



**City of Palm Coast  
Minutes  
Planning and Land  
Development Regulation  
Board Special Meeting**

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

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

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**Wednesday, December 1, 2021**

**5:30 PM**

**City Hall - Community Wing**

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**RULES OF CONDUCT:**

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

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

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

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

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

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

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

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

**A Call to Order and Pledge of Allegiance**

*Vice Chair Shank called the December 1, 2021 Planning and Land Development Regulation Board Special (PLDRB) meeting to order at 5:30pm.*

**B Roll Call and Determination of a Quorum**

*Present and responding to roll call were:*

Mrs. Lucas  
Mr. Albano  
Mr. Scully  
Vice Chair Shank  
Mr. Lemon  
Ms. Nicholson  
Mr. Hilton  
Ms. Bott

Excused:  
Chair Smith

## **C Approval of Meeting Minutes**

### **1 MEETING MINUTES OF THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD OCTOBER 20, 2021 MEETING**

**Pass**

**Motion made to approve as presented by Board Member Nicholson and  
seconded by Board Member Dodson-Lucas**

**Approved - 7 - Board Member Jake Scully, Board Member Sybil Dodson-Lucas,  
Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice  
Chairman Sandra Shank, Board Member James Albano, Board Member Hung  
Hilton**

## **D Public Hearing**

### **2 THE HAVEN A TECHNICAL SITE PLAN – TIER 3, APPLICATION # 4779**

*Mr. Ray Tyner, Deputy Chief Development Officer, introduced the application  
and gave a brief history of the project, he also introduced Ms. Estelle Lens,  
Planner, AICP, who gave a presentation which is attached to this record.*

*Mr. Harry Newkirk, Newkirk Engineering, addressed the PLDRB with the history  
behind the project and gave details of the proposed project. He provided a  
presentation which is attached to this record.*

*Mr. Albano questioned the difference between the acreage listed on the staff  
report and Mr. Newkirk's presentation. Ms. Lens explained the difference is  
between the uplands-developable portion of the site is 33.72 acres and the total  
acreage of the site is 68.54 which includes 38 acres of wetlands.*

*Mrs. Lucas asked if there are any subsidies for any categories of renters, i.e.  
seniors or students. Mr. Newkirk stated no.*

*Ms. Bott asked if there are plans to add a school bus stop, Mr. Newkirk stated  
yes they would work on a school bus stop. Mr. Tyner stated the City would work  
with the developer and the School District to tie into the proposed plans for Lake  
Avenue.*

*Vice Chair Shank asked about any student housing, as Mr. Newkirk referenced in his presentation, and if there were any plans to contract with the University of North Florida or any of the existing colleges. Mr. Newkirk stated that he wasn't aware of any particular plans for student housing but he is aware that the Embassy Group is looking into providing "high end" housing for students.*

*Vice Chair Shank opened this item to public comment at 5:54pm. Mr. James Vincent came to the podium and stated that he had comments on all 3 items on the agenda and therefore he would wait till the 3rd item to make his comments which would be the same for all 3 items. He did mention that he isn't going to rent for \$1600.00 or \$1800.00 unit when one can buy for \$1200.00 per month.*

**Pass**

**Motion made to Recommend Approval which is in compliance Comprehensive Plan by Board Member Scully and seconded by Board Member Dodson-Lucas**

**Approved - 7 - Board Member Jake Scully, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton**

**3 FLAGLER VILLAGE, A SUBDIVISION MASTER PLAN, APPLICATION # 4838**

*Mr. Ray Tyner, Deputy Chief Development Officer, introduced the application and gave a brief history of the project, including a recent rezoning from Master Planned Development (MPD) to straight single family residential zoning, he also explained that this Subdivision Master Plan is the first step which lays out the conservation areas and the general plan for the lots (which may shift a little in later plans), the second step would be the preliminary plat that would include all the construction and engineering plans, the final step would be a Final Plat, which state statute requires approval from City Council and after that approval the developer can start selling lots of record and start building homes. He also introduced Ms. Estelle Lens, Planner, AICP, who gave a presentation which is attached to this record.*

*Mr. Brett Markovitz, Office Manager of CPH Engineers Palm Coast, addressed the PLDRB members including comments from the neighborhood meeting including stormwater concerns/flooding, the wetland impacts and maintaining a view of the lake. Mr. Markovitz mentioned working with the Flagler School District on school bus placement.*

*Mrs. Lucas questioned the number of neighbors who attended the neighborhood meeting and asked if there are any concerns about wildlife (impacts). Mr. Markovitz mentioned about 30 people attended the neighborhood meeting. Mr. Markovitz mentioned 2 - 3 gopher tortoises were discovered on site and they will be relocated. Mr. Markovitz mentioned that in the larger wetland area found on the site they will be adding an enlarged culvert system that will serve as a wildlife crossing between the wetlands and over the roads.*

*Mr. Lemon questioned the possibility of a school bus turn around or school bus pickup points. Ms. Bott mentioned normally the bus stop location is placed at one of the entrance. Mr. Tyner also mentioned that the bus stop location would be addressed with the developer and the School District during the technical site plan.*

*Vice Chair Shank asked if this development will be gated. Mr. Markovitz stated that on the Master Site Plan and the Preliminary Plat they are showing a gated community however a decision hasn't been made yet by the developer.*

*Vice Chair Shank asked the price point for this development. Mr. Markovitz stated the price point would be \$200,000 and up (single family residential lots sizes are 50x120). Vice Chair Shank asked if the development have a Home Owners Association (HOA) and Mr. Markovitz stated yes.*

*Mr. Albano asked about the impacts to the wetlands (9-10 lots are shown on the map by Citation Blvd). Mr. Markovitz stated that the wetland impacts would be mitigated (removed and filled), Mr. Markovitz also pointed out that a 40 ft. easement exists through the back of those lots explaining the length of the lots since no construction will occur in that easement.*

*Vice Chair Shank asked about some lots that are shown on the plans along the sidewalk and the retention pond T6 which would require mitigation for wetland impacts as well. Mr. Markovitz stated yes.*

*Vice Chair Shank opened this item to public comment at 6:15pm. Mr. James Vincent, addressed the PLDRB members and wasn't in favor of this project, stating that more access roads along with turn off lanes are needed to accomodate the additional homes being proposed. He also stated that there are no businesses to support these new residents.*

*Mr. Tyner addressed Mr. Vincent's question, we follow the requirements for Single Family Residential 1 which requires that during the preliminary plat application the applicant will provide a study for turning analysis. He also mentioned a recently the PLDRB members approved a development that will extend Citation Parkway and which will connect Belle Terre to Seminole which will help to evaluate a lot of the traffic congestions. Mr. Tyner mentioned that construction should start within a year.*

*Ms. Nicholson questioned lots 223 and 226, and lots 30-32 stating that it looks like the road dead ends and she question fire apparatus access to those lots. Mr. Markovitz stated that fire safety allows for a T section turn around when you have a minimum number of lots (i.e. 2 to 3). Mr. Lemon questioned the length of the road for the lots Ms. Nicholson questioned. Mr. Markovitz stated that normally if there are more than a few lots (2-3) one is required to have a full turnaround when the road is 150 ft. or more. Mr. Tyner stated that our Chief Building Official reviews all fire code requirements and the T section turn around was reviewed and discussed and it was approved for fire apparatus access. Ms. Nicholson asked if parking would be permitted on the street. Mr. Markovitz stated that parking would not be allowed on the street and that each property driveway is required to have two parking spaces.*

*Mr. Scully questioned the feasibility of sharing access with the commercial parcel (lot 2). Mr. Markovitz stated that the applicant's traffic engineer has stated that it*

would not be advisable to mix residential and commercial traffic together. Mr. Markovitz further stated that there is sufficient frontage on both Citation and Belle Terre to get appropriate access both in and out of that commercial tract. Mr. Markovitz stated that at this point the developer is willing to review this condition.

Mr. Albano questioned the ownership of this property and the commercial property. Mr. Markovitz explained that the properties have different owners.

**Pass**

**Motion made to approve as consistent with Comprehensive Plan and Land Development Code conditioned upon submission and review of the traffic analysis for the turn lanes and investigation of the shared access to the commercial property, lot 2 by Board Member Scully and seconded by Board Member Albano**

**Approved - 7 - Board Member Jake Scully, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton**

#### **4 PALM COAST 145, A SUBDIVISION MASTER PLAN, APPLICATION # 4852**

Mr. Ray Tyner, Deputy Chief Development Officer, introduced the application and gave a brief history of this item including its recent rezoning from MPD to single family residential 1 & 2. He also walked through the steps for subdividing lots as discussed in agent item #3, Mr. Tyner also introduced Ms. Estelle Lens, Planner, AICP, who gave a presentation which is attached to this record. Ms. Lens clarified that the land associated with this application had been conveyed in August, after the application was filed, so the new owner is Palm Coast Aquisition, LLC. She did mention that the City received the proper signatures on the application and authorization forms, however she did not change it on the staff report for which she apologized.

Mr. Brett Markovitz, Office Manager of CPH Engineers Palm Coast, addressed the PLDRB members. Mr. Markovitz mentioned that the applicant would be working with the Flagler School District on school bus placement. He also mentioned the turn lanes that the project is adding on Route 1 and the addition of utilities to the area.

Mr. Albano questioned the design of 66 homes in a row abutting US #1. Mr. Markovitz explained that suggested change would require a SJRWMD permit which is already approved, causing more time and expense.

Vice Chair Shank questioned of Ms. Bott the impact of the prior two projects (an increase of 565 homes) to the school system. Ms. Bott mentioned that agenda item #2 would have an additional 50 students and this one 5 additional students. She also stated that the developers have not filed/completed the school concurrency reservation application yet but once filed the School District will discuss available capacity and what needs to be done at that point.

*Mr. Albano asked Ms. Bott what the capacity looks like on the southern schools we have now. Ms. Bott stated that capacity School District wide for middle and high schools will be at or over capacity next year because 6th grade is moving to middle school. Capacity at those levels will need to be mitigated next year but Ms. Bott went on to mention we will have capacity at the elementary level next year because of the move of the 6th grade level.*

*Vice Chair Shank opened this item to public comment at 6:45pm. Mr. James Vincent, addressed the PLDRB members and wasn't in favor of this project stating the impact on roads (specifically that all 3 projects will have an impact on Belle Terre) and impact on wildlife and we need more businesses not residential properties within the City.*

*Mr. Albano questioned staff if staff is concerned about the amount of growth in the City. Mr. Tyner stated that it is about managing growth and as you know when we became a City in 1999 we adopted a lot of the zoning that was already in place. He further stated that people have entitlements and rights to develop their property, so if the City tried to take their entitlements it would be a violation of the Bert J. Harris Jr. Act, so our job is to follow the Land Development Code and ensure the developers comply with our standards. All roads in the City, via our Comprehensive Plan, have an adopted level of service that City Council and the PLDRB adopted when we created our Comprehensive Plan. Every project that comes into the City, we follow the guidelines from the TPO standards. We conduct traffic studies and if a road is failing, not meeting our level of service, than the developer is required to pay a fair share amount to mitigate for that traffic. We are required to perform traffic counts every two years, so we do manage our roads. Two years ago we hired a Traffic Engineer who has a speciality in operations as well as signal timings. In addition we just hired another traffic professional staff member, who are all part of our technical review team. Mr. Tyner stated that this agenda item and the previous one were actually down zoning of trips on the road. He went onto say as you see we have a condition for a full traffic analysis, it is requirement of our code, but we wanted to make sure we had it as a special condition because we wanted your support of how important traffic analysis is and to make sure we have safe access to developments. Mr. Tyner mentioned that the original ITT plan had the City at 200,000 people as of 2020 and we are at 95,000. He went on to say that is a result of the City managing growth and that we have to continue to manage our growth. Mr. Tyner concluded by saying that the growth is coming and we still have a lot of vacant lots with entitlements within the City (i.e. Town Center and Palm Coast Park). Mr. Albano suggested that the update that Mr. Tyner provided here be posted onto the website for the citizens to see as it does give a more complete picture. Mr. Scully commented on the 14,000 empty single family and duplex lots, where the growth is far outreaching developments like this, allowing us to keep in mind the whole picture not just these subdivision.*

*Mrs. Lucas questioned staff on any plans to expand public transportation. Mr. Tyner stated that Flagler County has that responsibility. He did mention that City and County staff belong to to The River to the Sea Transportation Planning Organization (TPO) and that recently the TPO is working with Flagler County on a plan to enhance public transportation.*

*Vice Chair Shank asked if there would be any plans for sidewalks in this developmment and Mr. Tyner stated yes, the LDC requires sidewalks.*

**Pass**

**Motion made to approve as consistent with Comprehensive Plan and Land Development Code conditioned upon submission of the traffic impact analysis to be reviewed by the City and the Florida Department of Transportation (FDOT) by Board Member Scully and seconded by Board Member Dodson-Lucas**

**Approved - 7 - Board Member Jake Scully, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton**

**E Board Discussion and Staff Issues**

*Mr. Tyner thanked all PLDRB members for attending this special meeting.*

**F Adjournment**

*Motion made that the meeting be adjourned by Mr. Albano and the motion was seconded by Mrs. Lucas. The meeting was adjourned at 6:58PM.*

*Respectfully Submitted by:  
Irene Schaefer, Recording Secretary*

**Pass**

**Motion made to approve by Board Member Hilton and seconded by Board Member Dodson-Lucas**

**Approved - 7 - Board Member Jake Scully, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton**