

CITY OF PALM COAST
COUNCIL SPECIAL MEETING
HYBRID MEETING
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, JANUARY 5, 2021
5:30 P.M.

Mayor Milissa Holland
Vice Mayor Eddie Branquinho
Council Member Victor Barbosa
Council Member Ed Danko
Council Member Nick Klufas

Minutes

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. If you are interested in participating via Zoom, please call 386-223-1690. Should you have any difficulty with the number, please call 386-986-2391 and a representative will assist you.

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.

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

All pagers and cell phones are to remain OFF while City Council is in session.

A. CALL TO ORDER

Mayor Holland called the meeting to order at 5:30 pm

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

City Clerk Virginia Smith called the roll. All members were present.

D. ORDINANCE FIRST READING

1. ORDINANCE 2021-XX LAKEVIEW ESTATES MASTER PLANNED DEVELOPMENT
APPLICATION #4150

City Attorney Reischmann read the title into the record. Mr. Reischmann reminded Council this is a quasi-judicial hearing and called for ex-parte communications.

Council disclosed the following ex-parte communications:

Vice Mayor Branquinho received an email from Mr. Chiumento; the email was not

answered. He assured all that any decisions made will be based on what is presented tonight.

Council Member Klufas had received several emails and met with residents regarding this topic. He has made it clear to the residents that he has met that he will be making his decision what the information received this evening.

Mayor Holland also received unsolicited emails from resident; she also received an email from Mr. Chiumento; she did not respond to emails. Mayor Holland takes the quasi judicial process very seriously.

Council Member Barbosa attended the PLDRB meeting and received unsolicited emails and did not respond.

Council Member Danko spoke with voters while he was campaigning, attended a PLDRB Meeting, visited the site; received emails from citizens and from Mr. Chiumento. He assured everyone that his decision will be based on what is presented today.

Mr. Morton gave a brief summary of the item.

Messr. Tyner and Hoover presented to Council on this item.

Mr. Morton provided clarification that there was no private/public partnership with this development.

Topics discussed were the definition of MPDs; the number of units per acre; the Zoning history of the property in question; retention ponds addressing stormwater issues; recently Council approved a contract for acreage in the L Seciton to assist in addressing the stormwater issues; the conservation areas and if wetland, and it will remain conservation; the neighborhood meetings. Mr. Morton spoke to the rumors re: public/private partnership; City did not work with the Developer for the project.

Mr. Michael Chiumento presented to Council on behalf of the applicant. Topics reviewed were the history of the property and the issues with the prior ownership of the land; purchases of lots after the golf course has been closed; comments from Neighborhood Meeting; arsenic on the driving range; traffic concerns; view shed descriptions; Land Development Code 03.03.04(J); a reasonable policy to use for this particular piece of land because it had not been a golf course in over a decade.

Council had a lengthy discussion on this item. Topics discussed limiting multifamily homes; retention areas; existing golf course community and how it applies to this property; a parcel having 5-year digging rights by the developer; the Planning Board's recommendation for Tract 9; the recreational piece for the developments.

Public Comment

The following members of the public came forward to give their concerns, opinions and suggestions: Michael Arnold, Mike Martin, Robert King, Pete Kennedy, Robert MacDonald, Susan Shriverdecker, Janice Lamb, Mike Wierzba, Toby Tobin, Jim Covington, David Flynn, Christine Williams, Perry Militrano, George Mao, Doug Zigler, James O'Connor, Joe Colasanti, Dennis Shiverdecker, Joanne Knepp, Diane Minotti, Celia Pugliese, Leanne Pennington, Justin Simmons, Erin (no last name given), Debra (last name inaudible), Vicki Renna and Isabel Garcia.

Responses to Public Comments: Attorney Reischman, Messrs. Moton, Delorenzo, Tyner and Mr. Chiumento spoke to the questions asked by the public.

Discussion continued among the Council Members. Topics included: gated community, length of the project about three years or longer; infrastructure taking approximately a year.

Motion by Council Member Barbosa to accept City Staff's original recommendation (to PLDRB): no development along the fairways of 1, 3, and 9. Mr. DeLorenzo reviewed staff's recommendation to the Planning Board's recommendations with Council. The only difference in the recommendations between Staff and the Planning Board were on Track 9. Mayor Holland called the question. The motion died for lack of a second.

Council Member Klufas asked for clarification regarding the exchange of land for a park. He wanted to know how much a park of that magnitude will cost and how many homes need to be built in order to pay for the park. Mr. Cote responded that it really depends on what you want to develop at the site. It is about \$200,000 per acre to develop. The park impact fees applied would take about 1500 homes in order for a park of that size to be developed.

Motion by Council Member Barbosa to table the item until the questions are answered and come up with a compromise. Council Member Danko asked if staff needs more time to iron out with the developer. The motion dies for a lack of a second.

Motion by Council Member Klufas to approve the applicant's submission as presented this evening. The motion dies for a lack of a second.

Motion by Council Member Klufas to approve the applicant's submission as proposed. The motion fails for a lack of a second.

Motion by Council Member Danko to approve the Planning Board's recommendation. The motion dies for lack of a second.

Mayor Holland indicated that there is one option left, to deny. Attorney Reischmann counseled the Council on what is necessary to specify in making such a motion.

Mr. Chiumento felt the sticking point was the definition VPZ . Staff and developer need to get together to come up with a clearer definition.

Motion by Council Member Danko to approve the Planning Board's recommendation. Mayor Holland passed the gavel to Vice Mayor Branquinho and seconded the motion.

Council Member Klufas needed clarifying regarding the number of homes developed and possible issues with density. The motion passes three to two with Vice Mayor Branquinho and Council Member Barbosa voting no.

CM Klufas questioned 8:52pm

E. ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

Respectfully submitted by:

Virginia A. Smith, MMC

City Clerk