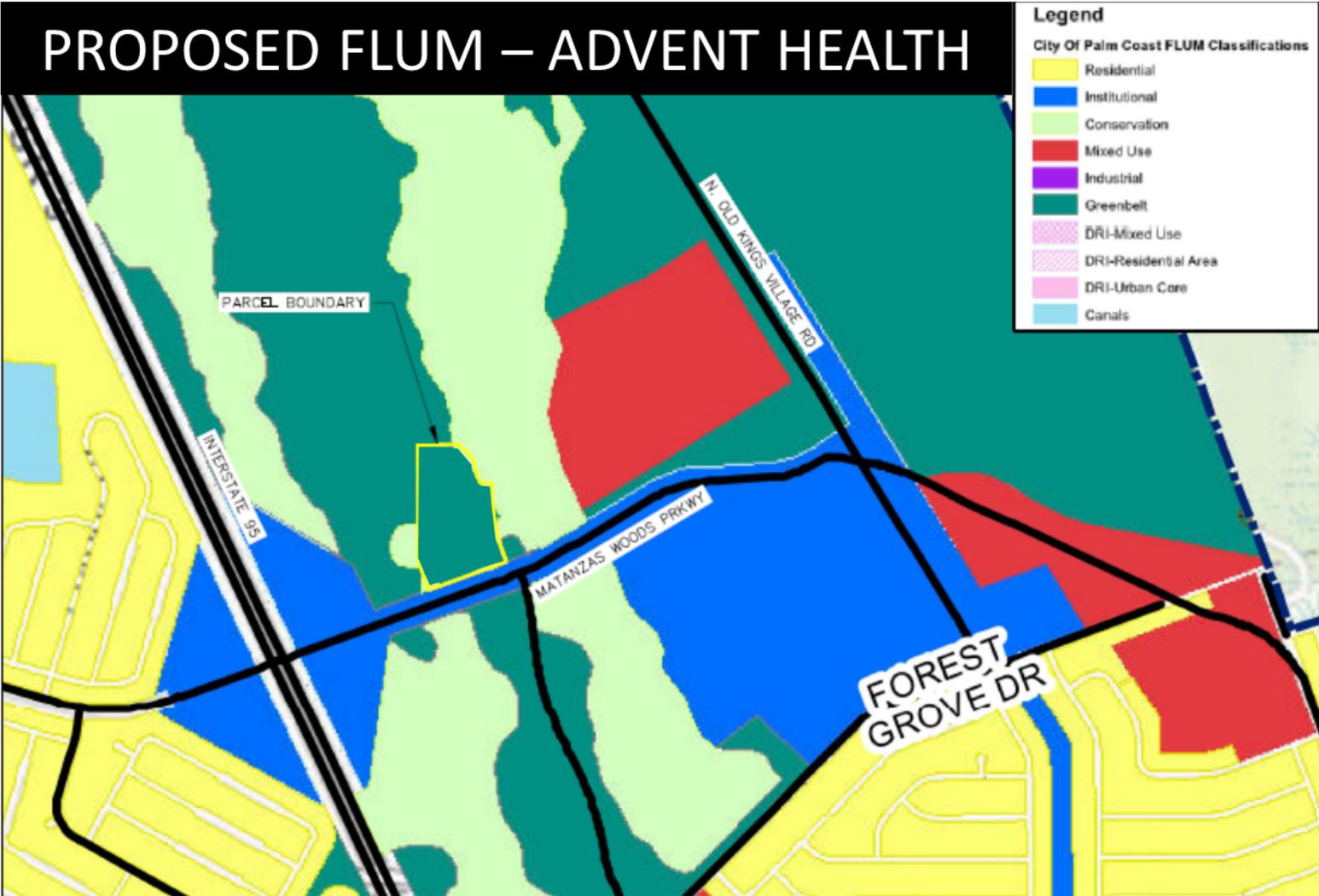
A PART OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 1223, PAGES 1893 THROUGH 1896 OF THE OFFICIAL RECORDS OF FLAGLER COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 26, THENCE LEAVING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 26 NORTH 00°26'39" WEST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26 FOR A DISTANCE OF 813.18 FEET; THENCE LEAVING THE WESTERLY LINE OF THE SOUTHEASTERLY QUARTER OF SAID SECTION 26 WITH A SURVEY TIE LINE NORTH 70°02'55" EAST FOR A DISTANCE OF 1111.86 FEET TO THE INTERSECTION OF THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF S.R. 9 (I-95) AS SHOWN ON THE F.D.O.T. RIGHT-OF-WAY MAP SECTION 73001, F.P. NO. 411959-2 AND THE NORTHERLY RIGHT-OF-WAY OF MATANZAS WOODS PARKWAY, 216 FOOT RIGHT-OF-WAY; THENCE RUNNING ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID MATANZAS WOODS PARKWAY NORTH 70°02'55" EAST 512.69 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING THE NORTHERLY RIGHT-OF-WAY OF SAID MATANZAS WOODS PARKWAY AND RUNNING THROUGH THE PROPERTY DESCRIBED IN SAID DEED, ORB 1223, PGS 1893-1896 THE FOLLOWING EIGHT COURSES AND DISTANCES, 1) NORTH 19°57'04" WEST FOR A DISTANCE OF 173.87 FEET, 2) NORTH 00°10'11" WEST FOR A DISTANCE OF 618.61 FEET, 3) NORTH 88°51'26" EAST FOR A DISTANCE OF 223.99 FEET, 4) SOUTH 46°21'21" EAST FOR A DISTANCE OF 90.60 FEET TO A TANGENTIAL CURVE TO THE RIGHT, 5) SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 55.91 FEET, A RADIUS OF 90.00 FEET, A DELTA ANGLE OF 35°35'35" AND A CHORD BEARING SOUTH 28°33'34" EAST FOR A DISTANCE OF 55.01 FEET, 6) SOUTH 10°45'46" EAST FOR A DISTANCE OF 53.97 FEET TO A TANGENTIAL CURVE TO THE LEFT, 7) SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 51.17 FEET, A RADIUS OF 90.00 FEET, A DELTA ANGLE OF 32°34'27" AND A CHORD BEARING SOUTH 27°03'00" EAST FOR A DISTANCE OF 50.48 FEET TO A NON-TANGENTIAL LINE, 8) NORTH 88°51'23" EAST FOR A DISTANCE OF 58.14 FEET TO A NON-TANGENTIAL CURVE TO THE LEFT ON THE WESTERLY RIGHT-OF-WAY OF PROPOSED OLD KINGS ROAD, VARIABLE WIDTH; THENCE RUNNING WITH AND BINDING ON THE WESTERLY RIGHT-OF-WAY OF SAID PROPOSED OLD KINGS ROAD THE FOLLOWING TWO COURSES AND DISTANCES, 1) SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 405.14 FEET, A RADIUS OF 1071.00 FEET, A DELTA ANGLE OF 21°40'25" AND A CHORD BEARING SOUTH 09°45'18" EAST FOR A DISTANCE OF 402.72 FEET TO A REVERSE CURVE TO THE RIGHT, 2) SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 29.73 FEET, A RADIUS OF 2008.00 FEET, A CENTRAL ANGLE OF 00°50'54" AND A CHORD BEARING SOUTH 20°10'03" EAST FOR A DISTANCE OF 29.73 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SAID MATANZAS WOODS PARKWAY; THENCE RUNNING WITH AND BINDING ON THE NORTHERLY RIGHT-OF-WAY OF SAID MATANZAS WOODS PARKWAY SOUTH 70°02'55" WEST FOR A DISTANCE OF 451.39 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 6.466 ACRES OF LAND MORE OR LESS.

EXHIBIT "B"
ORDINANCE NO. 2019-____





**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
June 19, 2019**

OVERVIEW

Application #: 3981

Applicant: Curt Wimpee, Alliant Engineering Inc.

Property Description:

Property Owner: Flagler County Board of County Commissioners
Location: 2355 Matanzas Woods Pkwy.
Real Estate ID #: 26-10-30-0000-01020-0010
Current FLUM designation: Conservation
Current Zoning designation: Public/Semipublic
Current Use: Vacant
Size of subject property: 2.8 +/- acres (6.5+/- acre parent parcel)

Requested Action: Future Land Use Map (FLUM) amendment for 2.8+/- acre parcel from Conservation to Greenbelt

Recommendation: Staff and the Planning and Land Development Regulation Board recommend that City Council Approve the proposed Future Land Use Map (FLUM) Amendment.

Project Planner: José Papa, AICP, Senior Planner

ANALYSIS

Background

The subject parcel is currently owned by Flagler County. The applicant Advent-Health intends to use a 6.5+/- acre parcel to develop a Hospital Based Emergency Dept. (HBED). The applicant has submitted an application to amend the Future Land Use Map (FLUM) designation of 2.8+/- acre area within the 6.5+/- acre site for the HBED from Conservation to Greenbelt.

Planning and Land Development Regulation Board (PLDRB) Meeting

The PLDRB held a public hearing on June 12, 2019 to take action on the proposed amendment. There were no comments and PLDRB recommended approval of the item.

DENSITY/INTENSITY AND POPULATION

The proposed FLUM of Greenbelt permits a maximum Floor to Area Ratio (FAR) intensity of .30 and a maximum density of 1 dwelling unit/acre. The current FLUM of Conservation does not permit development. The proposed FLUM will result in a net increase of 36,068 sq. ft. of non-residential development or a net increase of 2 dwelling units (See Table 1 and 1a).

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (NON-RESIDENTIAL USE)			
	# of Acres	Maximum FAR	Maximum Sq. Ft. ⁽¹⁾
Proposed FLUM: Greenbelt	2.76	0.30	36068
Current FLUM: Conservation	2.76	0.00	0
NET CHANGE		Increase	36068
<i>Footnotes:</i>			
⁽¹⁾ Max Sq. Ft. = # of Acres X Max. FAR X 43560 sq.ft/acre			

TABLE 1a - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)			
	# of Acres	Maximum Density	Maximum # of units ⁽¹⁾
Proposed FLUM: Greenbelt	2.76	1 unit/acre	3
Current FLUM: Conservation	2.76	0 unit/acre	0
NET CHANGE		Increase	2.8
<i>Footnotes:</i>			
⁽¹⁾ Max. # of units = # of Acres X Maximum Density			

PUBLIC FACILITIES AVAILABILITY/IMPACT ANALYSIS (MAXIMUM DEVELOPMENT POTENTIAL)

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:

- A. Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City of the County 5-year Capital Improvement Program shall be considered.
- B. Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials...
- C. Existing and future availability and capacity of central utility systems.
- D. Availability and capacity of receiving watercourses and drainage systems to convey design storm events.

The current FLUM designation of Conservation does not permit considerable development therefore there is no maximum density or intensity provided. The proposed Greenbelt designation permits a maximum residential density of 1 dwelling units/acre and a maximum FAR of .30 of Public/semipublic use. The public facility impact analysis based on the maximum non-residential and residential development potential is provided in below in Table 2.

Table 2 Public Facilities Impact Analysis

Density ⁽¹⁾	# of units or square feet of development	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation - Greenbelt (2.76 acres)								
Max Non-residential Use-.30 FAR of Hospital Use	36,068	215	6,132	3,607	--	--	--	N/A
	Total	215	6132	3607	--	--	--	N/A
Current FLUM designation - Conservation (2.76 acres)								
Max. Residential or Non-residential Use - No Development permitted	0	0	0	0	0	0	0	N/A
	Total	0	0	0	0	0	0	
Net Change		215	6,132	3,607	--	--	--	N/A

Footnotes:

- ⁽¹⁾ Calculation of Density: Lot Size (acre)*# of units/acre
- ⁽¹⁾ Calculation of Intensity: Lot Size (acre)*43560*FAR
- ⁽²⁾ Transportation: Non-residential PM Peak Hour Trips (PHT), Greenbelt Use = ITE Code 610: Hospital, based on trip generation per formula $T= .78(x)+186.59$ in ITE Trip, Generation Manual, 8th Edition, $X= 1000$ sq. ft. Gross Floor Area
- ⁽³⁾ Potable Water: Residential = # of units*2.4*125 gallons/capita/day
- ⁽³⁾ Potable Water: Commercial = 17 gpd/100 sq. ft.
- ⁽⁴⁾ Wastewater: Residential = # of units*2.4*82 gallons/capita/day
- ⁽⁴⁾ Wastewater: Commercial = 10 gpd/100 sq. ft.
- ⁽⁵⁾ Solid Waste: Residential Demand = # of units*2.40*8.61 lbs/capita/day
- ⁽⁵⁾ Solid Waste: No Level of Service Requirement for Non-residential
- ⁽⁶⁾ Recreation and Parks: Residential Demand = # of units * 2.40 *8 acres/1000 persons
- ⁽⁶⁾ Recreation and Parks = No LOS Requirement for Non-residential
- ⁽⁷⁾ Public Education Residential: = Based on multiplier provided by Flagler County School District. See Table 3.
- ⁽⁷⁾ Public Education Non-Residential = No LOS Requirement for Non-residential
- ⁽⁸⁾ Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.

Public Facilities Impact Analysis

Transportation

The proposed FLUM amendment will have a maximum potential net increase of 215 pm peak hour trips. Matanzas Woods Parkway between US-1 and Palm Harbor Pkwy. currently operates at a Level of Service of "C". Old Kings Rd. between Matanzas Woods Pkwy. and Palm Coast Pkwy. currently operates at a Level of Service between "B" and "C". The potential net increase from this amendment does not bring the Level of Service on roadways below the adopted standard of "D". It should be noted that as part of the site plan review process, a traffic impact study which includes all proposed development on the subject parcel, will be completed and this analysis will include recommendations for operational improvements (traffic signals, turn lanes, etc.).

Potable Water

The proposed FLUM amendment will have a maximum potential net increase in demand for potable water of .0061 MGD. Water Treatment Plants #1, 2, & 3 have a combined treatment capacity of 16.58 MGD and a current treatment demand of 11.49 MGD (based on Comprehensive Plan LOS standards). The potential net impact may be accommodated by the existing water treatment plant capacity. During the site plan review process, additional analysis will be conducted to ensure the adequacy of water lines and treatment capacity to serve a proposed development.

Wastewater

The proposed FLUM amendment will have a maximum potential net increase in demand for sanitary sewer treatment of .003 MGD. Wastewater Treatment Plants #1 and 2 currently have a treatment capacity of 8.83 MGD and a current treatment demand of 8.08 MGD (based on Comprehensive Plan LOS standards). The potential net impact may be accommodated by the existing wastewater treatment plant capacity. During the site plan review process, additional analysis will be conducted to ensure the adequacy of water lines and treatment capacity to serve a proposed development.

Solid Waste

Although the proposed designation of Greenbelt allows residential uses (1 unit/acre), the proposed amendment was analyzed for non-residential impacts only. As previously provided above, the change could yield a theoretical maximum of 2 dwelling units which produces approximately 41 lbs./day.

Public Recreation and Open Space

As previously stated, the amendment was analyzed for non-residential impacts only. An additional 2 dwelling units will have a minimal net impact on park facilities. The subject site's development for non-residential use will not have an impact on park facilities.

Public Schools

As previously stated, the amendment was analyzed for non-residential impacts only. An additional 2 dwelling units will have a minimal net impact on school facilities. The subject site's development for non-residential use will not have an impact on school facilities.

Stormwater

Stormwater systems are reviewed for consistency with LOS during site plan review process.

ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS**Objective 1.1.3-Evaluation of Amendments to the FLUM**

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.1- At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

- A. Topography and soil conditions including the presence of hydric soils.*
- B. Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.*
- C. Location and extent of wetlands, certain vegetative communities, and protected wildlife species.*
- D. Location and extent of other environmentally sensitive features.*
- E. Proximity to wellfields and aquifer recharge areas.*
- F. Impacts to potable water supply.*

Analysis: A detailed analysis of the proposed FLUM amendment on the Environmental/Cultural Resources was conducted by the City's Environmental Resource Team and is provided as an attachment to this staff report. The conclusion from the analysis is a finding that the proposed change from "Conservation" to "Greenbelt" is consistent with the Comprehensive Plan based on jurisdictional authority and associated wetland quality determination.

LAND USE COMPATIBILITY ANALYSIS

Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.

- A. This policy shall not be construed to mean that different categories of uses are inherently incompatible; rather, it is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.*
- B. Buffers are encouraged as an effective means of transition between areas where there is a greater degree of disparity in terms of densities and intensities.*
- C. Impacts to the health, safety, and welfare of surrounding residents shall be considered.*

Surrounding Future Land Use Map Designation:

North: Greenbelt & Conservation
 South: Greenbelt & Conservation
 East: Conservation
 West: Greenbelt & Conservation

Surrounding Zoning Designation:

North: Public/Semipublic
 South: Public/Semipublic
 East: Public/Semipublic
 West: Public/Semipublic

Surrounding Property Existing Uses:

North: Vacant
 South: Vacant
 East: Vacant
 West: Vacant

Analysis: The proposal to designate the subject property as Greenbelt is consistent and compatible with the surrounding land use designations.

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed amendment was evaluated for consistency with the following relevant goals, objectives, and policies from the City's Comprehensive Plan.

Objective 1.1.4 - Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl

Policy 1.1.4.5 - Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Analysis: Consistent with Objective 1.1.4 and Policy 1.1.4.5, the subject parcel is contiguous to the developing areas of the City and does not promote urban sprawl. The site is located along a developing corridor of the City (Matanzas Woods Pkwy.) and sits between I-95 and Old Kings Rd. The subject parcel's location will provide a service not previously available to northeast section of the City.

Policy 1.3.1.1 - The City shall ensure that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in the LDC such as development phasing, programming, and appropriate sizing of public facilities.

Analysis: The proposed amendment is consistent with Policy 1.3.1.1, the public facilities impacts can be accommodated by the existing infrastructure capacity. Any need to extend water or wastewater mains to the facility will be the responsibility of the developer/property owner.

Objective 1.4.2 – Create Employment Centers and Jobs – Encourage the development of employment centers within close proximity to housing and transportation corridors to maximize accessibility, convenience for residents, and to improve the economic climate.

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

Analysis: The proposed amendment expands the availability of land to provide services in the northeast section of the City. The subject parcel's location in proximity of major roadway corridors (Old Kings Rd., Palm Harbor Pkwy., and Matanzas Woods Pkwy.) is consistent with Comprehensive Plan objective to develop employment centers at close proximity to housing and transportation corridors for convenience to residents.

PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers or property owners who are requesting to rezone property within the City to notify neighboring property owners within 300 feet of the subject property boundaries and hold a neighborhood information meeting (NIM).

Consistent with the Land Development Code, an applicant may request a waiver of the NIM and such a waiver may be granted by the Land Use Administrator. The NIM requirement was waived since the three land owners within 300' of the subject property were the City of Palm Coast, the FDOT, and Matanzas Holdings LLC (the agent for the application is also the representative for Matanzas Holdings LLC).

RECOMMENDATION

Staff and the Planning and Land Development Regulation Board recommend that City Council Approve the proposed Future Land Use Map (FLUM) Amendment.



ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS

FOR

FUTURE LAND USE MAP AMENDMENT

A. TOPOGRAPHY AND SOIL CONDITIONS

The Matanzas HBED (Hospital Base Emergency Department), measuring approximately 6.43 acres, is vacant and consists of uplands, wetlands, and surface waters. Further description of these features is detailed in the Section C, Vegetative Communities. According to the Atlantic Ecological Services (AES) onsite assessment conducted in December of 2018, the following section provides the onsite listed soil types and appear consistent with the existing conditions:

3.0 SOILS

A discussion of each soil type present on the subject property is documented below. Please see the attached Soils Map within Appendix I for the location of each soil type.

Samsula and Hontoon Soils, Depressional (3) – This is a very deep, nearly level, poorly drained soil found in depressions in the flatwoods. Individual areas are circular to irregular in shape and range from 3 to 6,000 acres. The undrained areas of this map unit are ponded, as much as 24 inches of water is above the surface for 6 months or more except during extended dry periods.

Hicoria, Riviera, and Gator Soils, Depressional (8) – This is a very deep, nearly level, poorly drained soil found in depressions in the flatwoods. Individual areas are circular to irregular in shape and range from 3 to 1,500 acres. The undrained areas of this map unit are ponded, as much as 24 inches of water is above the surface for 6 months or more except during extended dry periods.

Valkaria-Smyrna Complex (18) – This is a very deep, nearly level, poorly drained soil on flatwoods. Areas in this soil are irregular and range from 40 to 300 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months of the year. It is at a depth of 10 to 40 inches or more during extended dry periods.

Smyrna Fine Sand (21) – This is a very deep, nearly level, poorly drained soil on flatwoods. Areas in this soil are narrow and irregular and range from 4 to 400 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months of the year. It is at a depth of 10 to 40 inches or more during extended dry periods.

Analysis: Development may result in some impacts to on-site hydrology. Due to the soils found onsite it is clear that the property holds standing water for a large portion of the year. With the proposed FLUM change, development would alter the natural hydrology that currently exists. Potential impacts resulting from improvements will be evaluated pursuant to the development standards of the Land Development Code.

B. FLOODPLAIN

Federal Emergency Management Agency's (FEMA), Flood Insurance Rate Map (FIRM) source indicates that a portion of the west and east sides of the property may lie within an Approximate "A" Zone. The middle portion of the property lies within an "X" Zone.

Analysis: According to the information provided, approximately three quarters of the property is outside the Special Flood Hazard Area. However, it appears that an Approximate "A" Zone does exist within the project boundaries. Any proposed development will comply with the City's FEMA approved Floodplain regulations.

C. VEGETATIVE COMMUNITIES

The subject property is comprised of the following vegetative communities as described in the AES assessment and summarized below:

Uplands

Pine Plantation (FLUCCS 441) – The uplands found on the subject property are considered pine plantation. Evidence of row planting was identified across the site. This habitat community is approximately 3.13 acres in total size. The canopy is dominated by slash pine (*Pinus ellioottii*). The understory is dominated by a thick cover of saw palmetto (*Serenoa repens*). Other species found, but at a much lesser extent, include gallberry (*Ilex glabra*), yaupon holly (*Ilex vomitoria*), and bracken fern (*Pteridium aquilinum*).

Wetlands – USACE Jurisdictional Only (Not Regulated by City of Palm Coast)

Hydric Pine Flatwoods (FLUCCS 625) – A hydric flatwoods depressional wetland (pine plantation wetland) is found throughout the center of the project area connecting to larger cypress systems found offsite to the east and west of the subject property. This wetland habitat comprises approximately 3.22 acres in total area on the subject property. The habitat is consistent with the upland pine plantation (FLUCCS 441) habitat, though with less saw palmetto and the inclusion of the wetland canopy species such as red maple (*Acer rubrum*), and loblolly bay (*Gordonia lasianthus*). The understory includes species such as dahoon holly (*Ilex cassine*) and Carolina willow (*Salix caroliniana*), and herbaceous species such as sawgrass (*Cladium jamaicense*), Virginia chainger (*Woodwardia virginica*), primrose willow (*Ludwigia peruviana*), shiny lyonia (*Lyonia lucida*), beakrush (*Rhynchospora* spp.), and yellow-eyed grass (*Xyris* spp.).

Surface Waters

Ditches (FLUCCS 513) – A man-made roadside ditch is located along the cell tower access road, approximately 0.08 acre is located within the subject property.

Analysis: Four (4) main policies from the Comprehensive Plan Conservation and Coastal Management element apply to the proposed FLUM change from Conservation to Greenbelt that includes 6.1.9.1, 6.1.9.9, 6.1.10.6, and 6.1.10.9. Each policy is described and discussed in the following section based on existing findings.

1. Policy 6.1.9.1 - The City shall continue enforcement of wetland protection through land development regulations to ensure effective protection of high quality, functional, and integrated wetland systems. Land development wetland regulations shall consider type, value, function, size, condition and location of wetland systems. The City shall permit appropriate mitigation requirements consistent with State regulatory requirements to allow regulatory permitted impacts to low-quality, isolated wetland systems if it is demonstrated that mitigation will promote infill development, discourage urban sprawl and improve the overall wetland function within the Northern Coastal Basin. Mitigation within the City shall be preferable to mitigation occurring outside of the City.
2. Policy 6.1.9.9 - The Conservation future land use designations shall be established on the FLUM to provide protection of wetland systems and other environmental sensitive lands. This FLUM designation provides for preservation of large interconnected high quality wetland systems and other high quality environmentally sensitive areas. Conservation areas are generally a minimum of 10 acres in size, with most being substantially larger. Other areas, which may be classified conservation, include natural water bodies and lakes, estuaries, oak hammocks and other large areas consisting of native vegetation areas, wildlife corridors, and aquifer recharge zones. Unlike most of the other land use designations that follow property lines, the boundaries of most areas assigned this land use designation have been drawn to encompass the environmentally sensitive area using best available aerial mapping data and will require field verification to determine wetland quality and boundaries with precision.
3. Policy 6.1.10.6 - The City shall protect its environmentally sensitive areas that include, but are not limited to, large interconnected wetland systems, by utilizing the Conservation land use designation. The Conservation land use designation, as well as the Preserving Zoning classification, shall be utilized by the City, as appropriate, for the purpose of protection high quality wetlands, lakes, designated hammock areas and other environmentally sensitive areas.
4. Policy 6.1.10.9 - The City shall consider the presence of environmentally sensitive lands in formulating all actions relating to development.

The AES report states that no jurisdictional wetlands of the State exist within the site according to grandfathered wetland methodologies termed “pre-Henderson” (pre-1984). The USACE jurisdictional wetlands, measuring approximately 3.22 acres, are of a moderate quality according to the preliminary Uniform Mitigation Assessment Methodology (UMAM) assessment. The applicant has been issued a Notice of Intent to Permit by the USACE; therefore, this wetland area is not regulated as wetlands by the State of Florida or the City of Palm Coast.

As noted in Policy 6.1.9.9, the Conservation designation “requires field verification to determine wetland quality and boundaries with provision”. Based on the findings noted herein, the proposed change from “Conservation” to “Greenbelt” is consistent with the referenced Policies based on jurisdictional authority and associated wetland quality determination.

D. PROTECTED SPECIES DISTRIBUTION/ WILDLIFE UTILIZATION

The following section inventories protected animal species with associated likelihood of occurrence according to the referenced AES assessment.

Table 6.1.1: Protected wildlife species with the potential to occur on the Matanzas HBED project site, in Palm Coast, Flagler County, Florida.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FWC	FWS/NMFS		
<i>Alligator mississippiensis</i>	American alligator	SSC	T(S/A)	Mod	Various aquatic habitats
<i>Aramus guarana</i>	Limpkin	SSC		Low	Swamps, forested floodplains, mangrove swamps & marshes
<i>Dendroica kirtlandii</i>	Kirtland's warbler	E	E	Low	Migrant, utilizing various terrestrial and palustrine habitats
<i>Drymarchon corais couperi</i>	Eastern indigo snake	T	T	Low	Wide variety of habitats
<i>Egretta caerulea</i>	Little blue heron	SSC		Mod	Marshes, ponds, lakes, meadows, streams & mangroves
<i>Egretta rufescens</i>	Reddish egret	SSC		Low	Marine and estuarine tidal swamps
<i>Egretta thula</i>	Snowy egret	SSC		Mod	Marshes, lakes, ponds and shallow, coastal habitats
<i>Egretta tricolor</i>	Tricolored heron	SSC		Mod	Marshes, ponds and rivers
<i>Eudocimus albus</i>	White ibis	SSC		Mod	Marshes, mangroves, lakes and estuaries
<i>Gopherus polyphemus</i>	Gopher tortoise	T		Low	Sandhills, scrub, hammocks, dry prairies, flatwoods, & ruderal
<i>Mycteria americana</i>	Wood stork	E	E	Mod	Marshes, swamps, streams and mangroves
<i>Pituophis melanoleucus mugitus</i>	Florida pine snake	SSC		Low	Sandhills, scrubby flatwoods, hammocks & ruderal habitats
<i>Rana capito</i>	Gopher frog	SSC		Low	Xeric uplands and pine flatwoods
<i>Ursus americanus floridanus</i>	Florida black bear	T		Mod	Variety of forested landscapes

¹E= Endangered; T= Threatened; SSC= Species of Special Concern

Analysis: The subject property is suitable for limited foraging of some wading bird species due to the ditch onsite. With the existing roadway nearby, the potential for nesting is limited. A 100% gopher tortoise survey was conducted at the time of the assessment and no gopher tortoises or their burrows were found. Lastly, Florida black bear have been observed in the vicinity of the subject property to the north within public lands; it is recommended that future development adhere to Florida Black Bear Smart Communities program. These and other species occurrences along with development standards can be addressed at a future technical site plan application review. At this time, development of this property is not expected to cause direct impacts to protected species.

E. ENVIRONMENTAL SENSITIVE FEATURES

As previously stated, the wetlands on this site are connected to a much larger wetlands system; however, the wetlands are not the jurisdiction of the State of Florida or the City of Palm Coast.

Analysis: Based on the findings noted in the previous Section(s), the proposed change from “Conservation” to “Greenbelt” is consistent with the Comprehensive Plan.

F. GROUNDWATER RESOURCE PROTECTION

According to City maintained data, the nearest proposed and/or existing production well is greater than 3 miles west from the subject property. It is highly unlikely that the land use activities associated with the proposed FLUM change will impact the potable water supply.

Analysis: Direct impacts are not anticipated.

G. HISTORICAL RESOURCES

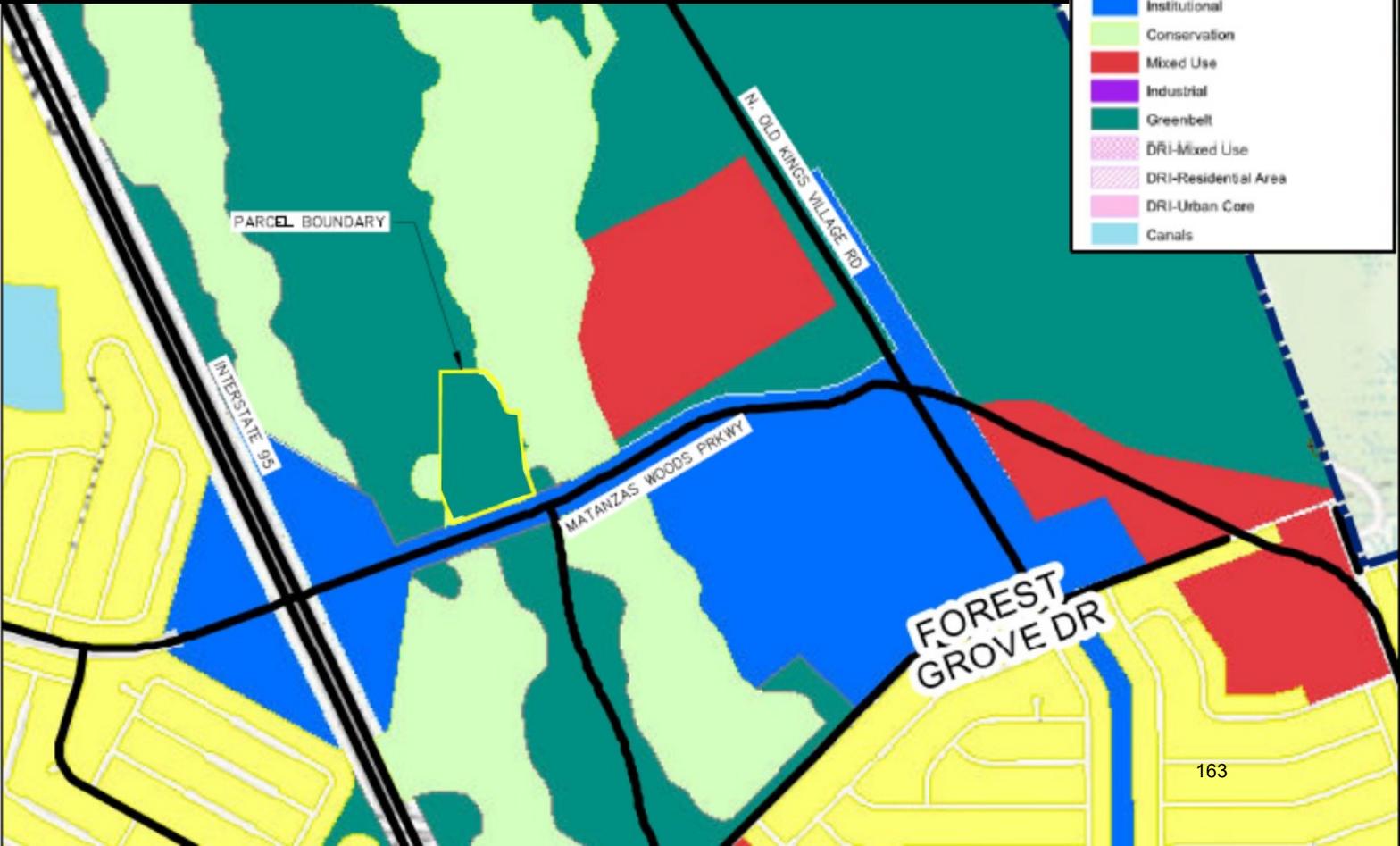
As part of the AES assessment, a preliminary review of the Division of Historical Resources’ Florida Master Site File and the State Historic Preservation Officer (SHPO) records for the property was conducted. No known archaeological sites or resource groups were identified on or adjacent to the subject property.

Analysis: No known sites were noted in the SHPO letter. No coordination will be required with the Division of Historical Resources.

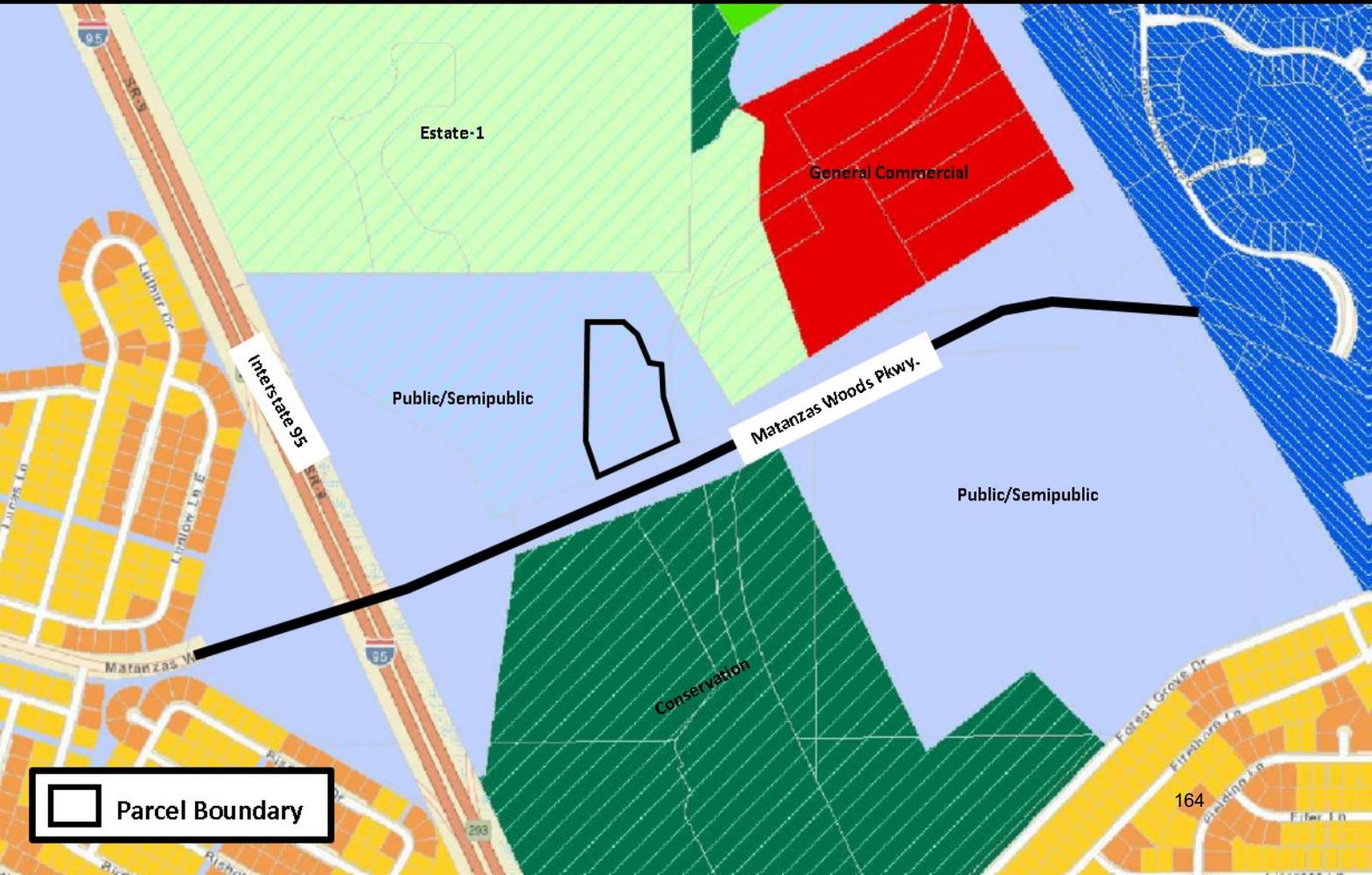
CURRENT FLUM – ADVENT HEALTH



PROPOSED FLUM – ADVENT HEALTH



CURRENT ZONING – ADVENT HEALTH

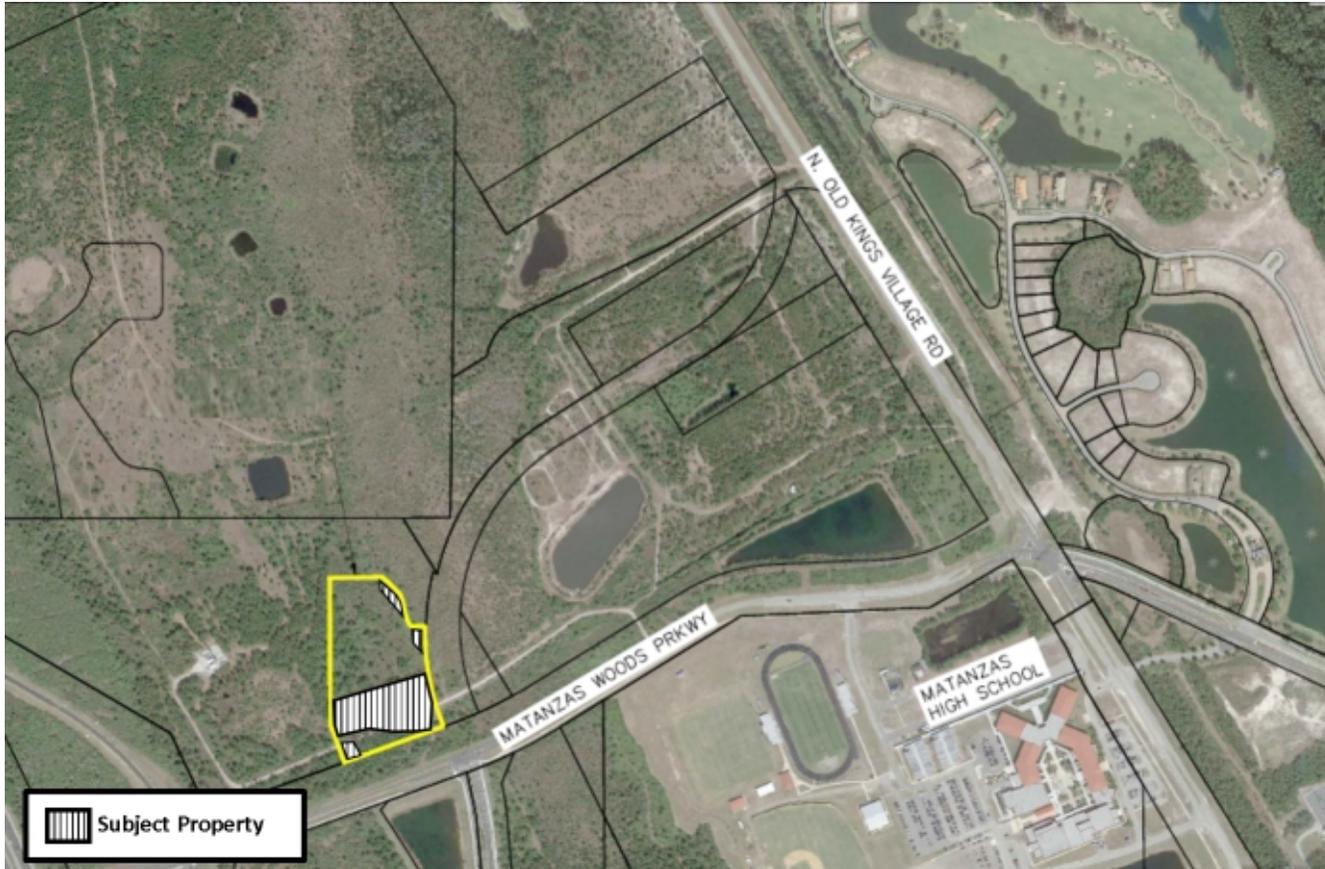




Advent Health

Future Land Use Map Amendment

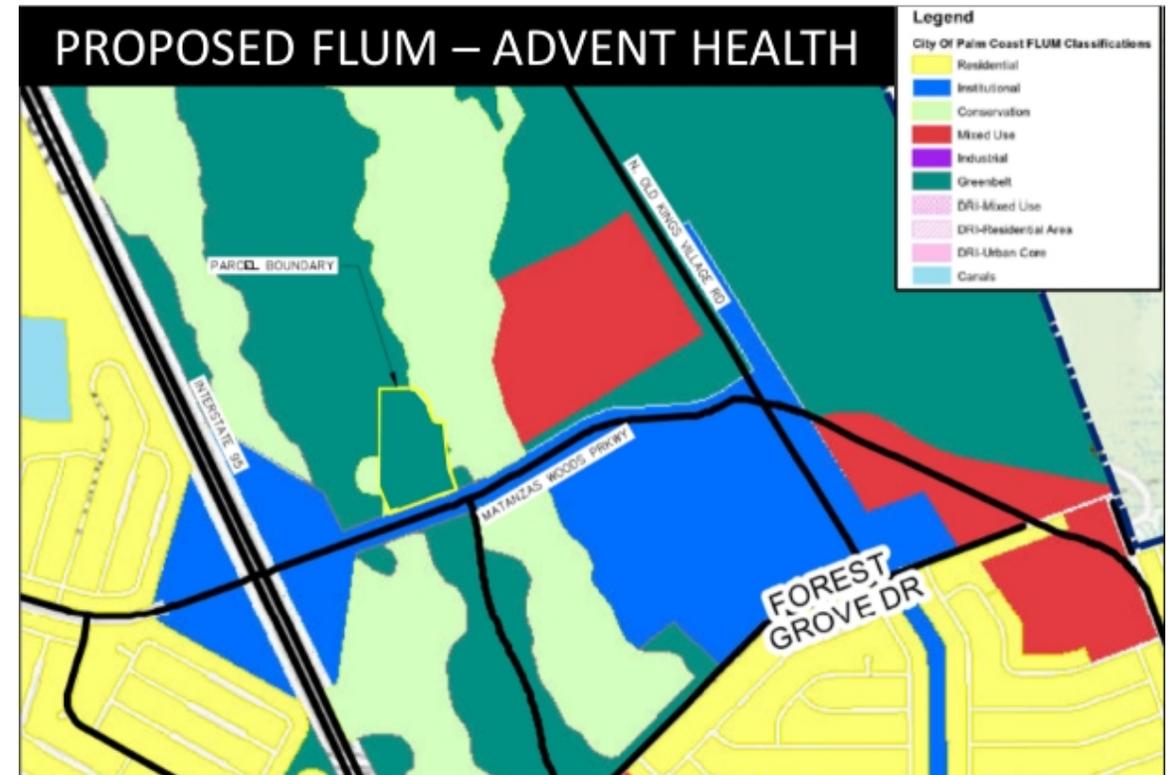
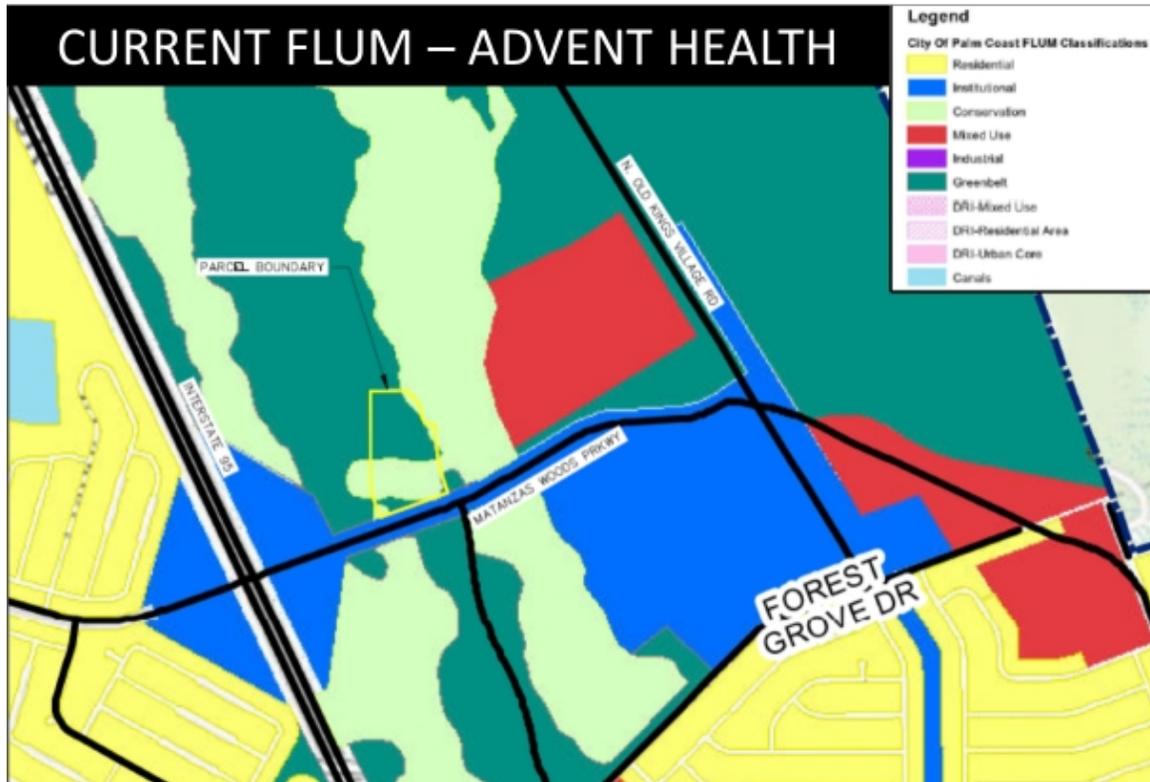
ADVENT HEALTH - Future Land Use Map Amendment



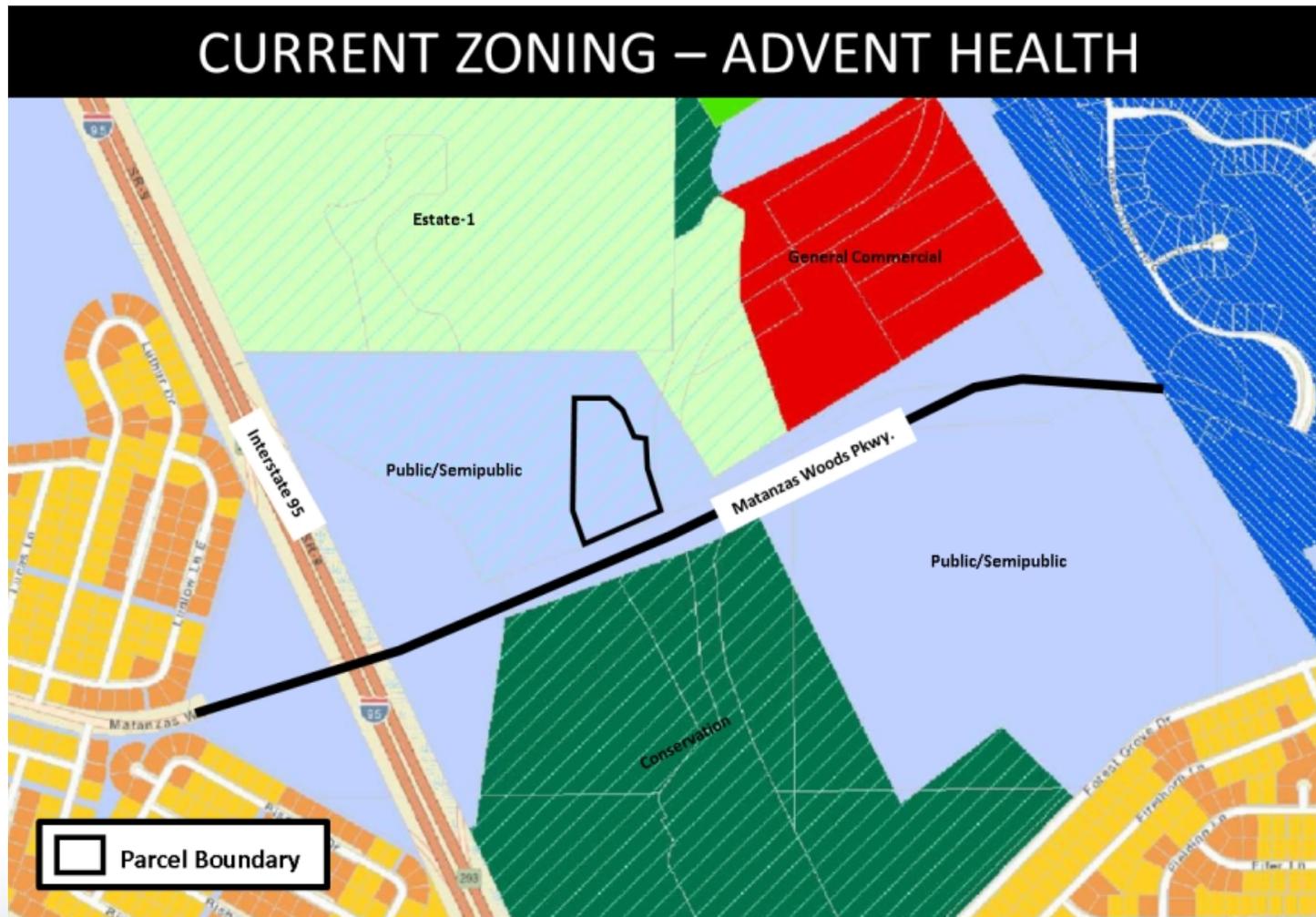
- 2.8+/- acre area within a 6.5+/- acre parcel
- Vacant
- To be developed as Emergency Department-Medical Office

ADVENT HEALTH

Future Land Use Map Amendment



ADVENT HEALTH - Future Land Use Map Amendment



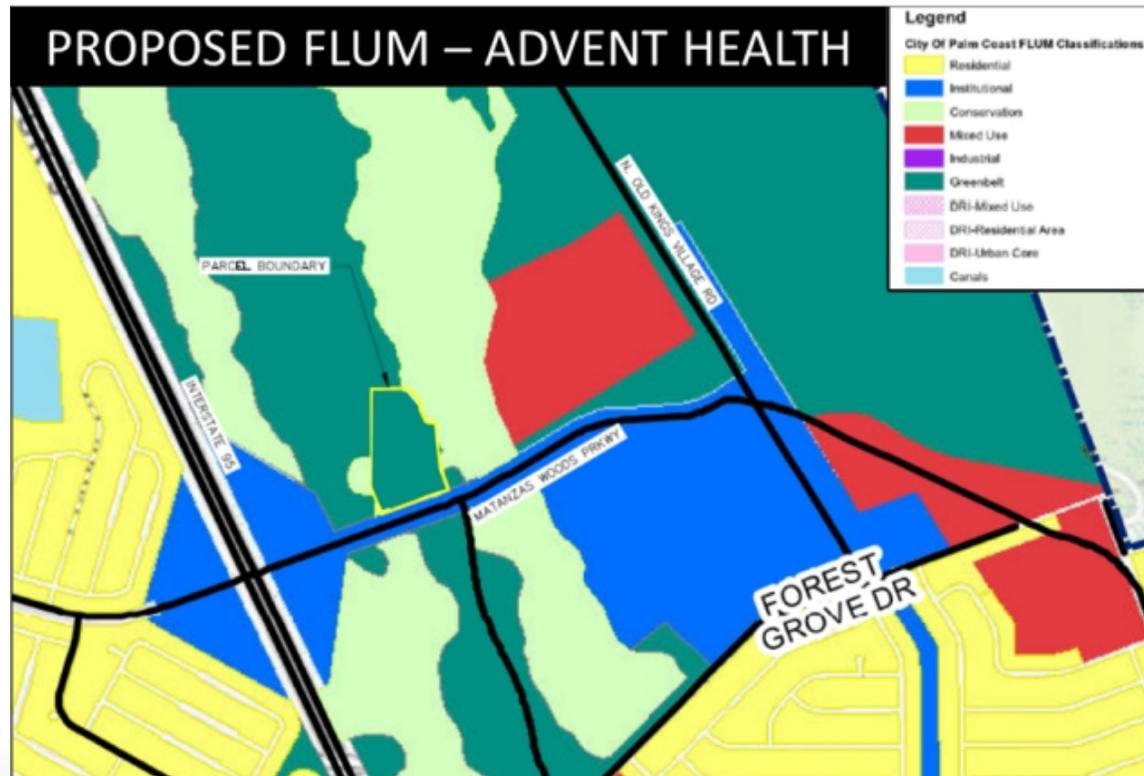
ADVENT HEALTH - Future Land Use Map Amendment

Density ⁽¹⁾	# of units or square feet of development	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation - Greenbelt (2.76 acres)								
Max Non-residential Use-.30 FAR of Hospital Use	36,068	215	6,132	3,607	--	--	--	N/A
	Total	215	6132	3607	--	--	--	N/A
Current FLUM designation - Conservation (2.76 acres)								
Max. Residential or Non-residential Use - No Development permitted	0	0	0	0	0	0	0	N/A
	Total	0	0	0	0	0	0	
Net Change		215	6,132	3,607	--	--	--	N/A

- Increase in demand on public facilities may be accommodated by existing capacity.

ADVENT HEALTH - Future Land Use Map Amendment

Consistency with Surrounding Land Use



- Proposed land use is consistent with adjacent area.

ADVENT HEALTH - Future Land Use Map Amendment

- Evaluation of Environmental Factors
- Analysis indicates that the proposed change from “Conservation” to “Greenbelt” is consistent with the Comprehensive Plan based on jurisdictional authority (USACOE will issue “Notice of Intent to Permit” – therefore areas are not regulated as wetland areas) and additional wetland areas are deemed to be of “moderate” quality.

ADVENT HEALTH - Future Land Use Map Amendment

Consistency with Comprehensive Plan Policies

- Availability of Infrastructure
- Promotes land use patterns that do not increase cost of providing utilities
- Location of commercial/non-residential development

ADVENT HEALTH - Future Land Use Map Amendment

FINDINGS

- Consistent with surrounding land uses
- Consistent with Comprehensive Plan
- No impact on Level of Service for public infrastructure

ADVENT HEALTH - Future Land Use Map Amendment

Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that City Council Approve the proposed FLUM Amendment

ADVENT HEALTH – Next Step

- Public Hearings – City Council
- Site Plan/Plat Approval



Questions?

City of Palm Coast, Florida Agenda Item

Agenda Date : 07/16/2019

Department	FINANCE	Amount
Item Key	6408	Account
		#
Subject	RESOLUTION SETTING A PROPOSED MAXIMUM MILLAGE (TRIM) RATE AND SETTING THE FIRST (TENTATIVE) BUDGET HEARING DATE, TIME, AND LOCATION FOR THE FY 2020 BUDGET	
Background :	<p>Local governments must conform to the maximum millage limitation requirements as outlined in Section 200.065(5), F.S. Within 35 days of the certification of value, the City of Palm Coast must inform the property appraiser of the current year proposed millage rate and the first budget hearing date and location which will be advertised on the Notice of Proposed Property Taxes (TRIM notice) that the property appraiser mails.</p> <p>At a workshop on July 9th, Financial Services staff presented City Council with a presentation of the proposed General Fund budget for FY 2020. As discussed, staff is proposing a maximum millage rate of 4.6989 mills, which is a 9.37% increase from the rolled-back rate of 4.2963 mills, and the first budget hearing to be held at 5:05 p.m. on Wednesday, September 4, 2019, at the Palm Coast City Hall Community Wing, located at 160 Lake Ave, Palm Coast.</p>	
Recommended Action :	Adopt Resolution 2019-XX setting a proposed maximum millage rate and the first budget hearing date, time, and location for the FY 2020 budget.	

RESOLUTION 2019 - _____
PROPOSED MAXIMUM MILLAGE RATE

A RESOLUTION OF THE CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA, SETTING A PROPOSED MAXIMUM AD VALOREM MILLAGE RATE AND TENTATIVE BUDGET HEARING DATE, TIME AND LOCATION FOR THE CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA, FOR FISCAL YEAR 2019-2020; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Palm Coast, Flagler County, Florida, must provide the Property Appraiser with a proposed millage rate, the current year rolled-back rate and the date, time, and meeting place of the Tentative Budget hearing; and

WHEREAS, this notification must be provided by August 4, 2019; and

WHEREAS, the gross taxable value of property within the City of Palm Coast, Flagler County, Florida, has been certified by the County Property Appraiser to the City of Palm Coast as \$5,452,170,314.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

SECTION 1. PROPOSED MILLAGE AND PUBLIC HEARING. The City Council of the City of Palm Coast, Flagler County, Florida, sets the fiscal year 2019-2020 proposed millage rate at 4.6989 mills, which is an 9.37% increase from the rolled-back rate of 4.2963 mills. The Tentative Budget Hearing will be held at 5:05 p.m. on Wednesday, September 4, 2019, at the Palm Coast City Hall Community Wing, located at 160 Lake Ave, Palm Coast.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

DULY PASSED and ADOPTED at the meeting of the City Council of the City of Palm Coast, Florida, on the 16th day of July 2019.

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

Fiscal Year 2020 Proposed General Fund Budget

Tuesday, July 16, 2019



Helena P. Alves, CGFO, CIA, MBA
Financial Services Director



BUDGET PRESENTATION TIMELINE

JAN - MAR

- Annual Financial Audit
- Annual Progress Report
- Survey Results
- Annual City Council
SAP evaluation
- Review 10 year CIP Plan

APR - JUNE

- YTD Budget Results Presentation
- Fund Accounting & Revenue
Restrictions Presentation
- Property Tax Presentation



JUL - SEPT

- Adopt Maximum Millage Rate
- Budget Workshop
Presentations to City Council
- Public Hearings to Adopt Tentative
and Final Millage
Rate & Budget

OCT - DEC

- FY19 Year End Close-Out
- End of Year Review with
Departments



Presentation Overview:

- Addressing City Council Priorities
- 2020 Millage Rate Proposal
- Proposed Personnel Changes
- Summary of General Fund Revenue & Expenditures
- Millage Rate Recommendation

City Council Priority	Impact to General Fund	Impact to Other Funds
Street Maintenance - Pavement Management Program	N/A	Fully Funded for FY2020 in Streets Improvements Fund
Public Works Facility	N/A	Near-Term and Phased Improvements included in Capital Projects Fund
Streetlight Master Plan	\$950,000 (+\$130,000/FY19) for operational costs related to streetlights	Additional Construction Phases included In Street Improvements Fund
Shop Local Campaign	\$12,000 for Advertising/Marketing	\$5,000 for Advertising/ Marketing in BAC Fund
Utilize all Communication Mediums	\$20,000 for Social Media Monitoring \$26,500 for Additional Advertising (Palm Coast Connect, Weekly Radio, etc.)	N/A

City Council Priority	Impact to General Fund	Impact to Other Funds
Innovation District – Overall	Added Innovation & Economic Development Coordinator Position +\$10,000 Advertising/ Marketing for Green Industry/ Medical & Tech Summits	N/A
Create an Art District	N/A	Included in SR100 CRA Budget
Innovation District Marketing Plan	N/A	Included in SR100 CRA Budget
Innovation District Events: <ul style="list-style-type: none"> • Visual Contest with FPC • TEDxTalk • Hackathon 	N/A	Included in SR100 CRA Budget

2020 MAXIMUM MILLAGE RATE PROPOSAL

	Millage Rate
FY 2019	4.6989
Proposed FY 2020	4.6989

GENERAL FUND POSITIONS

		Proposed		
	2019	2020	Change	
City Manager's Office	2	3	1	
Communications & Marketing	4	4	0	
Economic Development	2	3	1	
City Clerk	2	3	1	
City Attorney	0.5	0.5	0	
Human Resources	5	5	0	
Financial Services (Incl. Budget & Procurement Office)	12.5	13.5	1	
Planning	13.66	14.66	1	
Code Enforcement	25.86	25.86	0	
Fire	58	59	1	
Streets & Parks Maintenance	75.5	79	3.5	
Construction Management & Engineering	9	9	0	
Parks & Recreation (incl. Pool, GC & TC)	13	14	1	
Total Full Time Positions	223.02	233.52	10.50	



PERSONNEL CHANGES

City Manager's Office	<ul style="list-style-type: none">• Administrative Assistant
Streets & Parks Maintenance	<ul style="list-style-type: none">• Equipment Operators (3)• Upgrade Existing PT Equipment Operator to FT
Finance	<ul style="list-style-type: none">• Senior Finance Technician
Administrative Services & Economic Development	<ul style="list-style-type: none">• Records Specialist• Innovation & Economic Development Coordinator
Fire	<ul style="list-style-type: none">• Staff Assistant
Planning	<ul style="list-style-type: none">• Development Manager
Parks & Recreation	<ul style="list-style-type: none">• Eliminated Golf Pro• Reclassified seasonal hours to 2 Full Time positions

Budget includes 3% average merit raise and 2% adjustment to starting salaries in January ¹⁸⁷

2020 GENERAL FUND SUMMARY

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Budgeted Expenditures	37,269,949	37,276,001	39,315,862	2,045,913	
Transfer Reserves to Capital Projects Fund	-	1,000,000	-	-	
Contingency	154,413	567,251	805,719	651,306	
Total Projected Expenditures	37,424,362	38,843,252	40,121,581	2,697,219	7.2%
Estimated Revenue	37,424,362	37,843,252	40,121,581	2,697,219	
Fund Balance Appropriation	-	1,000,000	-	-	
Total Projected Revenue	37,424,362	38,843,252	40,121,581	2,697,219	7.2%



ADMINISTRATIVE SERVICES

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
City Council	157,056	157,056	174,531	17,475	11%
City Manager's office	397,913	397,913	484,011	86,098	22%
City Clerk's Office	164,410	182,802	280,490	116,080	70.6%
City Attorney	526,473	526,473	542,331	15,858	3%
Communications & Marketing	455,574	455,574	512,294	56,720	12.5%
Economic Development	473,191	465,210	580,484	107,293	22.7%
Human Resources	602,828	642,163	662,341	59,513	9.9%
Budget & Procurement Office	405,366	405,366	433,964	28,598	7%
Financial Services	943,914	943,914	1,007,696	63,782	7%
Total Expenditures	4,126,725	4,176,471	4,678,142	551,417	13.4%

Personnel Changes:

Administrative Assistant

Records Specialist

Senior Finance Technician

Innovation & Economic Development Coordinator



CONSTRUCTION MANAGEMENT & ENGINEERING

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Total Expenditures	1,230,968	1,223,870	1,075,040	(155,928)	-12.7%



PLANNING & CODE ENFORCEMENT

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Planning	1,661,509	1,612,669	1,651,453	(10,056)	-0.6%
Code Enforcement	2,465,912	2,696,250	2,848,482	382,570	15.5%
Total Expenditures	4,127,421	4,308,919	4,499,935	372,514	9.0%

Personnel Changes:
Development Manager



PUBLIC SAFETY

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Law Enforcement	3,505,503	3,505,503	3,680,779	175,276	5.0%
Fire	8,931,687	8,931,687	9,426,294	494,607	5.5%
Total Expenditures	12,437,190	12,437,190	13,107,073	669,883	5.4%

Personnel Changes:
Staff Assistant



PARKS & RECREATION

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Parks & Recreation	1,646,855	1,642,022	1,766,059	119,204	7.2%
Aquatic Center	431,833	431,833	452,262	20,429	4.7%
Golf Course	1,572,365	1,513,886	1,571,205	(1,160)	-0.1%
Tennis Center	324,328	317,328	364,518	40,190	12.4%
Total Expenditures	3,975,381	3,905,069	4,154,044	178,663	4.5%

Personnel Changes:

Golf Pro position eliminated (changed to contractual service)

2 Seasonal positions reclassified to full time positions



STREETS & PARKS MAINTENANCE

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Street Maintenance	6,975,975	6,877,505	7,922,695	946,720	14%
Parks Maintenance	2,226,741	2,172,429	2,459,059	232,318	10.4%
Total Expenditures	9,202,716	9,049,934	10,381,754	1,179,038	12.8%

Personnel Changes:

(2) Equipment Operators

Equipment Operator (start when HP PH II complete)

Upgrade PT Equipment Operator to FT



NON-DEPARTMENTAL

	Original 2019	Estimated 2019	Proposed 2020	FY 19-20 Change	Percentage Change
Expenditures	1,419,548	1,424,548	1,419,874	326	
Transfer to IT Fund	750,000	750,000	-	(750,000)	
Transfer Reserves to Capital Projects Fund	-	1,000,000	-	-	
Contingency	154,413	567,251	805,719	651,306	
Total Expenditures	2,323,961	3,741,799	2,225,593	(98,368)	-4.2%

Includes:

CRA TIF	\$732,010
RSVP Grant	\$30,000
Historical Society Grant	\$3,000

*Cultural Arts grant moved to Park & Recreation for FY 20



MILLAGE RATE & PROPERTY TAX HISTORY

Fiscal Year	Property Value	Percent Change	Total Millage	Ad Valorem Receipts	Population
2019	4,995,651,282	8.30%	4.6989	\$ 22.6 million	84,575
2018	4,612,577,686	6.66%	4.5937	\$ 20.4 million	82,760
2017	4,324,453,760	4.40%	4.245	\$ 18.8 million	81,184
2016	4,142,103,986	6.42%	4.245	\$ 16.9 million	79,821
2015	3,982,358,641	5.48%	4.245	\$ 15.9 million	78,046

FY 2020 July 1 Certified Taxable Value is \$5,452,170,314 (9% increase)

MILLAGE RATE OPTIONS

	Millage Rate
Rolled-Back Rate	4.2963
2020 Majority Vote	6.1498
2020 Two-Thirds Vote	6.7648
FY 2019	4.6989
Proposed FY 2020	4.6989



QUESTIONS



City of Palm Coast, Florida Agenda Item

Agenda Date : 07/09/2019

Department CITY CLERK Item Key	Amount Account
Subject RESOLUTION 2019-XX APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT	
Background : <u>UPDATED BACKGROUND FROM THE JULY 9, 2019 WORKSHOP</u> This item was heard by City Council at their July 9, 2019 Workshop. There were no changes suggested to this item. <u>ORIGINAL BACKGROUND FROM JULY 9, 2019 WORKSHOP</u> In March 2010, the City adopted Ordinance 2010-03 - Public Nuisance - to provide for the creation of an assessment area and authorize the imposition of Nuisance Abatement Assessments to be included in the annual ad valorem tax bill sent out by the County Tax Collector for properties where the City abated a nuisance. In December 2010, the City adopted Resolution 2010-168 - Non-Ad Valorem Assessments for Nuisance Abatement - signifying the City's intent to use the uniform method of collecting non-ad valorem special assessments levied within the City in connection with Ordinance 2010-03. Each year the preliminary and final assessment roll needs to be adopted by City Council prior to September 15. This Resolution is intended to adopt a preliminary assessment roll.	
Recommended Action : Adopt Resolution 2019-XX approving the nuisance abatement initial assessment.	

RESOLUTION 2019-__
NUISANCE ABATEMENT INITIAL ASSESSMENT

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, RELATING TO THE PROVISION OF NUISANCE ABATEMENT WITHIN THE INCORPORATED AREA OF THE CITY; ESTIMATING THE SERVICE COST OF NUISANCE ABATEMENT TO BE ASSESSED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018; DETERMINING THAT CERTAIN REAL PROPERTY WILL BE SPECIALLY BENEFITTED THEREBY; ESTABLISHING THE METHOD OF ASSESSING THE SERVICE COST AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITTED THEREBY; DIRECTING THE CITY MANAGER TO PREPARE OR DIRECT THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL BASED UPON THE METHODOLOGY SET FORTH HEREIN; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS AND THE METHOD OF THEIR COLLECTION AND DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

ARTICLE I
DEFINITIONS AND CONSTRUCTION

SECTION 1.01. PURPOSE AND DEFINITIONS. This Resolution constitutes the Nuisance Abatement Initial Assessment Resolution as defined in Ordinance No. 2010-03, the Public Nuisance Ordinance. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

“Dwelling Unit” means a Building, or portion thereof, which is lawfully used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only.

“DOR Code” means a property use code established by 12D-8.008, Florida Administrative Code, and as applied by the Property Appraiser attached hereto as Appendix D.

“Nuisance Abatement Assessed Cost” means all or any portion of the Service Cost that is properly attributable to the abating of the nuisance under generally accepted accounting principles, including, without limiting the generality of the foregoing, a reasonable amount for contingency and anticipated delinquencies and uncollectible assessments, the amount of which each Tax Parcel’s annual ad valorem tax bill is discounted for early payment of assessments collected pursuant to the Uniform Assessment Collection Act, the cost to be incurred by the City during any Fiscal Year in connection with the implementation, administration, collection, and enforcement of the Nuisance Assessments, any service charges of the Tax Collector or Property Appraiser, and reimbursement to the City for any funds advanced for nuisance abatement services, and interest of any interfund or intrafund loan for such purposes.

“Nuisance Abatement Assessment” means an annual Service Assessment, as defined in the Ordinance, imposed against property located within the City to fund the Nuisance Abatement Cost, computed in the manner described 2.05 hereof.

“Ordinance” means Ordinance No. 2010-03, the Public Nuisance Ordinance.

“Tax Parcel” means a parcel of property within the Service Area to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

SECTION 1.03. GENERAL FINDINGS. It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Council has all powers of local self-government to perform municipal functions and to render municipal services except when prohibited by law and such power may be exercised by the enactment of legislation in the form of City ordinances.

(B) The City Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Council may legislate on any subject matter on which the Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c) and (d) of Section 166.021(3), Florida Statutes, are not relevant to imposition of the Nuisance Abatement Assessments within the City.

(C) The City Council has enacted the Ordinance to provide for the creation of an Assessment Area and authorize the imposition of Nuisance Abatement Assessments to fund the Nuisance Abatement Assessed Cost to benefit property.

(D) The City Council desires to create the Nuisance Abatement Service Area as an Assessment Area and to fund the Nuisance Abatement Assessed Cost.

(E) The nuisance abatement services, facilities, and programs will provide a special benefit to all Tax Parcels located within the City, by protecting and enhancing the value, use and enjoyment of such property. The provision of nuisance abatement will preserve or enhance the property values and enhance the aesthetics, safety and access to property.

(F) The Nuisance Abatement Assessments to be imposed in accordance with this Initial Assessment Resolution provide an equitable method of funding the provision of nuisance abatement services, facilities, and programs by fairly and reasonably allocating the cost to specially benefitted property, based upon the cost of nuisance abatement attributable to each parcel or property in the manner hereinafter described.

(G) Each Tax Parcel within the proposed Nuisance Abatement Service Area will be benefitted by the City's provisions of the nuisance abatement services in an amount not less than

the Assessment imposed against such property, computed in the manner set forth in this Initial Assessment Resolution.

**ARTICLE II
NUISANCE ABATEMENT ASSESSMENTS**

SECTION 2.01. PROPOSED NUISANCE ABATEMENT SERVICE AREA.

(A) In accordance with Section 2.01 of the Ordinance, the City Council proposed to create the Nuisance Abatement Service Area, consisting of the entire City. For Fiscal Year commencing 2019, the specific properties to be assessed are attached as Appendix A:

(B) The Nuisance Abatement Service Area is proposed to provide beautification, and enhance safety and access to property, as well and preserve and/or enhance the value of all property therein through the provisions of nuisance abatement services.

SECTION 2.02. ESTIMATED NUISANCE ABATEMENT COST.

The estimated Nuisance Abatement Assessed Cost for properties listed in 2.01 are as follows for the Fiscal Year commencing October 1, 2019, as attached hereto and incorporated herein by reference as Appendix A. This Nuisance Abatement Assessed Cost will be funded through the imposition of Assessments against property located within the City in the manner set forth in Section 2.05 hereof.

SECTION 2.03. IMPOSITION OF NUISANCE ABATEMENT ASSESSMENTS.

The Nuisance Abatement Assessments shall be imposed against those Tax Parcels listed in Section 2.02 located within the Nuisance Abatement Service Area, and shall be computed in accordance with this Initial Assessment Resolution. When imposed, the Nuisance Abatement Assessments shall constitute a lien on those Tax Parcels pursuant to Section 2.05 of the Ordinance.

SECTION 2.05. COMPUTATION OF ASSESSMENTS. The Nuisance Abatement Assessment amount for the Fiscal Year commencing October 1, 2019, shall be calculated and apportioned based on the actual cost of nuisance abatement.

SECTION 2.06. NUISANCE ABATEMENT ASSESSMENT ROLL. The City Manager is hereby directed to prepare, or direct the preparation of, the preliminary Nuisance Abatement Assessment Roll in the manner provided in the Ordinance and in Resolution 2010-168. A copy of this Nuisance Abatement Initial Assessment Resolution and the preliminary Nuisance Abatement Assessment Roll shall be maintained on file in the office of the City Clerk or such person's designee and open to public inspection. The foregoing shall not be construed to require that the Nuisance Abatement Assessment Roll be in printed form if the amount of the Nuisance Abatement Assessment for each Tax Parcel can be determined by use of an available computer terminal.

SECTION 2.07. METHOD OF COLLECTION. The Nuisance Abatement Assessments shall be collected pursuant to the Uniform Assessment Collection Act, as provided in Section 35-77 of the Ordinance.

ARTICLE III NOTICE AND PUBLIC HEARING

SECTION 3.01. PUBLIC HEARING. A public hearing will be conducted by the City Council at 9:00 a.m., on August 20, 2019 at the City of Palm Coast, Community Wing, 160 Lake Avenue, Palm Coast, Florida, to consider imposition of the Nuisance Abatement Assessments.

SECTION 3.02. NOTICE BY PUBLICATION. The City Manager or such person's designee shall publish a notice of the public hearing authorized by Section 3.01 hereof in the manner and the time provided by Statute. The published notice shall be in substantially the form attached hereto as Appendix B.

SECTION 3.03. NOTICE BY MAIL. The City Manager or such person’s designee shall, at the time and in the manner specified by statute, provide first class mailed notice of the public hearing authorized by Section 3.01 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. The mailed notice shall be in substantially the form attached hereto as Appendix C.

**ARTICLE IV
GENERAL PROVISIONS**

SECTION 4.01. SEVERABILITY. The provisions of this Nuisance Abatement Initial Assessment Resolution are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Nuisance Abatement Initial Assessment Resolution shall not be affected thereby.

SECTION 4.02. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 16th day of July 2019.

ATTEST:

CITY OF PALM COAST

Virginia A. Smith, City Clerk

Milissa Holland, Mayor

Approved as to form and legality:

William E. Reischmann, Jr., Esq.

Attachments:

Appendix A - List of Specific Properties to be Assessed

Appendix B - Form of Notice to be Published

Appendix C - Form of Notice to be Mailed

Exhibit A

Special Assessment 2019 Spreadsheet

Parcel I.D.	Property Owner's Name	St#	Property Address of Violation	Address 1	Address 2	City	State/Country	Zip	Code Case #	nvoice Ami	Invoice#	Prop. Inv. Dat	Violation
07-11-31-7001-00030-0170	Gina Harding	2	Fairview Lane	1 Florida Park Drive	Suite 115	Palm Coast	FL	32137	2018070008	\$165.00	35503	8/16/2018	Public Nuisance
07-11-31-7001-00040-0020	Gary Metzger	72	Farragut Drive	2435 Bridge Ave	Apt 333	Pt Pleasant	NJ	08742	2018050347	\$165.00	35146	6/12/2018	Public Nuisance
07-11-31-7001-00040-0020	Gary Metzger	72	Farragut Drive	2435 Bridge Ave	Apt 3	Pt Pleasant	NJ	08742	2018080149	\$165.00	35774	9/25/2018	Public Nuisance
07-11-31-7001-00040-0020	Gary Metzger	72	Farragut Drive	2435 Bridge Ave, Apt 3		Pt Pleasant	NJ	08742	2018100032	\$165.00	36080	11/21/2018	Public Nuisance
07-11-31-7001-00040-0020	Gary Metzger	72	Farragut Drive	2435 Bridge Ave, Apt 3		Pt Pleasant	NJ	08742	2019010316	\$165.00	36899	3/11/2019	Public Nuisance
07-11-31-7001-00040-0020	Gary Metzger	72	Farragut Drive	2435 Bridge Ave	Apt 3	Pt. Pleasant	NJ	08742	2019030897	\$165.00	36963	4/3/2019	Public Nuisance
07-11-31-7001-00160-0750	Joseph Armento, c/o Renate E. Berg	90	Flamingo Drive	90 Flamingo Drive		Palm Coast	FL	32137	2018061256	\$160.00	35379	7/25/2018	Public Nuisance
07-11-31-7002-00060-0030	Marek Lesczynski	2	Fernham Lane	2 Fernham Lane		Palm Coast	FL	32137	2018060628	\$160.00	35367	7/25/2018	Public Nuisance
07-11-31-7002-00060-0030	Marek Lesczynski	2	Fernham Lane	2 Fernham Lane		Palm Coast	FL	32137	2018070155	\$165.00	35516	8/16/2018	Public Nuisance
07-11-31-7002-00060-0030	Marek Lesczynski	2	Fernham Lane	2 Fernham Lane		Palm Coast	FL	32164	2019030207	\$165.00	36964	4/3/2019	Public Nuisance
07-11-31-7003-00110-0090	Daniel & Denise Verano	18	Classic Court S.	18 Classic Court S.		Palm Coast	FL	32137	2018061251	\$165.00	35508	8/16/2018	Public Nuisance
07-11-31-7004-00050-0150	Alejandro, Maximo & Mirko Cazzaro	44	Clearview Court North	P.O. Box 02-5210		Miami	FL	33102	2018060994	\$235.00	35973	10/17/2018	Public Nuisance
07-11-31-7004-00060-0280	Karl L & Pauline F Zipf Life Estate	2	Clinton Court North	4 Crossbow Court		Palm Coast	FL	32137	2018061729	\$300.00	35940	10/17/2018	Public Nuisance
07-11-31-7007-00030-0200	Judith Del Valle Concepcion	73	Fleetwood Drive	6574 Saunders St Apt 1a		Rego Park	NY	11374	2018081704	\$165.00	35930	10/17/2018	Public Nuisance
07-11-31-7007-00050-0320	Bill Snow Sr	70	Fountain Gate Lane	550 Lakeside Road		Vonroe	Tn	37855	2018071137	\$700.00	35902	10/8/2018	Public Nuisance
07-11-31-7007-00290-0140	Farinhas Realty Company Inc	82	Forest Hill Drive	84 Jefferson Street		Newark	NJ	07105	2018091204	\$300.00	36761	2/12/2019	Public Nuisance
07-11-31-7007-00290-0140	Farinhas Realty Company Inc	82	Forest Hill Drive	84 Jefferson Street		Newark	NJ	07105	2018101241	\$200.00	36761	2/12/2019	Public Nuisance
07-11-31-7007-00290-0140	Farinhas Realty Company Inc	82	Forest Hill Drive	84 Jefferson Street		Newark	NJ	07105	2018111263	\$300.00	36761	2/12/2019	Public Nuisance
07-11-31-7008-00020-0010	Antonio Riera, Donzella & Sandra Maria De Donzella	2	Casper Drive	Calle Cinaruco, Res Marquezal	Torre Beta, Apt. 5-A,	Caracas	VENEZUELA		2018060823	\$300.00	35385	7/25/2018	Public Nuisance
07-11-31-7008-00020-0010	Riera Antonio J Donzella & Sandra Maria De Donzella	2	Casper Drive	Calle Cinaruco, Res Marquezal,	Torre Be Urb, El Marquez	Caracas	Venezuela		2018100923	\$300.00	36376	12/20/2018	Public Nuisance
07-11-31-7009-00030-0080	Emerito G Garcia	13	Farnum Lane	100 United Nations Plz	Apt 23d	New York	NY	10017	2018030681	\$235.00	35314	7/5/2018	Public Nuisance
07-11-31-7009-00190-0030	Manuel & Maria Adelia Salgado	6	Fairmont Lane	83 Leslie Rd		Colonies	NJ	07067	2018110488	\$300.00	37079	4/12/2019	Public Nuisance
07-11-31-7009-00320-0480	Joseph & Susan E Comella	168	Fenimore Lane	2908 Main Street		Coventry	CT	06238	2018081081	\$235.00	36510	1/11/2019	Public Nuisance
07-11-31-7009-00360-0210	Parvin Javadi	11	Fenimore Lane	400 Cochran Road	Apt 103	Pittsburgh	PA	15228	2018070930	\$700.00	35925	10/17/2018	Public Nuisance
07-11-31-7009-00410-0010	Antonio Luis & Maria Simaos	81	Fenimore Lane	2154 Fay Ave		Linden	NJ	07036	2018051144	\$235.00	35735	9/21/2018	Public Nuisance
07-11-31-7009-00430-0220	Julio C & Marlene Arango	45	Fenhill Lane	2647 Andros Lane		Kissimmee	FL	34747	2018090104	\$230.00	36532	1/11/2019	Public Nuisance
07-11-31-7009-RP0G0-0030	Ermolaev Valery		Left of 13 Farnell Lane	81 Fountain Gate Ln		Palm Coast	FL	32137	2018120702	\$600.00	36841	3/1/2019	Public Nuisance
07-11-31-7010-00010-0620	Paulo Duarte & Sofia Malicia	12	Ferndale Lane	328-330 Ferry Street	2nd FL	Newark	NJ	07105	2018041012	\$370.00	35310	7/5/2018	Public Nuisance
07-11-31-7010-00030-0210	Simsim Investments Inc.	115	Ferndale Lane	47 Woodland Ave.	Apt. 107	Summit	NJ	07901	2018101335	\$235.00	36519	1/11/2019	Public Nuisance
07-11-31-7010-00030-0210	Simsim Investments Inc.	115	Ferndale Lane	47 Woodland Ave.	Apt 107	Summit	NJ	07901	2018101141	\$200.00	36785	2/14/2019	Public Nuisance
07-11-31-7010-00080-0270	Mary M & Lucy E & Vincent P Parisi	56	Forest Grove Drive	3464 Germantown Pike		Collegeville	PA	19426	2018070471	\$235.00	36144	12/4/2018	Public Nuisance
07-11-31-7010-00080-0420	Juan M & Elsy Garcia	26	Firethorn Lane	10816 Keswick St		Sun Valley	CA	91352	2018101576	\$360.00	37066	4/11/2019	Public Nuisance
07-11-31-7010-00090-0320	Adelardo Gomes Soares	12	Fielding Lane	609 Normandy M		Delray Beach	FL	33446	2018110020	\$370.00	36603	1/25/2019	Public Nuisance
07-11-31-7010-00310-0010	Julia Munoz-Payano	30	Fanshawe Lane	3185 Crescent Street	Apt. 505	Astoria	NY	11106	2018100308	\$430.00	36540	1/11/2019	Public Nuisance
07-11-31-7011-00010-1560	Edward Paul Berberich	170	Beachway Drive	154-37 12 Road		Whitestone	NY	11357	2018050244	\$500.00	35587	8/30/2018	Public Nuisance
07-11-31-7011-00030-0300	Erwin Sweetwine	27	Berkshire Lane	PO Box 92258		Washington	DC	20090	2018090706	\$315.00	36075	11/21/2018	Public Nuisance
07-11-31-7011-00060-0160	Susanna E Ngitngit	10	Becker Lane	P.O. Box 17562		Wichita	KS	67217	2018100797	\$950.00	36555	1/16/2019	Public Nuisance
07-11-31-7011-00090-0210	E-Ni Foo & Paul C. Wang	33	Beaverdam Lane	718 Cornerstone Lane		Bryn Mawr	PA	19010	2018090207	\$300.00	36261	12/7/2018	Public Nuisance
07-11-31-7011-00090-0210	Ni Foo E & Paul C Wang	33	Beaverdam Lane	718 Cornerstone Lane		Bryn Mawr	PA	19010	2018090210	\$130.00	36505	1/11/2019	Public Nuisance
07-11-31-7011-00090-0310	Alexander Andrew Fattorini	118	Beachway Drive	1321 Coral Way		Coral Gables	FL	33134	2018061348	\$300.00	35807	9/26/2018	Public Nuisance
07-11-31-7011-00130-0390	Walter M & Gilda Brown	26	Beth Lane	61 Pacific Avenue		N Middletown	NJ	07748	2018100061	\$165.00	36076	11/21/2018	Public Nuisance
07-11-31-7012-00030-0750	FL Pcm Holding LLC	142	Bayside Drive	7 Augusta Trail		Palm Coast	FL	32137	2018101524	\$300.00	36695	2/4/2019	Public Nuisance
07-11-31-7012-00030-0750	FL Pcm Holding LLC	142	Bayside Drive	7 Augusta Trail		Palm Coast	FL	32137	2018101295	\$135.00	37054	4/11/2019	Public Nuisance
07-11-31-7012-00030-1640	FL Pcm Holding LLC	63	Baltimore Lane	7 Augusta Trail		Palm Coast	FL	32137	2018120158	\$700.00	36835	3/1/2019	Public Nuisance
07-11-31-7012-00120-0560	Smp Property Holdings LLC	14	Ballenger Lane	2379 Beville Road		Daytona Beach	FL	32119	2018080547	\$700.00	36198	12/5/2018	Public Nuisance
07-11-31-7012-00160-0280	Maronda Homes, Inc	35	Bainbridge Lane	9700 Philips Hwy	Ste 102	Jacksonville	FL	32256	2018100077	\$230.00	37062	4/11/2019	Public Nuisance
07-11-31-7012-00170-0620	Judson E & Grace E Areza	75	Barrington Drive	PO Box 351863		Palm Coast	FL	32135	2018090945	\$165.00	36074	11/21/2018	Public Nuisance
07-11-31-7012-00180-0230	Esther L Ogradnik & Barbara Salas	17	Barkwood Lane	7421 SW 128th Ave		Miami	FL	33183	2018061964	\$200.00	35843	10/2/2018	Public Nuisance
07-11-31-7012-00180-0230	Esther L Ogradnik & Barbara Salas	17	Barkwood Lane	7421 SW 128th Ave		Miami	FL	33183	2018061600	\$360.00	35843	10/2/2018	Public Nuisance
07-11-31-7012-00180-0390	Jose & Teresa Garcia	16	Barkley Lane	1501 Algardi Ave.		Coral Gables	FL	33136	2018090134	\$300.00	36298	12/10/2018	Public Nuisance

Special Assessment 2019 Spreadsheet

07-11-31-7013-00020-0600	Rosa Photie	108	Braddock Lane	108 Braddock Lane		Palm Coast	FL	32137	2018090644	\$165.00	36078	11/21/2018	Public Nuisance
07-11-31-7013-00020-0600	Rose Photie, Life Estate	108	Braddock Lane	108 Braddock Lane		Palm Coast	FL	32137	2018110094	\$165.00	36372	12/20/2018	Public Nuisance
07-11-31-7013-00030-0200	Wael S Karadsheh	56	Braddock Lane	PO Box 2012		Amman	JORDAN	11181	2018091109	\$900.00	36409	12/21/2018	Public Nuisance
07-11-31-7013-00190-0250	Theodore & Eva Graham	19	Bruning Lane	19 Bruning Lane		Palm Coast	FL	32137	2018050955	\$165.00	35144	6/12/2018	Public Nuisance
07-11-31-7013-00190-0250	Theodore & Eva Graham	19	Bruning Lane	19 Bruning Lane		Palm Coast	FL	32137	2018061260	\$650.00	35507	8/16/2018	Public Nuisance
07-11-31-7013-00190-0250	Theodore & Eva Graham	19	Bruning Lane	19 Bruning Lane		Palm Coast	FL	32137	2018081831	\$165.00	35926	10/17/2018	Public Nuisance
07-11-31-7013-00190-0250	Theodore & Eva Graham	19	Bruning Lane	19 Bruning Lane		Palm Coast	FL	32137	2018110091	\$165.00	36375	12/20/2018	Public Nuisance
07-11-31-7013-00190-0360	Carlos Carrion & Mari Colon	66	Brunswick Lane	66 Brunswick Lane		Palm Coast	FL	32137	2018091315	\$165.00	36079	11/21/2018	Public Nuisance
07-11-31-7013-00230-0170	James H & Lily L Tai	35	Brooklyn Lane	2928 Brossman St.		Naperville	IL	60564	2018110492	\$600.00	36691	2/4/2019	Public Nuisance
07-11-31-7013-00230-0420	Margaret D Gayle	50	Brockton Lane	20 Lewis Drive		Bloomfield	CT	6002	2018071009	\$235.00	35972	10/17/2018	Public Nuisance
07-11-31-7015-00030-1750	Aarts Olga V Drebezova	9	Cheyenne Court	Burg D Kooimanweg 581		1444 BR Purmerend	Holland		2018051138	\$160.00	35376	7/25/2018	Public Nuisance
07-11-31-7015-00030-1750	Aarts Olga V Drebezova	9	Cheyenne Court	Burg D Dooimanwed 581	1444 Br Purmerend		Holland		2018080359	\$165.00	35928	10/17/2018	Public Nuisance
07-11-31-7015-00030-1750	Aarts Olga V Drebezova	9	Cheyenne Court	Burg D Dooimanwed 581	1444 Br Purmerend		Holland		2018100920	\$565.00	36377	12/20/2018	Public Nuisance
07-11-31-7016-00060-0780	Jorge & Maria Lopes	3	Carollo Court	81 Mount Horeb Road		Warren	NJ	07059	2018100547	\$235.00	36617	2/1/2019	Public Nuisance
07-11-31-7016-00120-0110	Richard & Rose Taylor	23	Criston Court	23 Criston Court		Palm Coast	FL	32137	2018060402	\$160.00	35378	7/25/2018	Public Nuisance
07-11-31-7016-00230-1330	Jennifer & Sherry Cheuk	4	Curtis Court	3007 Bayberry Road		Ames	IA	50014	2018110090	\$270.00	36596	1/25/2019	Public Nuisance
07-11-31-7017-00050-0140	Bipin & Kashmira Shah	28	Boston Lane	76-39 265th Street		New Hyde Park	NY	11040	2018080863	\$235.00	36515	1/11/2019	Public Nuisance
07-11-31-7018-00360-0020	Michael Hansen	8	Wayman Place	11 Wasserman Drive		Palm Coast	FL	32164	2018051421	\$230.00	35964	10/17/2018	Public Nuisance
07-11-31-7019-00230-0060	Joseph J. Bohan	2	Wateing Place	1111 University Blvd. W.	Apt. 41219	Silver Spring	MD	20902	2018071536	\$300.00	36260	12/7/2018	Public Nuisance
07-11-31-7019-00370-0030	Richard & Joan Kuhn	12	Walter Place	15 Walter Place		Palm Coast	FL	32164	2019011039	\$700.00	37027	4/5/2019	Public Nuisance
07-11-31-7020-00010-0300	Marino & Joyce Valencia	5	Weyburh Place	95 Ullian Trail		Palm Coast	FL	32164	2018031090	\$1,900.00	35194	6/20/2018	Public Nuisance
07-11-31-7020-00040-0470	Ricardo & Jodie L Camargo & Samantha N Carmago Jtw	21	Webwood Place	218 S Blue Lake Ave		Deland	FL	32724	2018051046	\$500.00	35758	9/21/2018	Public Nuisance
07-11-31-7020-00060-0020	Margie M & James Dauphus Moseley	69	Webster Lane	69 Webster Lane		Palm Coast	FL	32164	2018061402	\$220.00	35384	7/25/2018	Public Nuisance
07-11-31-7021-00010-0530	Misael Santiago	137	Wellwood Lane	137 Wellwood Lane		Palm Coast	FL	32164	2019030992	\$165.00	36968	4/3/2019	Public Nuisance
07-11-31-7021-00020-0220	FL Pcm Holding LLC	29	Wellham Lane	210 Old Kings Rd S	Suite 400	Flagler Beach	FL	32136	2018080376	\$235.00	36146	12/4/2018	Public Nuisance
07-11-31-7021-00050-0200	Genowefa, Franciszek Glodziak & Malgorzata Glodziak	39	Wendy Lane	537 Dorchester Drive		River Valle	NJ	07675	2018071600	\$235.00	36507	1/11/2019	Public Nuisance
07-11-31-7021-00130-0240	14 Wellesley Lane Trust	14	Wellesley Lane	PO Box 351473		Palm Coast	FL	32135	2018040077	\$360.00	35525	8/23/2018	Public Nuisance
07-11-31-7021-00130-0360	Kurt W & Marie M Sauser	199	Wellington Drive	360 S Waukegan Road	Suite C	Deerfield	IL	60015	2018081883	\$200.00	36585	1/25/2019	Public Nuisance
07-11-31-7021-00150-0010	Sharon & Warren Cobbs	137	Wellstone Drive	203-18 116 Avenue		St. Albans	NY	11412	2019030734	\$165.00	36966	4/3/2019	Public Nuisance
07-11-31-7022-00070-0430	Frank & Erin Relotto	270	Westhampton Drive	12 Thomas St		Clifton	NJ	07013	2018070352	\$500.00	35847	10/2/2018	Public Nuisance
07-11-31-7022-00140-0180	Oscar Samudio	17	Westglen Lane	108-62 48th Avenue		Corona	NY	11368	2018120781	\$300.00	36833	3/1/2019	Public Nuisance
07-11-31-7022-00140-0190	Oscar Samudio	13	Westglen Lane	108-62 48th Avenue		Corona	NY	11368	2018100481	\$1,200.00	36662	2/4/2019	Public Nuisance
07-11-31-7022-00180-0110	Henry & Marina A Ledesma	48	Westover Lane	48 Westover Lane		Palm Coast	FL	32164	22018070604	\$165.00	35514	8/16/2018	Public Nuisance
07-11-31-7022-00300-0170	Lucy A Barry	7	Westmill Lane	4201 Whispering Hills		Chester	NY	10918	2018030181	\$370.00	35305	7/5/2018	Public Nuisance
07-11-31-7022-00330-0080	Anthony & Martha Decamillo	37	Westford Lane	37 Westford Lane		Palm Coast	FL	32164	2018061694	\$165.00	35512	8/16/2018	Public Nuisance
07-11-31-7022-00360-0150	Daniel, Aimee Lee, Abigail Siegel	50	Westfield Lane	1224 Iran Bridge Drive		Mount Pleasant	SC	29466	2018060867	\$160.00	35383	7/25/2018	Public Nuisance
07-11-31-7022-00360-0150	Daniel E Siegel Jr & Aimee Lee & Abigail Taylor Siegel	50	Westfield Lane	1224 Iran Bridge Drive		Mount Pleasant	SC	29466	2018080318	\$165.00	35778	9/25/2018	Public Nuisance
07-11-31-7022-00360-0150	Daniel E Siegel Jr & Aimee Lee & Abigail Taylor Siegel	50	Westfield Lane	162 Harriot Drive		Brick	NJ	08724	2018100394	\$165.00	36087	11/21/2018	Public Nuisance
07-11-31-7022-00360-0150	Daniel E Sigel Jr & Aimee Lee & Abigail Taylor Siegel	50	Westfield Lane	162 Harriot Drive		Brick	NJ	08724	2019030205	\$165.00	36967	4/3/2019	Public Nuisance
07-11-31-7023-00010-0010	Lucila Ines Sidebottom	19	Whirlaway Drive	2000 NE 186th Dr		Miami	FL	33179	2019021098	\$400.00	37109	4/24/2019	Public Nuisance
07-11-31-7023-00100-0080	James H & Gertrude G Banks	68	Whispering Pine Drive	3228 O Street S		Washington	DC	20020	2018070600	\$165.00	35515	8/16/2018	Public Nuisance
07-11-31-7023-00100-0080	James H & Gertrude G Banks	68	Whispering Pine Drive	3228 O Street S		Washington	DC	20020	2018090117	\$165.00	35935	10/17/2018	Public Nuisance
07-11-31-7023-00100-0080	James H & Gertrude G Banks	68	Whispering Pine Drive	3228 O Street S		Washington	DC	20020	2018110893	\$165.00	36573	1/18/2019	Public Nuisance
07-11-31-7023-00240-0070	Equity Trust Co Fbo Kim Weagley Ira	6	Whittier Lane	11050 Quaker Street		Constantine	MI	49042	2019010732	\$300.00	37028	4/5/2019	Public Nuisance
07-11-31-7023-00240-0100	Andrzej Gawlik	12	Whittier Lane	310 McGuinness Blvd.		Brooklyn	NY	11222	2018071165	\$200.00	36257	12/7/2018	Public Nuisance
07-11-31-7023-00240-0270	Viktor & Olena Lysenko	13	Whittlesey Lane	36-09 Hillside Terr		Fair Lawn	NJ	7410	2018061961	\$200.00	36258	12/7/2018	Public Nuisance
07-11-31-7023-00250-0230	US Bank, Trustee	21	Whittington Drive	3701 Regent Blvd		Irving	TX	75063	2018060288	\$160.00	35374	7/25/2018	Public Nuisance
07-11-31-7023-00290-0190	Boris Vakhovsky	42	White Star Drive	49 N Little Tor Road		New City	NY	10956	2018070466	\$300.00	35949	10/17/2018	Public Nuisance
07-11-31-7023-00300-0040	Mayra Venegas	7	Whippoorwill Drive	3727 Oleander Terrace		Riviera Beach	FL	33404	2018031235	\$400.00	35178	6/20/2018	Public Nuisance
07-11-31-7023-00310-0030	Afzal H Khan	13	White Star Drive	843 Throggs Neck Expy		Bronx	NY	10465	2018100174	\$360.00	36778	2/14/2019	Public Nuisance
07-11-31-7023-00350-0020	Richard C. Boynton, Jr.	40	White House Drive	P.O. Box 51706		Boston	MA	2205	2018080030	\$70.00	35967	10/17/2018	Public Nuisance

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07-11-31-7023-00490-0080	Dulce Ravelo	18	White House Drive	5200 SW 97th Ave		Miami	FL	33165	2018011024	\$135.00	35706	9/20/2018	Public Nuisance
07-11-31-7023-00520-0190	Hau Huynh	37	Wheatfield Drive	4401 Seville Lane		McKinney	TX	75070	2018031199	\$235.00	35313	7/5/2018	Public Nuisance
07-11-31-7023-00650-0050	Georges Leblanc Chez Mme Charrue	111	Wheatfield Drive Drive	9 Rue Marguerite Yourcenar	78180 Montigny Le B	France			2019020640	\$500.00	37108	4/24/2019	Public Nuisance
07-11-31-7024-00020-0250	Benjamin & Susan Albovias	14	Princess Ellen Place	8929 Doral Ln		Orlando Park	IL	60462	2018070371	\$100.00	35922	10/17/2018	Public Nuisance
07-11-31-7024-00040-0300	Yaroslav Kotiovskiy & Verba Gennady	5	Princess Mari Place	8754 Bay 16th Street		Brooklyn	NY	11214	2018080183	\$165.00	35775	9/25/2018	Public Nuisance
07-11-31-7024-00060-0160	Yasna Andrea Babich	4	Princess Luise Lane	131 E Ashland Ave		Pleasantville	NJ	08232	2018091445	\$235.00	36621	2/1/2019	Public Nuisance
07-11-31-7024-00120-0280	John & Louise Moran	22	Prince Anthony Lane	22 Prince Anthony Lane		Palm Coast	FL	32164	2018051604	\$160.00	35371	7/25/2018	Public Nuisance
07-11-31-7024-00120-0280	John F & Louise F Moran	22	Prince Anthony Lane	22 Prince Anthony Lane		Palm Coast	FL	32164	2018090648	\$165.00	36082	11/21/2018	Public Nuisance
07-11-31-7024-00120-0280	John F & Louise F Moran	22	Prince Anthony Lane	22 Prince Anthony Lane		Palm Coast	FL	32164	2019010529	\$165.00	36965	4/3/2019	Public Nuisance
07-11-31-7024-00120-0280	John F & Louise F Moran	22	Prince Anthony Lane	22 Prince Anthony Lane		Palm Coast	FL	32164	2018101301	\$165.00	36379	12/20/2018	Public Nuisance
07-11-31-7024-00130-0160	Yiqin Chu	15	Prince Anthony Lane	7903 Holmes Run Drive		Falls Church	VA	22042	2018071411	\$135.00	36176	12/4/2018	Public Nuisance
07-11-31-7024-00190-0050	Janet O & Dennis K McDonald	66	Prince Michael Lane	PO Box 1232		Flagler Beach	FL	32136	2018070131	\$400.00	36282	12/10/2018	Public Nuisance
07-11-31-7024-00190-0050	Janet O & Dennis K McDonald	66	Prince Michael Lane	PO Box 1232		Flagler Beach	FL	32136	2018070891	\$230.00	36282	12/10/2018	Public Nuisance
07-11-31-7024-00250-0270	Avni Patel	16	Priory Lane	5065 Victory Ridge Lane		Roswell	GA	30075	2018070139	\$500.00	35944	10/17/2018	Public Nuisance
07-11-31-7024-00260-0250	Agat LLC	71	Princeton Lane	6 Flamingo Court		Palm Coast	FL	32137	2018100542	\$235.00	36615	2/1/2019	Public Nuisance
07-11-31-7024-00280-0100	Morris A Preston	31	Primrose Lane	31 Primrose Lane		Palm Coast	FL	32164	2018100043	\$165.00	36086	11/21/2018	Public Nuisance
07-11-31-7024-00280-0100	Morris Preston	31	Primrose Lane	31 Primrose Lane		Palm Coast	FL	32164	2018051285	\$160.00	35370	7/25/2018	Public Nuisance
07-11-31-7024-00280-0220	Carlos & Genoveva Sheng	7	Primrose Lane	8327 Maynard Oval		Niles	IL	60648	2019011356	\$300.00	37016	4/5/2019	Public Nuisance
07-11-31-7024-00280-0220	Carlos & Genoveva Sheng	7	Primrose Lane	8327 Maynard Oval		Niles	IL	60648	2018031006	\$235.00	35213	6/20/2018	Public Nuisance
07-11-31-7024-00290-0130	Kwok Fu Chung	57	Price Lane	86 Bernard St		Massapequa	NY	11758	2019020308	\$1,000.00	37100	4/24/2019	Public Nuisance
07-11-31-7024-00360-0060	Leonora Revich	67	Presidential Lane	215 Bay 49th St	1 Floor	Brooklyn	NY	11214	2018061704	\$800.00	35793	9/26/2018	Public Nuisance
07-11-31-7024-00520-0190	Afridi Capital LLC	1	Prospect Lane	1898 S Clyde Morris Blvd	Suite 670	Daytona Beach	FL	32119	2018040871	\$235.00	35741	9/21/2018	Public Nuisance
07-11-31-7024-00540-0210	Danilo & Merlie Guerrero	53	Providence Lane	545 Hastings Dr		Benicia	CA	94510	2018101566	\$700.00	36824	3/1/2019	Public Nuisance
07-11-31-7025-00030-0270	Big Floor LLC	2	Pleasant Lane	7512 Dr. Phillips Boulevard	Ste. 50-180	Orlando	FL	32819	2018031171	\$300.00	35192	6/20/2018	Public Nuisance
07-11-31-7025-00030-0270	Big Floor LLC	2	Pleasant Lane	7512 Dr Phillips Blvd	Ste 50-180	Orlando	FL	32819	2018010567	\$235.00	35716	9/20/2018	Public Nuisance
07-11-31-7025-00150-0240	Eduardo J Meza	56	Perrotti Lane	11 Norden Place	#14	Norwalk	CT	6855	2018091443	\$400.00	36664	2/4/2019	Public Nuisance
07-11-31-7025-00180-0160	Jacinto Barquet	49	Perthshire Lane	41 Woodbury Drive		Palm Coast	FL	32164	2018071640	\$370.00	36165	12/4/2018	Public Nuisance
07-11-31-7025-00210-0200	Alan & Evelyn Bako	2	Pennsylvania Lane	PO Box 470243		Kissimmee	FL	34747	2018070195	\$800.00	36195	12/5/2018	Public Nuisance
07-11-31-7025-00210-0200	Alan & Evelyn Bako	2	Pennsylvania Lane	PO Box 470243		Kissimmee	FL	34747	2018110915	\$1,000.00	37010	4/5/2019	Public Nuisance
07-11-31-7025-00210-0250	Piotr Czachor	20	Pennsylvania lane	24 Moulthrop Street		Ansonia	CT	6401	2018060548	\$370.00	35977	10/17/2018	Public Nuisance
07-11-31-7025-00290-0140	Lu Ching Rong	152	Pepperdine Drive	151 N. Michigan Ave.	#3508	Chicago	IL	60601	2018101133	\$700.00	36659	2/4/2019	Public Nuisance
07-11-31-7025-00500-0230	Afridi Capital LLC	46	Parkview Drive	1898 S. Clyde Morris Blvd.	Suite 670	Daytona Beach	FL	32119	2018061503	\$300.00	36270	12/7/2018	Public Nuisance
07-11-31-7025-00540-0460	William Joda Crabtree, Carla Jo Gibbs, Trustee	19	Paul Lane	P.O. Box 158		Watseka	IL	60970	2018070068	\$500.00	35952	10/17/2018	Public Nuisance
07-11-31-7025-RPON0-0000	Mpc Lots LLC	Rear of 52	Panorama Drive	2379 Beville Road		Daytona Beach	FL	32119	2018061339	\$235.00	36151	12/4/2018	Public Nuisance
07-11-31-7026-00010-0290	Haydee Britton-Forbes	34	Pine Hurst Lane	320 East 42nd St	Apt 1304	New York	NY	10017	2018020445	\$260.00	35351	7/13/2018	Public Nuisance
07-11-31-7026-00010-0290	Haydee Britton-Forbes	34	Pine Hurst Lane	320 East 42nd St	Apt 1304	New York	NY	10017	2018020309	\$300.00	35351	7/13/2018	Public Nuisance
07-11-31-7026-00140-0220	Mario L & Elizabeth M. Delucia	63	Pine Grove Drive	629 Danbury Rd.	Apt. 43	Ridgefield	CT	6877	2018060006	\$500.00	36271	12/7/2018	Public Nuisance
07-11-31-7026-00140-0240	Jeffrey & Anita Delucia Stern Trustees	67	Pine Grove Drive	34 Rustic Ave		Medford	NY	11763	2018081111	\$300.00	36313	12/17/2018	Public Nuisance
07-11-31-7026-00160-0150	Raissa Sanatolina	3	Pine Circle Drive	2930 W 30 St	Apt 6d5	Brooklyn	NY	11224	2018051016	\$235.00	35750	9/21/2018	Public Nuisance
07-11-31-7026-00190-0310	Ramon L Ortiz	32	Pine Crest Lane	30 Birchshire Lane		Palm Coast	FL	32137	2018051442	\$160.00	35381	7/25/2018	Public Nuisance
07-11-31-7026-00190-0310	Ramon L Ortiz	32	Pine Crest Lane	30 Birchshire Lane		Palm Coast	FL	32137	2018071289	\$165.00	35564	8/29/2018	Public Nuisance
07-11-31-7026-00190-0310	Ramon L Ortiz	32	Pine Crest Lane	30 Birchshire Lane		Palm Coast	FL	32137	2018081289	\$165.00	35931	10/17/2018	Public Nuisance
07-11-31-7026-00190-0310	Ramon L Ortiz	32	Pine Crest Lane	30 Birchshire Lane		Palm Coast	FL	32137	2018110131	\$165.00	36381	12/20/2018	Public Nuisance
07-11-31-7026-00280-0080	Gary Jean		Pine Circle Drive	221-15 113th Ave		Queens Village	NY	11429	2018030972	\$370.00	35308	7/5/2018	Public Nuisance
07-11-31-7026-00370-0100	Palm Coast Land Management LLC	19	Pickcane Lane	7205 Pebblecreek Rd		West Bloomfield	MI	48322	2018110588	\$370.00	37072	4/11/2019	Public Nuisance
07-11-31-7026-00440-0420	Imtiaz & Hanna Crown	83	Pilgrim Drive	45 Round Thorn Drive		Palm Coast	FL	32164	2018050966	\$300.00	35559	8/29/2018	Public Nuisance
07-11-31-7026-00440-0420	Imtiaz & Hanna Crown	83	Pilgrim Drive	45 Round Thorn Drive		Palm Coast	FL	32164	2018051062	\$260.00	35559	8/29/2018	Public Nuisance
07-11-31-7026-00600-0070	Samuil Abramov & German Abramov Jtwros	15	Pineash Lane	4111 Bedford Ave	# 2	Brooklyn	NY	11229	2018041284	\$135.00	35752	9/21/2018	Public Nuisance
07-11-31-7026-00600-0070	Samuil & German Abramov-Jtwros	15	Pineash Lane	4111 Bedford Ave #2		Brooklyn	NY	11229	2018080820	\$300.00	36304	12/17/2018	Public Nuisance
07-11-31-7026-00600-0130	John & Tonya Kegley	27	Pineash Lane	PO Box 4063		Cookeville	TN	38502	2018051312	\$160.00	35369	7/25/2018	Public Nuisance
07-11-31-7026-00650-0260	Carlos & Theresa Silva	9	Pinwheel Lane	110 Westover Avenue		West Caldwell	NJ	07006	2018080847	\$235.00	36614	2/1/2019	Public Nuisance

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07-11-31-7026-00660-0450	Bruce Bozzi C/O Palm Management Corp	73	Pin Oak Drive	840 2nd Ave		New York	NY	10017	2018070430	\$300.00	35920	10/17/2018	Public Nuisance
07-11-31-7027-00030-0140	George & Rosy Chi	74	Woodside Drive	28040 Lobrook Drive		Rancho Palos Verde	CA	90274	2018081651	\$500.00	36431	12/21/2018	Public Nuisance
07-11-31-7027-00030-0140	George & Rosy K Chi Trustees	74	Woodside Drive	28040 Lobrook Drive		Rancho Palos Verde	CA	90274	2018100377	\$135.00	36611	2/1/2019	Public Nuisance
07-11-31-7027-00100-0280	Smp Property Holdings LLC	1	Woodshaw Lane	2379 Beville Road		Daytona Beach	FL	32119	2018081263	\$400.00	36199	12/5/2018	Public Nuisance
07-11-31-7027-00100-0280	Smp Property Holdings LLC	1	Woodshaw Lane	2379 Beville Road		Daytona Beach	FL	32119	20181110597	\$400.00	36834	3/1/2019	Public Nuisance
07-11-31-7027-00120-0020	Smp Property Holdings LLC	34	Woodward Lane	2379 Beville Road		Daytona Beach	FL	32119	2018071663	\$370.00	36147	12/4/2018	Public Nuisance
07-11-31-7027-00270-0080	Robert Greene	27	Woodlawn Drive	27 Woodlawn Drive		Palm Coast	FL	32164	2018070317	\$165.00	35517	8/16/2018	Public Nuisance
07-11-31-7027-00270-0080	Robert Greene	27	Woodlawn Drive	27 Woodlawn Drive		Palm Coast	FL	32164	2018080881	\$165.00	35779	9/25/2018	Public Nuisance
07-11-31-7027-00270-0080	Robert Greene	27	Woodlawn Drive	27 Woodlawn Drive		Palm Coast	FL	32137	2018100040	\$165.00	36084	11/21/2018	Public Nuisance
07-11-31-7027-00270-0080	Robert Greene	27	Woodlawn Drive	27 Woodlawn Drive		Palm Coast	FL	32137	2018110466	\$165.00	36380	12/20/2018	Public Nuisance
07-11-31-7027-00330-0140	Nancy B & Robert Jones	23	Woodfair Lane	4324 Oxwood Drive		Sacramento	CA	95826	2018090311	\$165.00	35936	10/17/2018	Public Nuisance
07-11-31-7027-00460-0120	Ruben & Lovina Lopez	27	Wood Center Lane	7559 El Captain Way		Buena Park	CA	90620	2019011001	\$800.00	37029	4/5/2019	Public Nuisance
07-11-31-7027-00560-0320	William Snyder & Tarantino Claire	10	Wood Amber Lane	16671 E 121 st Circle Dr		Brighton	CO	80603	2018081876	\$400.00	36059	11/19/2018	Public Nuisance
07-11-31-7028-00110-0180	Joseph Alisca & Evelyn Benjamin	5	Ponderosa Lane A	17 Skyline Drive		Staten Island	NY	10344	2018050999	\$165.00	35150	6/12/2018	Public Nuisance
07-11-31-7028-00130-0100	Kung Yao Hua & Jiar Ming	16	Pontiac Lane	41-10 Bowne St	Apt #7V	Flushing	NY	11355	2018071739	\$700.00	36070	11/19/2018	Public Nuisance
07-11-31-7028-00320-0430	Justina Huertas	21	Postman Lane	3657 Broadway	Apt 8h	New York	NY	10031	2018100467	\$370.00	36623	2/1/2019	Public Nuisance
07-11-31-7028-00350-0120	Sergey & Valentina Kovach	60	Postwood Drive	82 Armstrong Ave		Staten Island	NY	10308	2018050704	\$165.00	35151	6/12/2018	Public Nuisance
07-11-31-7028-00410-0120	Deneille Alvoeiro	2	Portia Lane	82 Letts Court		Matawan	NJ	07747	2018081505	\$300.00	36427	12/21/2018	Public Nuisance
07-11-31-7028-00410-0120	Deneille Alvoeiro	2	Portia Lane	82 Letts Court		Matawan	NJ	7747	2018081505	\$300.00	36553	1/16/2019	Public Nuisance
07-11-31-7028-00410-0120	Deneille Alvoeiro	2	Portia Lane	82 Letts Court		Matawan	NJ	07747	2018091429	\$135.00	36613	2/1/2019	Public Nuisance
07-11-31-7028-00460-0070	Vincent A. & Jean Marie Dantonio	13	Port Royal Drive	22 Giant Lane		Levittown	NY	11756	2018070890	\$300.00	36272	12/7/2018	Public Nuisance
07-11-31-7028-00590-0110	Natalya Lurie	15	Porwyn Lane	200 N End Ave	Apt 15C	New York	NY	10282	2018050566	\$300.00	35557	8/29/2018	Public Nuisance
07-11-31-7028-00600-0350	Battreall Dorothy & Wellisch, Roberto J Torre Las Merc	38	Post Tree Lane	10405 NW 37 Ter		Doral	FL	33178	2018101196	\$235.00	37071	4/11/2019	Public Nuisance
07-11-31-7028-00620-0220	Kanwaljeet Singh	28	Post View Drive	11752 Lake Potomac Drive		Potomac	MD	20854	2018120551	\$200.00	36680	2/4/2019	Public Nuisance
07-11-31-7028-00740-0320	Karl W. Eikenberry	10	Poinciana Lane	616 Serra Street	Room E316, Encina H	Stanford	CA	94305	2018110420	\$200.00	36786	2/14/2019	Public Nuisance
07-11-31-7028-RP0M2-0000	MPC Lots LLC		Rear of 28 Point of Woods Drive	2379 Beville Road		Daytona Beach	FL	32119	2018061177	\$250.00	35800	9/26/2018	Public Nuisance
07-11-31-7028-RP0M2-0000	MPC Lots LLC		Rear of 38 Point of Woods Drive	2379 Beville Road		Daytona Beach	FL	32119	2018060390	\$1,100.00	35801	9/26/2018	Public Nuisance
07-11-31-7029-00070-0040	Jose Dasilva	4	Ryecorn Place	18313 437th Dr. SE		Gold Bar	WA	98251	2018061661	\$300.00	35946	10/17/2018	Public Nuisance
07-11-31-7029-00320-0170	Ituo Saito	26	Ryding Lane	5-2-14 Sagamiga Oka Zama		Kanagawa	Japan		2018050534	\$235.00	35315	7/5/2018	Public Nuisance
07-11-31-7029-00380-0020	Palm Coast Land Management LLC	12	Ryder Drive	7205 Pebble Creek Road		W Bloomfield	MI	48322	2019020899	\$700.00	37018	4/5/2019	Public Nuisance
07-11-31-7029-00390-0170	Hua Li	33	Ryberry Drive	14407 Sandford Ave	Apt 3g	Flushing	NY	11355	2018120620	\$200.00	37078	4/12/2019	Public Nuisance
07-11-31-7029-00420-0230	Sergey & Rimma Bluvband Kaplenko	76	Ryberry Drive	21 Carter Road		East Brunswick	NJ	08816	2019010787	\$300.00	37084	4/12/2019	Public Nuisance
07-11-31-7029-00440-0080	Alan & Brenda Okun	5	Rybell Place	4859 S.W. 29th Terrace		Ft. Lauderdale	FL	33312	2018090738	\$370.00	36607	1/25/2019	Public Nuisance
07-11-31-7029-00520-0100	Dorlene Stater	136	Ryberry Drive	2080 S. Ocean Drive	Apt. 210	Hallandale Beach	FL	33009	2018040449	\$800.00	35187	6/20/2018	Public Nuisance
07-11-31-7029-00520-0290	Elsa & Skender Isaku	27	Ryker Lane	37305 Ryan Road		Sterling Heights	MI	48310	2018020390	\$130.00	35086	6/1/2018	Public Nuisance
07-11-31-7029-00540-0010	Elizabeth Canozza	30	Ryken Lane	1384 Berkley Street		Baldwin	NY	11510	2018040189	\$300.00	35189	6/20/2018	Public Nuisance
07-11-31-7029-00630-0110	Winder VI LLC	49	Ryarbor Drive	18305 Biscayne Blvd.	Ste 400	Aventura	FL	33160	2018071041	\$300.00	35945	10/17/2018	Public Nuisance
07-11-31-7029-00690-0010	Peter & Christine Polo C/O Kenneth Polo	26	Rymsen Lane	32633 Natural Bridge Rd		Wesley Chapel	FL	33543	2018030921	\$500.00	35918	10/17/2018	Public Nuisance
07-11-31-7030-00150-0100	Neville & Vernon Morrison	8	Rainmill Place	21 David Dr.		Old Bridge	NJ	08857	2018061630	\$400.00	35805	9/26/2018	Public Nuisance
07-11-31-7030-00160-0010	Iris A Aquino	13	Rainmill Place	220 Yonkers Ave	Apt #14-B	Yonkers	NY	10701	2018030567	\$230.00	35542	8/23/2018	Public Nuisance
07-11-31-7030-00260-0100	Hannele G. F. Finck	36	Raintree Place	165 Rae Drive		Palm Coast	FL	32164	2018100904	\$370.00	37077	4/11/2019	Public Nuisance
07-11-31-7030-00270-0060	Robert Michael & Amanda Rena Drakes	29	Raintree Place	501 N Kingston Avenue		Rockwood	TN	37854	2018071214	\$165.00	35567	8/29/2018	Public Nuisance
07-11-31-7030-00270-0060	Robert Michael & Amanda Rena Drakes	29	Raintree Place	501 N Kingston Avenue		Rockwood	TN	37854	2018090573	\$165.00	35933	10/17/2018	Public Nuisance
07-11-31-7030-00280-0050	Yuriy Staroverov & Yelena Staroverova	5	Raintree Place	30325 120th Ave SE		Auburn	WA	98092	2018061488	\$300.00	35806	9/26/2018	Public Nuisance
07-11-31-7030-00580-0020	Isaac & Angie Charnievich	11	Randolph Drive	17038 W. Dixie Hwy.	#219	North Miami Beach	FL	33160	2018090544	\$550.00	36563	1/16/2019	Public Nuisance
07-11-31-7030-00590-0050	Shirley Rene Edward	17	Rae Drive	PO Box 424		Conyers	GA	30012	2018050707	\$300.00	35759	9/21/2018	Public Nuisance
07-11-31-7030-00670-0180	Soledad Sagun Trustee	17	Ramble Way	3323 Winchester Ln		Glenview	IL	60026	2018080911	\$800.00	36188	12/5/2018	Public Nuisance
07-11-31-7030-00680-0030	Juanita Abraham	6	Rambling Lane	17520 NW 63rd Court		Hialeah	FL	33015	2018080538	\$370.00	36512	1/11/2019	Public Nuisance
07-11-31-7030-00680-0160	Albert A. & Ruth M. Richburg	9	Ramrock Lane	P.O.Box 862		Greenville	SC	29604	2019020054	\$450.00	36970	4/3/2019	Public Nuisance
07-11-31-7030-00710-0030	Zeshan Q Khan	30	Ramblewood Drive	4119 14th Avenue S		Seattle	WA	98108	2018091127	\$500.00	37088	4/12/2019	Public Nuisance
07-11-31-7030-00760-0060	Saoeun Roewn & Noleda Touch	114	Ramblewood Drive	6 Postman Lane		Palm Coast	FL	32164	2018090595	\$600.00	36426	12/21/2018	Public Nuisance

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07-11-31-7031-00070-0110	Dorothy A. Mollica Life Estate	35	Rippling Brook	35 Rippling Brook Drive		Palm Coast	FL	32164	2018060344	\$160.00	35375	7/25/2018	Public Nuisance
07-11-31-7031-00070-0110	Dorothy A Mollica Life Estate	35	Rippling Brook Drive	35 Rippling Brook Drive		Palm Coast	FL	32164	2018071608	\$165.00	35776	9/25/2018	Public Nuisance
07-11-31-7031-00070-0110	Dorothy A Mollica Life Estate	35	Rippling Brook Drive	35 Rippling Brook Drive		Palm Coast	FL	32164	2018091157	\$165.00	36083	11/21/2018	Public Nuisance
07-11-31-7031-00070-0110	Dorothy A Mollica Life Estate	35	Rippling Brook Drive	35 Rippling Brook Drive		Palm Coast	FL	32164	2018111136	\$165.00	36572	1/18/2019	Public Nuisance
07-11-31-7031-00250-0030	Barbara E Sweeting	20	Riviera Drive	20 Riviera Drive		Palm Coast	FL	32164	2019020174	\$165.00	36900	3/11/2019	Public Nuisance
07-11-31-7031-00260-0050	Woodrow & Hayden Coleman	50	Rickenbacker Drive	3983 Earney Road		Woodstock	GA	30188	2018051050	\$300.00	35554	8/29/2018	Public Nuisance
07-11-31-7031-00260-0050	Woodrow & Hayden Coleman	50	Rickenbacker Drive	3983 Earney Road		Woodstock	GA	30188	2018051052	\$150.00	35578	8/30/2018	Public Nuisance
07-11-31-7031-00270-0100	Jewa M Lea	5	Ricardo Place	15554 Thatcher Street		Detroit	MI	48235	2018071415	\$360.00	36533	1/11/2019	Public Nuisance
07-11-31-7031-00390-0070	Ervin L & Anna L Johnson	13	Richland Lane	161 Homeside Ave.		West Haven	CT	32119	2018090354	\$300.00	36299	12/10/2018	Public Nuisance
07-11-31-7031-00460-0080	WJH LLC	5	Richland Place	3300 Battleground Avenue	Ste 230	Greensboro	NC	27410	2018071638	\$300.00	36259	12/7/2018	Public Nuisance
07-11-31-7031-00460-0080	WJH LLC	5	Richland Place	3300 Battleground Avenue	Ste 230	Greensboro	NC	27410	2018081329	\$130.00	36288	12/10/2018	Public Nuisance
07-11-31-7031-00460-0080	WJH LLC	5	Richland Place	3300 Battleground Avenue	Ste 230	Greensboro	NC	27410	2018081329	\$450.00	36305	12/17/2018	Public Nuisance
07-11-31-7031-00540-0230	Susana Wenc	67	Riverina Drive	233 Russell Mills Rd		South Dartmouth	MA	02748	2018080313	\$600.00	36061	11/19/2018	Public Nuisance
07-11-31-7031-00600-0100	Eugenia Oneill	62	Riverview Drive	PO Box 509		Dorado	PR	00646	2018071199	\$300.00	36053	11/19/2018	Public Nuisance
07-11-31-7031-00600-0100	Eugenia Oneill	62	Riverview Drive	P.O. Box 509		Dorado	PR	646	2018110431	\$300.00	36672	2/4/2019	Public Nuisance
07-11-31-7031-00640-0080	Gareth E Hoeni	34	Riverview Drive	76 Valley Forge Drive		E Brunswick	NJ	08816	2018021410	\$360.00	35300	7/5/2018	Public Nuisance
07-11-31-7032-00040-0020	Giao Huyn Mai	7	Ruth Drive	4216 Park Village Court		Fort Worth	TX	76137	2018060742	\$300.00	35851	10/2/2018	Public Nuisance
07-11-31-7032-00100-0120	Zhanna Zaviktorina	36	Round Thorn Drive	2709 Ocean Avenue	Apt F9	Brooklyn	NY	11229	2018111101	\$235.00	37076	4/11/2019	Public Nuisance
07-11-31-7032-00190-0080	Salema Testman	71	Royal Oak Drive	PO Box 770237		Ocala	FL	34477	2018040693	\$235.00	35536	8/23/2018	Public Nuisance
07-11-31-7032-00200-0010	James S & Margaret R McGiver, c/o Rodger Hamrick	123	Rolling Sands Drive	2191 Bonlee Bennett Road		Silver City	NC	27344	2018091203	\$300.00	36587	1/25/2019	Public Nuisance
07-11-31-7032-00320-0200	Smp Property Holdings LLC	31	Rosepetal Lane	2379 Beville Road		Daytona Beach	FL	32119	2018090600	\$370.00	36625	2/1/2019	Public Nuisance
07-11-31-7032-00320-0200	Smp Property Holdings LLC	31	Rosepetal Lane	2379 Beville Road		Daytona Beach	FL	32119	2018120480	\$300.00	36814	3/1/2019	Public Nuisance
07-11-31-7032-00380-0050	Hector & Blanca Morales	46	Russo Drive	176 Brookside Ave		Mt Vernon	NY	10553	2018071071	\$235.00	36148	12/4/2018	Public Nuisance
07-11-31-7032-00470-0240	Nancy Rodriguez & Erroll Springer	62	Roxboro Drive	17 Lisa Lane		Staten Island	NY	10312	2018051570	\$400.00	35608	8/30/2018	Public Nuisance
07-11-31-7032-00500-0350	Janet Athos	33	Roxanne Lane	9811 Bellhaven Road		Bethesda	MD	20034	2018071372	\$300.00	36266	12/7/2018	Public Nuisance
07-11-31-7032-00630-0070	Mario Malinowski	20	Rockingham Lane	7210 Highway #301 South		Riverview	FL	33569	2018041369	\$230.00	35956	10/17/2018	Public Nuisance
07-11-31-7032-00690-0220	Meechelle Gustin & James E Terry	14	Roxboro Drive	14 Roxboro Drive		Palm Coast	FL	32164	2018071780	\$165.00	35777	9/25/2018	Public Nuisance
07-11-31-7032-00730-0030	Moises & Felicia L De Frastai	34	Roller Lane	19877 East Country Club Drive	Apt 205	Aventura	FL	33180	2018041524	\$300.00	35558	8/29/2018	Public Nuisance
07-11-31-7033-00030-0010	Theresa Martone Cohens	18	Reid Place	18 Reid Place		Palm Coast	FL	32164	2018090461	\$165.00	35934	10/17/2018	Public Nuisance
07-11-31-7033-00030-0010	Theresa Marone Cohens	18	Reid Place	18 Reid Place		Palm Coast	FL	32164	2018110727	\$165.00	36570	1/18/2019	Public Nuisance
07-11-31-7033-00070-0060	Penniel & Ade Auste	48	Reidsville Drive	2135 Teton Dr		Carrollton	TX	75006	2019010533	\$500.00	37017	4/5/2019	Public Nuisance
07-11-31-7033-00140-0020	Marita Guzman	74	Red Mill Drive	38 Carolyn Court	Apt. 906	Lake Zurich	IL	60047	2018041272	\$300.00	35476	8/10/2018	Public Nuisance
07-11-31-7033-00140-0220	Beatrice J & Barbara R Belony	34	Red Mill Drive	131 Wrentham Street	#1	Dorchester	MA	2124	2018071042	\$300.00	35941	10/17/2018	Public Nuisance
07-11-31-7033-00270-0060	Evelyn Brewster	20	Red Top Lane	PO Box 116		Bryantville	MA	02327	2018021354	\$300.00	35193	6/20/2018	Public Nuisance
07-11-31-7033-00400-0060	Mehran Mokhtarian Trust & Shahla Mokhtarian Trust	44	Renworth Lane	1771 Mission Hills Road		Palatine	IL	60067	2018101184	\$360.00	36784	2/14/2019	Public Nuisance
07-11-31-7033-00410-0130	Harry Burke	43	Renshaw Drive	916 SE 13th Court		Deerfield Beach	FL	33441	2018080910	\$300.00	36309	12/17/2018	Public Nuisance
07-11-31-7034-00230-0210	Enrico A & Aurora M. DeLeon	107	Eastwood Drive	1897 Chippendale Lane		Glendale Hts.	IL	60139	2018101085	\$1,250.00	36559	1/16/2019	Public Nuisance
07-11-31-7034-00350-0150	Yung-Shung & Kao Yang Yu	4	Eastmoor Lane	2911 Victoria Meadow Court		Pleasanton	CA	94566	2018061673	\$235.00	36170	12/4/2018	Public Nuisance
07-11-31-7034-00430-0070	Mikhal & Maya Ravich	60	Esperanto Drive	730 E. Golfrod	Unit 4	Arlington Heights	IL	60005	2018060545	\$370.00	35980	10/17/2018	Public Nuisance
07-11-31-7034-01210-0070	Nitin K Poonawala	23	Edgemont Lane	11 Olde Mill Run		Medford	NJ	08055	2018090910	\$235.00	36619	2/1/2019	Public Nuisance
07-11-31-7034-01210-0070	Nitin K Poonawala	23	Edgemont Lane	11 Olde Mill Run		Medford	NJ	08055	2018120098	\$200.00	36813	3/1/2019	Public Nuisance
07-11-31-7034-01320-0090	Jolanta Nowak	80	Edward Drive	80 Edward Drive		Palm Coast	FL	32164	2018050207	\$165.00	35148	6/12/2018	Public Nuisance
07-11-31-7034-01320-0090	Jolanta Nowak	80	Edward Drive	80 Edward Drive		Palm Coast	FL	32164	2018061879	\$165.00	35502	8/16/2018	Public Nuisance
07-11-31-7034-01400-0130	Hiram Alfaro & Willie Alfaro Juarbe Bo Mora	117	Eric Drive	Avenida Militar 3928		Isabela	PR	00662	2018050657	\$300.00	35552	8/29/2018	Public Nuisance
07-11-31-7034-01580-0050	Levi & Carmen Gonzalez Wellington	179	Eric Drive	4627 Carpenter Ave		Bronx	NY	10470	2018051539	\$700.00	35609	8/30/2018	Public Nuisance
07-11-31-7034-01580-0050	Levi & Carmen Gonzalez Wellington	179	Eric Drive	4627 Carpenter Avenue		Bronx	NY	10470	2018060523	\$135.00	36500	1/11/2019	Public Nuisance
07-11-31-7034-RPOF-0000	MPC Lots LLC		Behind 95 Esperanto Drive	2379 Beville Road		Daytona Beach	FL	32119	2018070884	\$300.00	36273	12/7/2018	Public Nuisance
07-11-31-7035-00010-0100	Julieta Dizon Trustee	21	Burning Bush Place	25762 Carlson Ct		Laguna Hills	CA	92653	2019010661	\$2,200.00	36821	3/1/2019	Public Nuisance
07-11-31-7035-00230-0320	Nelia Obenza c/o Diana Obenza-Liao	29	Burnaby Lane	1394 Bay Street		Staten Island	NY	10305	2018091469	\$230.00	37065	4/11/2019	Public Nuisance
07-11-31-7035-00360-0100	Josue D, Eric N & Rex C Tolentino	37	Buttermilk Drive	160 Brighton Street		Staten Island	NY	10307	2018071554	\$300.00	36586	1/25/2019	Public Nuisance
07-11-31-7035-00400-0530	Colleen Kenny	26	Buttermill Drive	100 Middlesex Blvd	Apt 219	Plainsboro	NJ	08536	2018110590	\$900.00	36759	2/12/2019	Public Nuisance

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07-11-31-7035-00410-0220	David & Julie Menendez	34	Buttermilk Drive	34 Buttermilk Drive		Palm Coast	FL	32137	2018071788	\$125.00	35560	8/29/2018	Public Nuisance
07-11-31-7035-00410-0220	David & Julie R Menendez	34	Buttermilk Drive	34 Buttermilk Drive		Palm Coast	FL	32137	2018081623	\$165.00	35927	10/17/2018	Public Nuisance
07-11-31-7035-00410-0220	David & Julie R Menendez	34	Buttermilk Drive	34 Buttermilk Drive		Palm Coast	FL	32137	2019030997	\$165.00	36962	4/3/2019	Public Nuisance
07-11-31-7035-00440-0190	Natalya & Maksim Abramov	52	Bunker View Drive	379 Ocean Pkwy		Brooklyn	NY	11218	2019010782	\$200.00	36951	3/22/2019	Public Nuisance
07-11-31-7035-00460-0240	Luis A & Olga B Camacho	101	Burroughs Drive	4023 Rawlins St	#110	Dallas	TX	75219	2018041019	\$235.00	35831	10/2/2018	Public Nuisance
07-11-31-7035-00620-0100	Evelyn J. Bretana	79	Burbank Drive	2255 Fox Valley Court		Aurora	IL	60504	2018061592	\$200.00	35983	10/17/2018	Public Nuisance
07-11-31-7035-00620-0100	Evelyn J. Bretana	79	Burbank Drive	2255 Fox Valley Court		Aurora	IL	60504	2018061967	\$230.00	35983	10/17/2018	Public Nuisance
07-11-31-7035-00850-0070	Afridi Capital LLC	12	Buffalo Grove Drive	1898 S Clyde Morris Blvd.	Suite 670	Daytona Beach	FL	32119	2018061764	\$500.00	35939	10/17/2018	Public Nuisance
07-11-31-7035-00890-0380	William Bennett	31	Buffalo Meadow Lane	35 Woodhollow Lane		Palm Coast	FL	32164	2018030573	\$130.00	35296	7/5/2018	Public Nuisance
07-11-31-7035-00890-0380	William Bennett	31	Buffalo Meadow Lane	35 Woodhollow Lane		Palm Coast	FL	32164	2018030054	\$300.00	35197	6/20/2018	Public Nuisance
07-11-31-7035-01110-0120	Janis Candido	40	Biscayne Drive	42 Biscayne Drive		Palm Coast	FL	32137	2018050949	\$500.00	35757	9/21/2018	Public Nuisance
07-11-31-7035-01310-0060	Edward McDonnell	4	Bird Land Place	4 Bird Land Place		Palm Coast	FL	32164	2018050494	\$165.00	35152	6/12/2018	Public Nuisance
07-11-31-7035-01430-0010	Latrese M Speight	6	Big Horn Place	6 Big Horn Place		Palm Coast	FL	32137	2018100184	\$165.00	36085	11/21/2018	Public Nuisance
07-11-31-7035-01670-0090	Josefa C Ricamara	5	Birchwood Place	33 South Heathcote Ave.		Edison	NJ	8817	2018100905	\$300.00	36593	1/25/2019	Public Nuisance
07-11-31-7035-RP054-0000	MPC Lots LLC		Right of 211 Birchwood Drive	2379 Beville Road		Daytona Beach	FL	32119	2018050555	\$235.00	35730	9/21/2018	Public Nuisance
07-11-31-7037-00100-0210	Carmela Califano	38	Luther Drive	330 E. 83rd Street		New York	NY	10028	2018060185	\$230.00	35955	10/17/2018	Public Nuisance
07-11-31-7037-00350-0070	Melissa & Jason Keating	8	Lamar Lane	8 Lamar Lane		Palm Coast	FL	32137	2018080604	\$165.00	35750	9/25/2018	Public Nuisance
07-11-31-7037-00410-0140	Nicholas Zoumas	34	Lancaster Lane	256 Route 25a		Wading River	NY	11792	2018110579	\$230.00	37059	4/11/2019	Public Nuisance
07-11-31-7037-00470-0100	Dawn M Wind	29	Lansdowne Lane	29 Lansdowne Lane		Palm Coast	FL	32137	2018080606	\$165.00	35781	9/25/2018	Public Nuisance
07-11-31-7037-00470-0100	Dawn M Wind	29	Lansdowne Lane	29 Lansdowne Lane		Palm Coast	FL	32137	2018091516	\$165.00	36081	11/21/2018	Public Nuisance
07-11-31-7037-00510-0030	Sophia Y Harsfield	41	Lancelot Drive	600 W Gibson Street	Apt 39	Arcadia	FL	34266	2018050444	\$235.00	35832	10/2/2018	Public Nuisance
07-11-31-7037-00760-0090	Ethimios Spyropoulos C/O Lee Golden Esquire	28	Lincoln Lane	360 Lexington Ave 16th Floor		New York	NY	10017	2018111248	\$650.00	36840	3/1/2019	Public Nuisance
07-11-31-7037-00780-0100	Joao Macedo Fernandez Rua Dr Jose Joaquim De Freitz	35	Lindberg Lane	#22, Santa Maria Maior 9060-143 Funchal		Madeira Island	Portugal		2019011310	\$500.00	37096	4/24/2019	Public Nuisance
07-11-31-7037-00790-0150	Saloon & Francine Allalouf	13	Lindberg Lane	No 10 Chemin Rieu	1208 Geneva	Switzerland		42	2018101572	\$400.00	36699	2/4/2019	Public Nuisance
07-11-31-7037-00790-0150	Salomon & Francine Allalouf c/o Pierre Alain Claude	13	Lindberg Lane	No. 10 Chemin Rieu		1208 Geneva	Switzerland	42	2018110415	\$230.00	37068	4/11/2019	Public Nuisance
07-11-31-7037-01010-0100	Heman Ramrup	22	Louisville Drive	840 South Forest Creek Drive		St Augustine	FL	32092	2018070735	\$235.00	36159	12/4/2018	Public Nuisance
07-11-31-7037-01130-0010	James C & Cynthia M Eden Trustees	1	Lewis Shire Place	50 Audubon Lane		Flagler Beach	FL	32136	2018050517	\$235.00	35833	10/2/2018	Public Nuisance
07-11-31-7037-01240-0030	Ggh 7 LLC	2	Longview lane	18305 Biscayne Blvd	#400	Aventura	FL	33160	2018030384	\$370.00	35550	8/23/2018	Public Nuisance
07-11-31-7037-01620-0050	Arthur C & Sharon M Clark	161	London Drive	161 London Drive		Palm Coast	FL	32137	2018080433	\$1,615.00	35612	8/31/2018	Public Nuisance
07-11-31-7057-00220-0130	Josue Mendez & Zenaida Hidalgo	63	Uhl Path	PO Box 370303		Brooklyn	NY	11237	2018070742	\$300.00	36263	12/7/2018	Public Nuisance
07-11-31-7057-00290-0150	Flavio & Maria Mendez	307	Underwood Trail	P.O. Box 503		Shartlesville	PA	19554	2018070668	\$235.00	35974	10/17/2018	Public Nuisance
07-11-31-7057-00360-0410	Reehany S Yonan & Charles F. Smith	206	Underwood Trail	54 Whippoorwill Drive		Palm Coast	FL	32164	2018051380	\$360.00	36290	12/10/2018	Public Nuisance
07-11-31-7057-00500-0030	Krystle Mastropietro	18	Unicorn Court	PO Box 2152		Pawtucket	RI	02861	2018100987	\$165.00	36571	1/18/2019	Public Nuisance
07-11-31-7057-00740-0040	MPC Lots LLC		Parcel to th Ullian Trail	2379 Beville Road		Daytona Beach	FL	32119	2017120759	\$230.00	35545	8/23/2018	Public Nuisance
07-11-31-7057-00810-0030	MPC Lots LLC		arcel Left of Ullemay Court	2379 Beville Road		Daytona Beach	FL	32119	2018040990	\$300.00	35346	7/13/2018	Public Nuisance
07-11-31-7057-00820-0040	William Robert Conway, Patrick William Conway	5	Ullock Place	5918 Mango Ave		Bunnell	FL	32110	2018080328	\$370.00	35975	10/17/2018	Public Nuisance
07-11-31-7057-ORP17-0010	MPC Lots LLC		arcel Rear of Ullemay Court	2379 Beville Road		Daytona Beach	FL	32119	2018040992	\$300.00	35347	7/13/2018	Public Nuisance
07-11-31-7057-ORP17-0010	Mpc Lots LLC		Rear of 139 Ullian Trail	2379 Beville Road		Daytona Beach	FL	32119	2018080807	\$300.00	36205	12/5/2018	Public Nuisance
07-11-31-7057-ORP17-0010	Mpc Lots LLC		Rear of 139 Ullian Trail	2379 Beville Road		Daytona Beach	FL	32119	2018091022	\$200.00	36297	12/10/2018	Public Nuisance
07-11-31-7057-ORP17-0010	Mpc Lots LLC		Rear of 27 Utide Court	2379 Beville Road		Daytona Beach	FL	32119	2018100134	\$200.00	36663	2/4/2019	Public Nuisance
07-11-31-7057-ORP17-0010	Mpc Lots LLC		Rear of 10 Utopian Court	2379 Beville Road		Daytona Beach	FL	32119	2018101559	\$1,200.00	36684	2/4/2019	Public Nuisance
07-11-31-7057-ORP17-0010	Mpc Lots LLC		Rear of 62 Utica Path	2379 Beville Road		Daytona Beach	FL	32119	2019010181	\$800.00	36943	3/22/2019	Public Nuisance
07-11-31-7058-00070-0100	Mary G Tan, Trustee	25	Sentinel Trail	409 E Theissen Street		Boerne	TX	78006	2018101432	\$230.00	36537	1/11/2019	Public Nuisance
07-11-31-7058-00070-0100	Mary G. Tan, Trustee	25	Sentinel Trail	409 E Theissen Street		Boerne	TX	78006	2018100421	\$200.00	36550	1/16/2019	Public Nuisance
07-11-31-7058-00100-0150	Delia Delgado	1	Sensene Path	8450 Oak Bluff Dr		Orlando	FL	32827	2018100778	\$230.00	37061	4/11/2019	Public Nuisance
07-11-31-7058-00430-0040	Umbelina & Adriano Baptista	34	Sederholm Path	3 Carter Drive		Framingham	MA	01701	2018091410	\$235.00	36142	12/4/2018	Public Nuisance
07-11-31-7058-00700-0060	Juana Gracia De Gonzalez & Juan Francisco Gonzalez G	12	Secretary Trail	1 Ra Av Res Primavera	Apto 62	Urb Sta Eduvigis	Caracas, Venezuela		2018110473	\$300.00	37081	4/12/2019	Public Nuisance
07-11-31-7058-00760-0110	Carpenter Companies Florida LLC	60	Secretary Trail	111 S Armenia Ave		Tampa	FL	33609	2018071120	\$700.00	35924	10/17/2018	Public Nuisance
07-11-31-7059-00060-0080	Cicero John Cua	7	Seaside Court	4047 Gamay Lane		Indianapolis	IN	46254	2018091274	\$300.00	36588	1/25/2019	Public Nuisance
07-11-31-7059-00060-0080	John Cua Cicero	7	Seaside Court	4047 Gamay Lane		Indianapolis	IN	46254	2018091561	\$130.00	37045	4/11/2019	Public Nuisance
07-11-31-7059-00110-0130	Felicidad E Belbis Trustee c/o Manuel Belbis	20	Sea Spiral Path	9748 S Pemberly Court		Palos Hills	IL	60465	2018061872	\$370.00	35731	9/21/2018	Public Nuisance

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07-11-31-7059-00110-0130	Felicidad E Belbis Trustee c/o Manuel Belbis	20	Sea Spiral Path	9748 S Pemberly Court		Palos Hills	IL	60465	2018110854	\$300.00	36687	2/4/2019	Public Nuisance
07-11-31-7059-00240-0330	Agnes P & Loida Dimatulac	11	Seathorn Path	469 Pepper Tree Drive		Brea	CA	92821	2018091455	\$235.00	36602	1/25/2019	Public Nuisance
07-11-31-7059-00240-0460	Diomedes & Lillian Diaz	37	Seathorn Path	3141 Country Club Road		Bronx	NY	10465	2018041170	\$130.00	35723	9/21/2018	Public Nuisance
07-11-31-7059-00330-0030	Mark Dinorsce	22	Seafaring Path	22 Seafaring Path		Palm Coast	FL	32164	2018051696	\$230.00	35966	10/17/2018	Public Nuisance
07-11-31-7059-00540-0020	Norbert F. Gomez, Trustee	52	Smith Trail	8932 NW 150 Terrace		Miami	FL	33016	2018091525	\$400.00	36560	1/16/2019	Public Nuisance
07-11-31-7059-00540-0020	Norbert F Gomez Trustee	52	Smith Trail	8932 NW 150 Terrace		Miami	FL	33016	2018101375	\$135.00	37055	4/11/2019	Public Nuisance
07-11-31-7059-00640-0010	Spyros Chorafas	10	Slate Wood Court	6 Agias Lavras	16672 Vary		GREECE		2018090555	\$300.00	36423	12/21/2018	Public Nuisance
07-11-31-7059-00980-0170	Sg Flagler Holdings LLC	9	Sea Brook Place	185 Cypress Point Pkwy		Palm Coast	FL	32164	2018071499	\$300.00	35899	10/8/2018	Public Nuisance
07-11-31-7059-01020-0120	Evelyn Reyes	27	Sea Breeze Trail	13 Hosmer Street		Everett	MA	02149	2018020920	\$300.00	35196	6/20/2018	Public Nuisance
07-11-31-7059-ORPOJ-0020	Sylvia James		Right of 18 Smith Trail	25 Boston Lane		Palm Coast	FL	32137	2018120106	\$400.00	36842	3/1/2019	Public Nuisance
07-11-31-7059-RPOE4-0000	MPC Lots LLC	Rear of 17	Seathorn Path	2379 Beville Road		Daytona Beach	FL	32119	2018110884	\$300.00	37080	4/12/2019	Public Nuisance
07-11-31-7060-00010-0010	ITT Community Development Corp, Attn: Maria Tzortzatos		Left of 17 Slumber Meadow Trail	1133 Westchester Ave.		White Plains	NY	10604	2018060658	\$130.00	36277	12/10/2018	Public Nuisance
07-11-31-7060-00010-0010	ITT Community Development Corp, Attn: Maria Tzortzatos		Left of 17 Slumber Meadow Trail	1133 Westchester Ave.		White Plains	NY	10604	2018060660	\$300.00	36277	12/10/2018	Public Nuisance
07-11-31-7060-00010-0170	Skyler Mcgeachy-Campbell & Nykolette & Canyon Rive	9	Slumber Path	11568 204th St		St Albans	NY	11412	2018120204	\$300.00	36818	3/1/2019	Public Nuisance
07-11-31-7060-00010-0200	Aae Holdings LLC	15	Slumber Path	84 River Trail Drive		Palm Coast	FL	32137	2018081178	\$250.00	36686	2/4/2019	Public Nuisance
07-11-31-7060-00020-0080	Abdulaziz Houhou	10	Slumber Path	15985 Canal Road	PO Box 3807	Clinton Township	MI	48038	2018091195	\$1,100.00	36424	12/21/2018	Public Nuisance
07-11-31-7060-00020-0150	Jose & Martha Hernandez	5	Slumberland Path	1381 North Ave	Apt 3	Elizabeth	NJ	7208	2018070428	\$270.00	35827	10/2/2018	Public Nuisance
07-11-31-7060-00030-0240	SW Property Holdings LLC	Parcel to th	Slumber Meadow Trl	2379 Beville Road		Daytona Beach	FL	32119	2018030274	\$230.00	35316	7/5/2018	Public Nuisance
07-11-31-7060-00070-0040	SW Property Holdings LLC	11	Slumber Meadow Trail	2379 Beville Road		Daytona Beach	FL	32119	2019010462	\$750.00	36941	3/22/2019	Public Nuisance
07-11-31-7060-00160-0210	Fayek & Safa Elkommiss	15	Slipper Flower Path East	810 Pavonia Ave		Jersey City	NJ	07306	2018050367	\$230.00	35295	7/5/2018	Public Nuisance
07-11-31-7060-00220-0050	Mirian Oneal	3	Sligo Mill Court	8 Osborne St		Lynn	MA	01905	2018040033	\$370.00	35530	8/23/2018	Public Nuisance
07-11-31-7060-00220-0050	Mirian O'Neal	3	Sligo Mill Court	8 Osborne Street		Lynn	MA	01905	2018031228	\$800.00	35183	6/20/2018	Public Nuisance
07-11-31-7060-00240-0040	John & Marion Fusco	12	Slippery Rock Place	3106 Wissman Ave		Bronx	NY	10465	2017120150	\$270.00	35707	9/20/2018	Public Nuisance
07-11-31-7060-00280-0120	Kenneth Stossel	33	Slocum Path	1845 Robalo Drive	Apt 105d	Vero Beach	FL	32960	2018051366	\$230.00	35729	9/21/2018	Public Nuisance
07-11-31-7060-00280-0140	SW Property Holdings LLC	37	Slocum Path	2379 Beville Road		Daytona Beach	FL	32119	2018051368	\$230.00	35954	10/17/2018	Public Nuisance
07-11-31-7060-00350-0030	Flagler County Holdings LLC	43	Slowdrift Turn	416 S Central Ave		Flagler Beach	FL	32136	2018040030	\$235.00	35541	8/23/2018	Public Nuisance
07-11-31-7060-00420-0190	Scott & Tracie Barnett	17	Squadron Place	53 Old Selden Stage Rd		Selden	NY	11784	2018061861	\$500.00	35804	9/26/2018	Public Nuisance
07-11-31-7060-00430-0080	Mila & Rooney Ramos	4	Squadron Place	237 Montgomery Ave		Souderton	PA	18964	2018070293	\$300.00	35803	9/26/2018	Public Nuisance
07-11-31-7063-00110-0120	Vincent Krill c/o Boynton & Boynton	42	Zonal Geranium Trail	PO Box 887		Red Bank	NJ	07701	2018050476	\$230.00	35546	8/23/2018	Public Nuisance
07-11-31-7063-00360-0030	Paul & Sandra Serfass Trustees	10	Zerington Court	569 E Ave Unit A		Coronado	CA	92118	2018090042	\$300.00	36206	12/5/2018	Public Nuisance
07-11-31-7063-00650-0040	Crystal 1 LLC		Rear of 16 Zephyr Lily Trail	18305 Biscayne Blvd Ste 400		Aventura	FL	33160	2018051530	\$600.00	35590	8/30/2018	Public Nuisance
07-11-31-7063-00680-0120	Jose & Lida Mendoza	2	Zelda Court	6213 Atom Ave		Metaire	LA	70033	2018120190	\$1,650.00	36767	2/12/2019	Public Nuisance
07-11-31-7063-00740-0190	Kenneth L Vandershaaf	18	Zealand Place	18 Zealand Place		Palm Coast	FL	32164	2018071030	\$165.00	35568	8/29/2018	Public Nuisance
07-11-31-7063-00740-0190	Kenneth L Vandershaaf	18	Zealand Place	18 Zealand Place		Palm Coast	FL	32164	2018090472	\$165.00	35937	10/17/2018	Public Nuisance
07-11-31-7063-00740-0190	Kenneth L Vandershaaf	18	Zealand Place	18 Zealand Place		Palm Coast	FL	32164	2019011412	\$165.00	36901	3/11/2019	Public Nuisance
07-11-31-7063-00750-0040	Alla Maikovich	13	Zealand Place	12790 Germane Ave.	Apt. 312	Apple Valley	MN	55124	2018071154	\$300.00	36265	12/7/2018	Public Nuisance
07-11-31-7063-00760-0040	13 Zebulon Pl Trust	13	Zebulon Place	PO Box 351473		Palm Coast	FL	32135	2018061222	\$700.00	35809	9/26/2018	Public Nuisance
07-11-31-7063-00760-0040	13 Zebulon Pl Trust	13	Zebulon Place	PO Box 351473		Palm Coast	FL	32135	2018090303	\$700.00	36182	12/5/2018	Public Nuisance
07-11-31-7064-00010-0040	121 Laguna Forest Trl Trust	121	Laguna Forest Trail	PO Box 351473		Palm Coast	FL	32135	2018050873	\$360.00	35961	10/17/2018	Public Nuisance
07-11-31-7064-00100-0180	Wenceslao S. Arceo Jr., & Socorro Arceo	23	Llama Trail	4828 N Harding Avenue		Chicago	IL	60625	2018060289	\$230.00	35962	10/17/2018	Public Nuisance
07-11-31-7064-00200-0020	Ugur Saraldi	81	Laguna Forest Trail	Emdener Str 36 10551		Berlin	Germany		2018051000	\$300.00	35556	8/29/2018	Public Nuisance
07-11-31-7064-00200-0020	Ugur Saraldi	81	Laguna Forest Trail	Emdener Str 36 10551		Berlin	Germany		2018120922	\$900.00	36939	3/22/2019	Public Nuisance
07-11-31-7064-00200-0070	SW Property Holdings LLC		Left of 73 Laguna Forest Trail	2379 Beville Road		Daytona Beach	FL	32119	2018050654	\$230.00	35960	10/17/2018	Public Nuisance
07-11-31-7064-00210-0040	Alvin & Mary Smith	11	Lloleeta Path	7 Eagle Crest Path		Palm Coast	FL	32164	2018071665	\$300.00	36058	11/19/2018	Public Nuisance
07-11-31-7064-00230-0090	Nelie A Lucero	13	Lloyd Trail	6005 Ocean Terrace Drive		Rancho Palos Verde	CA	90275	2018041516	\$230.00	35722	9/21/2018	Public Nuisance
07-11-31-7064-00230-0150	Rosario Leni Alba	12	Llosee Court	5029 N Rutherford		Chicago	IL	60656	2018120504	\$450.00	36702	2/4/2019	Public Nuisance
07-11-31-7064-00230-0150	Rosario Leni Alba	12	Llosee Court	5029 N Rutherford		Chicago	IL	60656	2018100733	\$130.00	37047	4/11/2019	Public Nuisance
07-11-31-7064-00400-0040	Peter C & Margaret J Gray	2	Llethorn Place	699 Black Jack Road		Radcliff	KY	40160	2018060197	\$235.00	35528	8/23/2018	Public Nuisance
07-11-31-7065-00070-0020	Eugene Wight	3	Kaftan Court	5541 Willow Lane		Murray	UT	84107	2019020829	\$800.00	37103	4/24/2019	Public Nuisance
07-11-31-7065-00070-0020	Eugene Wight	3	Kaftan Court	5541 Willow Lane		Murray	UT	84107	2018021078	\$135.00	35203	6/20/2018	Public Nuisance
07-11-31-7065-00120-0100	Brian Shpak & Joanne Christie	21	Kashmir Trail	PO Box 351293		Palm Coast	FL	32135	2019010573	\$1,550.00	36938	3/22/2019	Public Nuisance

Special Assessment 2019 Spreadsheet

07-11-31-7065-00190-0190	Juarez Jose & Vicentina Reyes	17	Kasper Path	7960 Sunrise Lakes Dr N# 102	Sunrise	FL	33322	2019030557	\$500.00	37105	4/24/2019	Public Nuisance
07-11-31-7065-00250-0120	Cesar Huerta-Fuentes	5	Kalveton Court	Santa Maria 8327	Santiago 14	CHILE		2018051429	\$300.00	35799	9/26/2018	Public Nuisance
07-11-31-7065-00270-0070	David & Angela M Tordahl	4	Kalendar Court	138 W Fall River Way	Simpsonville	SC	29680	2018041001	\$300.00	35349	7/13/2018	Public Nuisance
07-11-31-7065-00360-0160	Fatema Hasan Abdulmajeed	10	Kathleen Trail	Al Sarraf Towers FL 6 Ahmed Al Jaber St Safat PO Box 214, 13 Shark		Kiwait		2019010835	\$1,100.00	37020	4/5/2019	Public Nuisance
07-11-31-7065-00510-0060	Richard K Stewart	78	Karas Trail	110 Manhattan Avenue	New York	NY	10025	2018060279	\$230.00	35720	9/21/2018	Public Nuisance
07-11-31-7065-00510-0060	Richard K Stewart	78	Karas Trail	110 Manhattan Avenue	New York	NY	10025	2018060279	\$235.00	35829	10/2/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2018031240	\$165.00	35140	6/12/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris L. Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2018070010	\$200.00	35501	8/16/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris L Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2018080147	\$165.00	35773	9/25/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris L Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2018091458	\$165.00	36077	11/21/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2018060111	\$160.00	35366	7/25/2018	Public Nuisance
07-11-31-7081-00230-0170	Doris Wanamaker	48	Blakemore Drive	2863 Hunter Mill Road	Oakton	VA	22124	2019030904	\$165.00	36961	4/3/2019	Public Nuisance
07-11-31-7081-RP0D1-0000	MPC Lots LLC		Rear of 53 Blare Drive	2379 Beville Road	Daytona Beach	FL	32119	2018051216	\$500.00	35603	8/30/2018	Public Nuisance
25-12-30-1500-00010-0010	Palm Coast 145 LLC		Rear of 87 Karas Trail	7070 NW 84th Avenue	Parkland	FL	33067	2018120981	\$450.00	36937	3/22/2019	Public Nuisance
25-12-30-1500-00010-0010	Palm Coast 145 LLC		Rear of 87 Karas Trail	7070 NW 84th Avenue	Parkland	FL	33067	2018120981	\$450.00	36937	3/22/2019	Public Nuisance

126,545.00

EXHIBIT B
NOTICE TO BE PUBLISHED

To Be Published on July 24, 2019

**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF
NUISANCE ABATEMENT SPECIAL ASSESSMENT**

Notice is hereby given that the City Council of the City of Palm Coast will conduct a public hearing to consider the imposition of nuisance abatement special assessments for the provision of nuisance abatement services, facilities, and programs within the municipal boundaries of the City of Palm Coast.

The hearing will be held at 9:00 a.m., or as soon thereafter as can be heard, on August 20, 2019, at the City of Palm Coast Community Wing, 160 Lake Avenue, Palm Coast, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing special accommodation or an interpreter to participate in this proceeding should contact the City of Palm Coast City Clerk at (386) 986-3713, at least 48 hours prior to the date of the hearing.

The assessment for each parcel of property will be based upon the cost of nuisance abatement for each parcel.

Copies of the Nuisance Abatement Ordinance (Ordinance No. 2010-03), the Resolution (Resolution No. 2010-168), the Nuisance Abatement Initial Assessment Resolution (Resolution No. 2019-___) and the preliminary Nuisance Abatement Assessment Roll are available for

EXHIBIT B

inspection in the City Clerk's office of the City of Palm Coast, located at 160 Lake Avenue, Palm Coast, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2018, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please visit our website www.palmcoastgov.com, under Proposed Nuisance Abatement Assessment, for additional information and frequently asked questions or contact the City of Palm Coast Community Development Department at (386) 986-3764, Monday through Friday between 8:00 a.m. and 5:00 p.m.

The properties to be assessed are as follows:

CITY COUNCIL

CITY OF PALM COAST, FLORIDA

***** NOTICE TO PROPERTY OWNER *****

<p style="text-align: center;">CITY OF PALM COAST, FLORIDA</p> <p style="text-align: center;">NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NUISANCE ABATEMENT NON-AD VALOREM ASSESSMENTS</p> <p style="text-align: center;">NOTICE DATE:</p>

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

«Owners_Name»
«Owner_Address_1»
«Address_2»
«City», «StateCountry» «Zip»

Tax Parcel «Parcel_I_D»
Legal Description: Section «Section» Block «Block» Lot «Lot»
Property Address:«Property_Address»

*You are receiving this letter because the City has performed nuisance abatement services on your property and expended public funds, and the City and taxpayers are entitled by law to be reimbursed.

As required by Section 197.3632, Florida Statutes, and Ordinance No. 2010-03, notice is given by the City of Palm Coast that an assessment for nuisance abatement services, facilities, and programs may be levied on your property for the assessment period of October 1, 2018-September 30, 2019 and future Fiscal Years. The purpose of this assessment is to fund nuisance abatement services within the City of Palm Coast. The total nuisance abatement assessment revenue to be collected within the City of Palm Coast is estimated to be \$«Invoice_Amt» for the Fiscal Year beginning October 1, 2019. The assessment for each parcel or property will be based upon each parcel’s location, classification, and the total number of Equivalent Residential Units attributable to that parcel.

The above parcel is classified as Residential

The total number of billing units on the above parcel is _____1_____.

The type of billing units on the above parcel is _____1_____.

The nuisance abatement assessment for the above parcel is «Invoice_Amt» for the Fiscal Year beginning October 1, 2018.

A public hearing will be held at 9:00 a.m., or as soon thereafter as can be heard, on August 20, 2019, at City of Palm Coast Community Wing, 160 Lake Avenue, Palm Coast, for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceeding and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City of Palm Coast City Clerk at (386) 986-3713, at least 48 hours prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the City Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Nuisance Abatement Ordinance (Ordinance No. 2010-03), the Resolution (Resolution No. 2010-168), the Nuisance Abatement Initial Assessment Resolution (Resolution No. 2019-___) and the preliminary Nuisance Abatement Assessment Roll are available for inspection in the City of Palm Coast, Community Development Department, located at 160 Lake Avenue, Palm Coast, Florida.

Both the non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November of each year the assessment is imposed. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. **The City of Palm Coast must receive payment by DATE 2019 to avoid this payment being collected on your ad valorem tax bill for 2019. “Please send all payments to CODE ENFORCEMENT - CITY OF PALM COAST - 160 LAKE AVENUE - PALM COAST, FL to ensure that your payment is applied to the correct invoice(s).”**

If there is a mistake on this notice, it will be corrected. If you have any questions, please visit our website www.palmcoastgov.com, under Proposed Nuisance Abatement Assessment, for additional information and frequently asked questions or contact the City of Palm Coast Community Development Department at (386) 986-3764, Monday through Friday between 8:00 a.m. and 5:00 p.m.

*** * * * * THIS IS NOT A BILL * * * * ***

City of Palm Coast, Florida

Agenda Item

Agenda Date: 7/9/2019

Department	Stormwater & Engineering	Amount	\$489,712.22
Item Key		Account	# 43000099-063000-66008
Subject ADOPT RESOLUTION 2019-XX APPROVING A CONTRACT WITH KIRTON ENTERPRISES TO PROVIDE GENERAL CONTRACTOR SERVICES FOR THE INDIAN TRAILS SPORTS COMPLEX IMPROVEMENTS PROJECT			
Background :			
<u>UPDATED BACKGROUND FROM THE JULY 9, 2019 WORKSHOP</u>			
This item was heard by City Council at their July 9, 2019 Workshop. There were no changes suggested to this item.			
<u>ORIGINAL BACKGROUND TO THE JULY 9, 2019 WORKSHOP</u>			
This contract includes upgrading four buildings at the Indian Trails Sports Complex and replacing the parking and street lighting with LED fixtures. The intent of this project was to bring the four buildings into compliance with current ADA standards, make them more energy efficient in conjunction with the 2014 Siemens Energy Analysis Report, and to correct some deficiencies in the buildings to make them more user friendly. The four buildings included in this project are the Baseball/Concession Scorer's building, the north Restroom/Concession building, the Restroom with Picnic area building, and the Maintenance building. The Baseball Concession Scorer's building includes selective demolition, new ADA plumbing fixtures, new grease trap for the kitchen, new windows, countertops, toilet partitions, finishes, exhaust fans, lighting retrofit to LED, a new electrical subpanel and new dedicated Concession circuits. The two Restroom buildings include selective demolition, new ADA plumbing fixtures, drinking fountains, lighting retrofit to LED, and a new rollup door in one of the buildings. The Maintenance building includes lighting retrofit to LED, and installation of two new explosion proof exhaust fans for the two rooms where ballfield chemicals are stored.			
In accordance with the City's Purchasing policy, this project was opened to the public for qualifications. Four candidates submitted qualifications and were approved to bid. Bids were received by only one of the four candidates, Kirton Enterprises. Kirton's bid package was reviewed and approved in accordance with the City's Purchasing Policy. When contacted after bid opening, the other 3 vendors indicated their workload was too full to bid the project. City staff is recommending approval of a contract with Kirton Enterprises to perform this work.			
The project bid overview and Notice of Intent to Award are attached to this agenda item.			
The project is a scheduled CIP for FY2019 for design and construction. The bid was consistent with these types of services for a project of this size and scope. Kirton Enterprises' bid for this project was \$445,193.22. Due to the age of the facility and the retrofitting of existing buildings, we have included a 10% Contingency of \$44,519 for a project request approval of \$489,712.22. Funds for this project have been budgeted for from FY 2019 Capital Projects account.			
SOURCE OF FUNDS WORKSHEET FY 19			
Cap Projects-Park Renovations- 43000099-063000-66008		\$ 925,000.00	
Total Expenses/Encumbered to date		\$ 394,466.29	
Pending Work Orders/Contracts		\$ 489,712.22	
Balance		\$ 40,821.49	

Recommended Action :

Adopt Resolution 2019-XX approving a contract with Kirton Enterprises to provide General Contractor services for the Indian Trails Sports Complex Improvements project.

RESOLUTION 2019-____
INDIAN TRAILS SPORTS COMPLEX IMPROVEMENTS PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A CONTRACT WITH KIRTON ENTERPRISES TO PROVIDE GENERAL CONTRACTOR SERVICES FOR THE INDIAN TRAILS SPORTS COMPLEX IMPROVEMENT PROJECT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING FOR IMPLEMENTING ACTIONS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Kirton Enterprises desires to provide general contractor services for the Indian Trails Sports Complex Improvement Project for the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast desires to have Kirton Enterprises, perform the above referenced services.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. APPROVAL OF CONTRACT. The City Council hereby approves the terms and conditions of the contract with Kirton Enterprises, for general contractor services for the Indian Trails Sports Complex Improvement Project, as referenced herein and attached hereto as Exhibit “A.”

SECTION 2. AUTHORIZATION TO EXECUTE. The City Manager, or designee, is hereby authorized to execute the contract and

SECTION 3. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on the 16th day of July 2019.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit A –Contract with Kirton Enterprises

Approved as to form and legality

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



City of PALM COAST

Finance Department
Budget & Procurement Office

160 Lake Avenue
Palm Coast, FL 32164
386-986-3730

NOTICE OF INTENT TO AWARD

Project: ITB-CD-19-53 - Indian Trails Sports Complex Improvements

Date: 6/21/2019

Appeal Deadline: Appeals must be filed by 1:00 PM on 6/25/2019

Firm	Bid
Kirton Enterprises, Inc. Port Orange, FL	\$445,193.22
Core Construction Co. of Jacksonville Jacksonville, FL	No Bid
Saboungi Construction, Inc. Ormond Beach, FL	No Bid
The Watauga Company Titusville, FL	No Bid

The intent of the City of Palm Coast is to award ITB-CD-19-53 to Kirton Enterprises, Inc.

Cc: Contract Coordinator, Project Manager, ASED Director, Department Director, Finance Director





city of PALM COAST

Finance Department
Budget & Procurement Office

160 Lake Avenue
Palm Coast, FL 32164
386-986-3730

Bid protests arising under City Bidding Documents or Procedures shall be resolved under the City of Palm Coast Central Service Division's Bid Protest procedures.

A proposer may protest matters involving the award of this Bid within three (3) business days from the posting of this recommendation to award. Failure to protest to the City's Administrative Services and Economic Development Director, Beau Falgout (bfaigout@palmcoastgov.com) shall constitute a waiver of the protest proceedings.





RFSQ-CD-19-53 / ITB-CD-19-53 - Indian Trails Sports Complex Improvements

Project Overview

Project Details	
Reference ID	RFSQ-CD-19-53 / ITB-CD-19-53
Project Name	Indian Trails Sports Complex Improvements
Project Owner	Kelly Downey
Project Type	ITB
Department	Procurement
Budget	\$0.00 - \$0.00
Project Description	The City of Palm Coast is seeking bids to improve multiple buildings and site lighting at our Indian Trails Sports Complex (ITSC). The ITSC is located at 5455 Belle Terre Pkwy in Palm Coast. The Scope of Work for this project



	<p>includes site improvements including replacement of the driveway and parking lot fixtures with LED fixtures. The Maintenance building work includes retrofit of all lighting to LED, installation of a new explosion proof exhaust fan and ducting, selective demolition and minor miscellaneous improvements. The north Restroom/Concession building work includes selective demolition, new ADA plumbing fixtures, new drinking fountain, lighting retrofit to LED, card reader relocation and minor miscellaneous improvements. The Restroom with Picnic area work includes selective demolition, concrete block work, installation of new rollup doors, new ADA plumbing fixtures, new drinking fountain, lighting retrofit to LED, installation of a new ADA picnic table, card reader relocation, and minor miscellaneous improvements. The Baseball Concession Scorer's building work includes selective demolition, new ADA plumbing fixtures, new grease trap, new windows, countertops, toilet partitions, new finishes, concrete block work, new exhaust fans, lighting retrofit to LED, new electrical panel, new dedicated circuits, reworking of existing circuits, and minor miscellaneous improvements.</p>
Open Date	Apr 17, 2019 8:00 AM EDT
Intent to Bid Due	Jun 03, 2019 2:00 PM EDT
Close Date	May 16, 2019 2:00 PM EDT



Awarded Suppliers	Reason	Score
Kirton Enterprises, Inc		100 pts

Seal status

Requested Information	Unsealed on	Unsealed by
Qualification Forms A - M	May 16, 2019 2:02 PM EDT	Kelly Downey
Financials Form N	May 16, 2019 2:02 PM EDT	Kelly Downey
Bid Forms 00200	Jun 20, 2019 2:00 PM EDT	Kelly Downey
Forms 5 & 6	Jun 20, 2019 2:00 PM EDT	Kelly Downey
Addendum #2	Jun 20, 2019 2:00 PM EDT	Kelly Downey

Submissions



Supplier	Date Submitted	Name	Email	Confirmation Code
Core Construction Co of Jacksonville	May 16, 2019 11:08 AM EDT	Tammy Krug	tammy@core-constructionco.com	NDg5NjA=
Saboungi Construction, Inc	May 16, 2019 9:11 AM EDT	Mike Saboungi	mike@saboungiconstruction.com	NDg5MzU=
The Watauga Company	May 16, 2019 8:28 AM EDT	John Vogelbacher	wataugacompany@bellsouth.net	NDg5Mjc=
Kirton Enterprises, Inc	Jun 20, 2019 11:30 AM EDT	Rachelle Kirton	rachellekirton@kirtonenterprises.com	NDg5ODk=



Project Criteria

Criteria	Points	Description
Qualification Forms A - M	Pass/Fail	Qualification Forms A - M
Qualification Forms Review	Pass/Fail	Qualification Forms Review
Financials Form N	Pass/Fail	Financials Form N
Completion of Form N	Pass/Fail	Completion of Form N
Addendum #1 & Addendum # 2	Pass/Fail	Addendum # 1 & Addendum # 2
Bid Forms 00200	Pass/Fail	Bid Forms 00200
Pricing	100 pts	Pricing
Technical Review	Pass/Fail	Technical Review
Forms 5 & 6	Pass/Fail	Forms 5 & 6
Total	100 pts	



Scoring Summary

Active Submissions

	Total	Qualification Forms A - M	Qualification Forms Review	Financials Form N	Completion of Form N
Supplier	/ 100 pts	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail
Kirton Enterprises, Inc	100 pts	Pass	Pass	Pass	Pass
Core Construction Co of Jacksonville	0.00004 pts	Pass	Pass	Pass	Pass
Saboungi Construction, Inc	0.00004 pts	Pass	Pass	Pass	Pass
The Watauga Company	0.00004 pts	Pass	Pass	Pass	Pass



	Addendum #1	Bid Forms 00200	Pricing	Technical Review	Forms 5 & 6
Supplier	Pass/Fail	Pass/Fail	/ 100 pts	Pass/Fail	Pass/Fail
Kirton Enterprises, Inc	Pass	Pass	100 pts (\$445,193.22)	Pass	Pass
Core Construction Co of Jacksonville	Pass	Fail	0.00004 pts (\$999,999,999,999.00)	Fail	Fail
Saboungi Construction, Inc	Pass	Fail	0.00004 pts (\$999,999,999,999.00)	Fail	Fail
The Watauga Company	Pass	Fail	0.00004 pts (\$999,999,999,999.00)	Fail	Pass

City of Palm Coast, Florida Agenda Item

Agenda Date : 07/09/2019

Department	Public Works –Fleet & Fleet Fire Division	Amount	65010071-052000 \$125,000.00 10014000-046100 \$20,000.00
Item Key	6813	Account #	
Subject RESOLUTION 2019-XX APPROVING PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT WITH BOULEVARD TIRE CENTER FOR THE PURCHASE OF TIRES AND RELATED SERVICES			
<p>Background : <u>UPDATED BACKGROUND FROM THE JULY 9, 2019 WORKSHOP</u> This item was heard by City Council at their June 25, 2019 Workshop. There were no changes suggested to this item.</p> <p><u>ORIGINAL BACKGROUND TO THE JULY 9, 2019 WORKSHOP</u> The Public Works Fleet Division is responsible for the repair and maintenance of all City and Fire vehicles. Responsibilities include purchasing necessary parts and services to repair and maintain said vehicles which includes the purchase of various tires and related services on an as needed basis.</p> <p>City staff is recommending piggybacking the Florida Sheriff's Contract #FSA19-TRS21.0 with Boulevard Tire Center through 2/28/2022 for the purchase of tires and tire related services. Piggybacking existing competitively bid contracts is advantageous since the pricing is generally better than what the City could obtain on its own, and the City does not incur the expense and delay of soliciting a bid.</p> <p>Since the underlying contract is an agreement on a per unit price basis, City staff will make purchases on an as needed basis using budgeted funds appropriated by City Council. The Fiscal Year 2019 Fleet Budget includes available funding in the amount of \$125,000.00 & the Fire Fleet Budget includes available funding in the amount of \$20,000.00 for various tire and tires related purchases. City staff estimates a total of \$145,000 annually that the City will expend under this piggyback contract.</p>			
<p>Recommended Action : Adopt Resolution 2019-XX approving piggybacking the Florida Sheriffs Association contract with Boulevard Tire Center for the purchase of tires and tire related services.</p>			

RESOLUTION 2019-____
PIGGYBACKING TIRES AND TIRE RELATED SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE PIGGYBACKING OF FLORIDA SHERIFF'S ASSOCIATION CONTRACT FOR THE PURCHASE OF TIRES AND TIRE RELATED SERVICES; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE NECESSARY DOCUMENTS OF AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast desires to purchase tires and tire related services for fleet/fire vehicles and equipment from Boulevard Tire Center; and

WHEREAS, the vendors desire to provide tires and tire related services for our fleet/fire vehicles and equipment to the City of Palm Coast; and

WHEREAS, the City of Palm Coast desires to purchase the above referenced tires and tire related services for fleet/fire vehicles and equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORIZING PIGGYBACKS. The City Council of the City of Palm Coast hereby approves the terms and conditions of the contract for tires and tire related services for fleet/fire vehicles and equipment as approved in the Fiscal Year 2019 Budget, as attached hereto and incorporated herein by reference as Exhibit "A."

SECTION 2. AUTHORIZATION TO EXECUTE. The City Manager, or designee, is hereby authorized to execute the necessary documents.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 5. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on this 16th day of July 2019.

CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Attachment: Piggyback Contract for tires and tire related services for City fleet/fire vehicles and equipment

Approved as to form and legality

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



CONTRACT EXECUTIVE OVERVIEW (Non-Construction)

Vendor Name Boulevard Tire Center
Project Name: Tire & Related Services
Bid/Reference # FSA19-TRS21.0
Contract Type: Piggyback

Contract Value \$ 145000.00

Resolution # _____

City Council Approval Date: _____

Standard Contract Template (Y/N): N/A - Piggyback

If No, then Reviewed by City Attorney: N/A - Piggyback

Length of Contract: 02/28/2022

If Yes, # and length of renewals: _____

Renewable (Y/N): N

City's Project Manager Roger Lachance

Brief Description/Purpose:

To utilize the pricing on the Florida Sheriffs Association contract with Boulevard Tire to purchase Tires and related services for all City departments.

Approvals:

Responsible Dept. Director _____

Date: _____

City Finance _____

Date: _____

City Attorney _____

Date: _____

ASED Director _____

Date: _____

City Manager _____

Date: _____

Engagement Letter Authorizing Piggyback

Tire & Related Services

Contract Name

FSA19-TRS21.0

Contract Reference

In Process

CITY OF PALM COAST

Boulevard Tire Center

(Company)

Signature

Print Name

Date

DocuSigned by:

Winford Geary

FC8BC4012FE840D...
Signature

Winford Geary

Print Name

Jul 3, 2019 | 9:48 AM PDT

Date

Contract Terms and Conditions



Contract: FSA19-TRS21.0 Tires

City of Palm Coast, Florida Agenda Item

Agenda Date : 07/16/2019

Department CITY CLERK	Amount
Item Key	Account
Subject CALENDAR/WORKSHEET	
Background :	
Recommended Action :	



Meeting Calendar for 7/16/2019 through 8/31/2019

7/16/2019 9:00 AM

City Council
City Hall

7/17/2019 5:30 PM

Planning & Land Development Regulation Board
City Hall

7/25/2019 5:00 PM

Beautification and Environmental Advisory Committee
City Hall

7/30/2019 9:00 AM

City Council Workshop
City Hall

7/30/2019 9:00 AM

City Council Workshop
City Hall

8/6/2019 6:00 PM

City Council
City Hall

8/7/2019 10:00 AM

Code Enforcement Board
City Hall

8/13/2019 9:00 AM

City Council Workshop
City Hall



Meeting Calendar for 7/16/2019 through 8/31/2019

8/16/2019 8:30 AM

Volunteer Firefighters' Pension Board

Fire Station #25

8/20/2019 9:00 AM

City Council

City Hall

8/21/2019 5:30 PM

Planning & Land Development Regulation Board

City Hall

8/22/2019 5:00 PM

Beautification and Environmental Advisory Committee

City Hall

8/27/2019 9:00 AM

City Council Workshop

City Hall

Workshop 7/30/2019			
1	Presentation	Proposed Utility, Stormwater, IT & Bldg Funds	Alves
2	Resolution	Advent Health Design Srvc. Agreement OKR Ext.	Cote
3	Ordinance	WAWA - ROW lease - PC Parkway	Hoover
4	Ordinance	Animal Control amendment	Grossman
5	Ordinance	LSAC Committee sunset	Johnston/Smith
6	Resolution	CDBG Action Plan FY 19/20	Papa
7	Resolution	Advent Health Impact Fee Agreement	Papa
Business 08/06/2019			
1	Resolution	Advent Health Design Srvc. Agreement OKR Ext.	Cote
2	Proclamation	FL Forest Srvc-Wildfire Awareness-Smokey the Bear's 75th Birthday	Forte
3	Ordinance 1st	Animal Control amendment	Grossman
4	Ordinance	LSAC Committee sunset	Johnston/Smith
5	Ordinance	WAWA - ROW lease - PC Parkway	Hoover
6	Resolution	CDBG Action Plan FY 19/20	Papa
7	Ordinance 2nd	Tuscan Reserve MPD Amendment	Papa
8	Ordinance 2nd	Advent Health FLUM	Papa
9	Resolution	Advent Health Impact Fee Agreement	Papa
10	Proclamation	Purple Heart Day	Smith
Workshop 08/13/2019			
1	Presenation	5 yr CIP	Cote
2	Presentation	Proposed Budget for all remaining funds	Alves
3	Resolution	OKR Special Assessment	Alves
4	Resolution	IA FC Lease Program radios and service agreement	Falgout
5	Resolution	IA FC Service Agreement	Falgout
6	Resolution	Final Nuisance Abatement	Grossman
Business 08/20/2019			
1	Resolution	OKR Special Assessment	Alves
2	Ordinance 2nd	Animal Control amendment	Grossman
3	Resolution	Final Nuisance Abatement	Grossman
4	Ordinance	LSAC Committee sunset	Johnston/Smith
Workshop 08/27/2019			
1	Presentation	Budget-all funds Hearing	Alves
Business 09/03/2019			

			Tentative Special 09/04/2019 5:05 PM	
1	Resolution	Budget Hearing		Alves
			Business 09/17/2019	
			Tentative Special 09/18/2019 5:05 PM	
1	Resolution	Budget Hearing		Alves
			Business 11/05/2019	
1	Proclamation	Diabetes Awareness		Smith
			Future	
1	Resolution	IA Supplemental - OKR S		Adams/Flanagan
2	Resolution	Annual Fire Inspection Fees		Alves
3	Presentation	Security Assessment Review		Akins
4	Prsentation	Finance Awards		Alves
5	Resolution	Permit compliance with NECGA (MOU and Conservation easement)		Bevan
6	Presentation	October 15 Council Priority Update Presentation		Bevan
7	Resolution	Blare Castle-WWTP 1 Forcemain Design/Construct		Blake/Kronenberg
8	Resolution	Pine Lakes Pkwy Forcemain and Lift Station Improvements		Blake/Kronenberg
9	Resolution	Equip 3 Wells and Raw Water Main, PH 3		Blake/Kronenberg
10	Resolution	Work Order Master Plan for Central Park		Cote
11	Resolution	FEMA Generator for City Hall		Cote
12	Resolution	IA FC Lease Program radios and service agreement		Falgout
13	Resolution	IA FC Service Agreement		Falgout
14	Resolution	Project Price is Right Incentive Agreement		Newingham