



**City of Palm Coast
Minutes
CMT/Virtual Hybrid
Planning and Land
Development Regulation
Board**

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

**Chairman Clinton Smith
Vice Chair Robert J. DeMaria
Board Member James Albano
Board Member Sybil Dodson-
Lucas
Board Member Jake Scully
Board Member Sandra Shank
Board Member Charles Lemon
Alternate Board Member Hung
Hilton
Alternate Board Member Suzanne
Nicholson
School Board Rep Patty Bott**

Wednesday, October 21, 2020

5:30 PM

City Hall

RULES OF CONDUCT:

>Public comment will be allowed consistent with Senate Bill 50, codified at the laws of Florida, 2013 – 227, creating Section 286.0114, Fla. Stat. (with an effective date of October 1, 2013). The public will be given a reasonable opportunity to be heard on a proposition before the City's Planning & Land Development Regulation Board, subject to the exceptions provided in §286.0114(3), Fla. Stat.

>Public comment on issues on the agenda or public participation shall be limited to 3 minutes.

> All public comments shall be directed through the podium. All parties shall be respectful of other persons' ideas and opinions. Clapping, cheering, jeering, booing, catcalls, and other forms of disruptive behavior from the audience are not permitted.

>If any person decides to appeal a decision made by the Planning and Land Development Regulation Board with respect to any matter considered at such meeting or hearing, he/she may want a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

>If you wish to obtain more information regarding Planning and Land Development Regulation's Agenda, please contact the Community Development Department at 386-986-3736.

>In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-986-3713 at least 48 hours prior to the meeting.

>The City of Palm Coast is not responsible for any mechanical failure of recording equipment

>All pagers and cell phones are to remain OFF while the Planning and Land Development Regulation Board is in session.

Call to Order and Pledge of Allegiance

Ms. Katie Reischmann, legal counsel, read into the record the CMT/Virtual Hybrid notice.

Since both Chair Smith and Vice Chair DiMaria were excused from this meeting, therefore, a vote was held to nominate a temporary chair for this meeting only.

Ms. Shank made a motion to nominate Mr. Scully and it was seconded by Mr. Lemon.

Mr. Jake Scully, acting chair, called the October 21, 2020 Planning and Land Development Regulation Board (PLDRB) meeting to order @ approximately 5:30PM.

Roll Call and Determination of a Quorum

Present and responding to roll call were:

Mr. Albano; Ms. Shank; Ms. Nicholson; Mr. Hilton; Mr. Lemon; Mr. Scully

Excused were: Chair Smith; Vice Chair DiMaria; Mrs. Lucas

Approval of Meeting Minutes

1 MEETING MINUTES OF THE SEPTEMBER 30, 2020 PLANNING AND LAND DEVELOPMENT REGULATION BOARD SPECIAL MEETING

Pass

Motion made to approve as presented by Board Member Lemon and seconded by Board Member Shank

Approved - 6 - Board Member Jake Scully, Board Member Charles Lemon, Board Member Suzanne Nicholson, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

Public Hearings

2 ORDINANCE 2020-XX, A ZONING MAP AMENDMENT FOR A 787.6+/- ACRE SUBJECT PROPERTY FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE TO CITY OF PALM COAST DESIGNATION OF MASTER PLANNED DEVELOPMENT ALONG WITH A DEVELOPMENT AGREEMENT

Mr. Michael Chiumento, representing the applicant, submitted a letter to City staff to withdraw this application.

withdraw

3 WEST PINES MPD AMENDMENT - APPLICATION # 4499

Mr. Ray Tyner, Deputy Chief Development Officer, addressed the PLDRB members and gave some history of this property which was created as a Flagler County Planned Unit Development (PUD) as well as introduced Mr. Bill Hoover, Senior Planner, who gave a presentation which is attached to these minutes.

Mr. Joshua Bryant, 8096 Summer Palm Ct., Jacksonville, FL 32256, applicant addressed the PLDRB members.

Mr. Antonio and Alberto Sanchez, Canada, applicants, addressed the PLDRB members via the virtual platform.

Mr. Albano asked about a slide in Mr. Hoover's presentation that referenced no pools or rear yard fencing? Mr. Hoover responded that the original County's PUD zoning did not allow pools or fencing in the back yards. Also that the lots are only 100 to 110 ft. deep thereby limiting the ability to add a pool.

Chair Scully opened this item to public comment @ 6:01PM.

Mr. Jim Senelo, 63 Weymouth Lane, President of the West Pine Home Owners' Association (HOA), does not support this MPD amendment and would like to preserve the character of the development.

Chair Scully closed this item to public comment @ 6:04PM.

Mr. Lemon questioned whether or not title insurance would cover the Mr. Bryant's and Mr. Sanchez losses. Ms. Reischmann addressed the question by saying that the County's paperwork did not clearly show on the concept plan the development restriction that exist with the PUD and that the concept plan wasn't recorded properly therefore it would be difficult for someone to find these restrictions. Mr. Albano also mentioned that title insurance is solely for clear title of the property and does not address the zoning of a property. Mr. Bryant's response was that he also was told that title insurance (which he purchased) does not cover the development restrictions issue.

Chair Scully was informed someone was on the phone to comment and allowed that person to speak:

Rob Boone, owns lot #14 and has owned since 1999, and does not support this MPD amendment. Specifically, distance between the homes is not sufficient. Mr. Boone also submitted an email which has been included in the agenda packet.

Pass

Motion made to approve as presented by Board Member Albano and seconded by Board Member Hilton

Approved - 6 - Board Member Jake Scully, Board Member Charles Lemon, Board Member Suzanne Nicholson, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

4 OCEAN VILLAGE PHASE 1 TECHNICAL SITE PLAN TIER - 2 - APPLICATION # 4389

Mr. Ray Tyner, introduced the history of this item to the PLDRB members, and introduced Mr. Bill Hoover, Senior Planner, who gave a presentation which is attached to these minutes.

Mr. Ray Tyner, indicated that the Flagler School Concurrency has been met and therefore no conditions will be included on the Development Order (DO).

Mr. Bob Dickinson, representing the applicant, addressed the PLDRB members and referenced two slides included in Mr. Hoover's presentation.

Ms. Nicholson, questioned the garages surrounding the entire building being shown on Mr. Dickinson's presentation slide. Mr. Dickinson, addressed the question by stating that the garages are away from the building and the parking spaces are adjacent to the building. The four Americans with Disabilities (ADA) compliant garages are across from the entry with a crosswalk designation for safe access to the front of the building.

Ms. Nicholson, asked if the garages have doors. Mr. Dickinson answered yes they have doors. Ms. Nicholson questioned the fact that the backside of garages will face the future commercial buildings as well as the road, are they going to be aesthetically pleasing? Mr. Dickinson stated that the one story garages face the ponds. The next phase would be possible a flipped version of these garages. Ms. Nicholson questioned the circle area on the presentation which Mr. Dickinson explained is a full paved cul-du-sac for fire trucks to turn around as well as other emergency vehicles.

Chair Scully opened this item to public comment @ 6:30PM. No one was on the phone line or approached the podium therefore Chair Scully closed this item to public comment @ 6:31PM.

Pass

Motion made to approve as presented by Board Member Shank and seconded by Board Member Lemon

Approved - 6 - Board Member Jake Scully, Board Member Charles Lemon, Board Member Suzanne Nicholson, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

5 ANNUAL TRAINING FOR THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEMBERS

Ms. Katie Reischmann, legal counsel, gave a presentation which is attached to these minutes which addressed the role of the PLDRB members in the quasi-judicial PLDRB meetings. Examples were given and discussed for the edification of the PLDRB members.

Ms. Bott left the meeting @ 6:35PM.

Board Discussion and Staff Issues

Irene Schaefer, Recording Secretary, reminded that the PLDRB has a special meeting scheduled for Wednesday, November 4, 2020 @ 5:30PM to be held at City Hall in the Community Wing.

Adjournment

The meeting was adjourned at 7:22 PM.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

ATTACHMENTS