



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

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

***Chair Clinton Smith
Vice Chair Sandra Shank
Board Member James Albano
Board Member Charles Lemon
Board Member Hung Hilton
Board Member Suzanne Nicholson
Board Member David Ferguson
Alternate Board Member Sybil
Dodson-Lucas
Alternate Board Member Larry
Gross
School Board Rep Kory Bush***

Wednesday, March 15, 2023

5:30 PM

City Hall - Community Wing

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Public comment on issues on the agenda or public participation shall be limited to 3 minutes.
- Other matters of concern may be discussed as determined by Committee during the meeting.
- If you wish to obtain more information regarding the agenda, please contact the Community Development Department at 386-986-3736.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while meeting is in session.
- Any person who decides to appeal any decision with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Call to Order and Pledge of Allegiance

Chair Shank called the March 15, 2023 Planning and Land Development Regulation Board (PLDRB) meeting to order at 5:30pm.

Roll Call and Determination of a Quorum

Present and responding to roll call were:

Chair Shank
Mr. Lemon
Mr. Albano
Ms. Nicholson
Mr. Hilton
Mr. Gross
Mr. Bush

Excused:

Chair Smith
Mrs. Lucas

Approval of Meeting Minutes

1 MEETING MINUTES OF THE FEBRUARY 15, 2023 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

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

Approved - 6 - Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

Public Hearing

2 ORDINANCE 2023 - XX TO APPROVE THE 9TH AMENDED AND RESTATED PALM COAST DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER

Mr. Ray Tyner, Deputy Chief Development Officer explained that the applicant has requested that items #2 and #3 be continued and due to a new state law municipalities now have to readvertise when an item is continued, therefore there is no need to vote on agenda items 2 and 3.

Continued

3 ORDINANCE 2023 - XX TO APPROVE THE 5TH AMENDED, RESTATED AND REFORMATTED PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD)

The applicant has requested this item be continued and this item was addressed with item #2.

Continued

**4 WHITEVIEW MULTI-FAMILY APARTMENTS MASTER SITE PLAN – APPLICATION
5216**

Mr. Ray Tyner introduced this Master Site Plan item along with Mr. Bill Hoover, AICP, Senior Planner, who gave a presentation which is attached to this record.

Mr. Curt Wimpée, Alliant Engineering, representing the applicant, gave a presentation which is attached to this a record.

Mr. Lemon asked about the possibility of turning the 2 dry ponds into wet ponds and what needs to be done to ensure they drain properly. Mr. w explained that due to the impaired water bodies in the area (canals) and because of this situation the developer/engineer is required to create dry ponds, the ponds will percolate down into the ground. Mr. Tyner explained that the ponds are premitted through St. Johns River Water Management District (SJRWMD) and will require approval from SJRWMD.

Mr. Gross asked about the mix of the rental units. Mr. Hoover stated 120- single bedroom, 166-2 bedroom and 30-3 bedroom. Mr. Gross asked about the parking spaces allocated for this project. Mr. Hoover stated 544 spaces which of which 108 spaces are garages, which would require a rental agreement for their use. Mr. Gross is wondering if there is sufficient parking for the project. Mr. Wimpée addressed the parking feasibility study that was done including looking at other Florida cities and the parking required parking spots came out to 1.66 parking spaces per units. Mr. Wimpée stated that their developer is interested in providing ample parking for the development as it would be detrimental to the success of this project if it was under parked. Mr. Gross asked about the monthly rental amount to be charged. Mr. Wimpée stated that he does not know what the rent will be for these higher-end apartments.

Chair Shank asked Mr. Wimpée about the reference to comparing to Miami as we don't have public transportation as Miami. Mr. Wimpée stated that the developer is very comfortable with 1.66 parking spaces. Chair Shank referenced above market rate on a slide and Mr. Wimpée stated that yes, this project has higher-end finishes and will be rented at a higher rate. Chair Shank asked about the developer's other project's occupancy rate and if a study has been done. Mr. Wimpée stated that this developer has only been involved with this project for 6 months. Mr. Wimpée is not aware of his client's finances.

Mr. Gross stated that he doesn't believe the City can afford high-end rental units. Mr. Tyner added that staff report for this agenda addresses the Land Development Code (LDC) standards. There is no standard for whether or not Palm Coast will support high-end rentals. However, the LDC does address parking and the applicant submitted a parking flexibility study which was reviewed by the City's professional planning staff. Ms. Katie Reischmann, Counsel, stated that this review is to ensure that they are in compliance with the Master Planned Development Agreement and the LDC, changes to the agreement are not appropriate at this time. Chair Shank agreed but restated her concerns are based on the current changes in the housing market.

Chair Shank mentioned that the traffic study was done in 2020, is there going to be a new study. Mr. Hoover stated yes and it has been reviewed and approved

by the City's Traffic Planner. Mr. Hilton asked for clarification on the traffic condition which was mentioned in the staff report. Mr. Hoover stated that it has been removed on Mr. Hoover's PowerPoint and shouldn't be included in the motion.

Chair Shank opened this item to public comment at 6:13pm and seeing no one approach the podium she closed the item to public comment at 6:14pm.

Pass

Motion made to Recommend Approval for application #5216 which is found to be in compliance with the Comprehensive Plan and recommend approval to City Council by Board Member Hilton and seconded by Board Member Albano

Approved - 5 - Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

Denied - 1 - Board Member Larry Gross

5 ORDINANCE 2023-XX REZONING LONGFELLOW SUBDIVISION – APPLICATION #5062

Mr. Ray Tyner introduced this item and gave a history of this property along with Ms. Jordan Myers, CFM, Environmental Planner, who gave a presentation which is attached to this record.

Mr. Jay Livingston, Livingston and Sword, attorney for the developer, gave a presentation which is attached to this record.

Ms. Nicholson asked about the item shown between lots 12 & 13 on the concept plan and Mr. Livingston stated that it is an on-site amenity center and it will include parking as well as the property will include sidewalks. Mr. Tyner stated that the concept plan is only an example and the Subdivision Master Plan will come back to the PLDRB for review and approval, which will include all the details regarding stormwater, amenity center, sidewalks, etc.

Mr. Albano asked about the proposed setbacks against the existing homes. Mr. Livingston stated that the setbacks will be based on Single Family Residential (SFR-1) setbacks however it is recommended to be a gated property with a perimeter fence. Mr. Albano asked about existing fences and accommodation that may need to be made for these existing fences. Mr. Livingston stated that if the homeowner followed code, then they would have to be off-set from the property. He further stated that if there were any issues with the placement of the existing fences than the developer would need to look at issues with any encroachments. Mr. Albano asked if this project is age restricted, Mr. Livingston stated that hasn't been decided.

Chair Shank opened this item to public comment at 6:31pm and seeing no one approach the podium she closed the item to public comment at 6:32pm.

Pass

Motion made to Recommend Approval finding application #5216 is consistent with the Comprehensive Plan and recommend approval to City Council to rezone from Multifamily Residential (MFR-1) and Public Semi-Public (PSP) to the Single Family Residential (SFR-1) zoning district by Board Member Nicholson and seconded by Board Member Gross

Approved - 6 - Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

6 ORDINANCE 2023 - XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 41.5+/- ACRES OF PROPERTY FROM GREENBELT TO RESIDENTIAL AND ADDING A SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT ON THE SUBJECT PROPERTY TO 200 DWELLING UNITS - APPLICATION 5060

Mr. Ray Tyner stated that there will be one presentation for the FLUM and Rezoning (items #5 and #6), however, they will be open to public comment and voted on separately. Ms. Jordan Myers, CFM, Planner, gave a presentation which is attached to this record.

Mr. Jay Livingston, Livingston and Sword, gave a presentation which is attached to this record. Mr. Livingston discussed the history and the effect of the neighborhood meeting held last April where the 16 neighbors who attended were not in favor of a multi-family development and the developer listened to the neighbors and changed their application to single family development.

Chair Shank stated that it nice to hear the neighborhood meeting worked as intended.

Chair Shank opened this item to public comemnt at 6:51pm and seeing no one approach the podium she closed the item to public comment at 6:52pm.

Ms. Nicholson asked why the City is giving up the Greenbelt designation for this property. Mr. Tyner stated that at the time of the Comprehensive Plan (approximately 2003/2004), he was the City's environmental planner, the Greenbelt designation was based on the presence of high quality wetlands. And based on aerial interpretations of this land at that time it was expected to have a large area of high quality wetlands and when it was ground truth it was found to be lower quality wetlands. Ms. Nicholson stated that wetlands isn't the only criteria for greenbelt designation and Mr. Tyner stated yes. Mr. Livingston further discussed that the greenbelt designation allows development for EST-1 zoning and if the intend was to maintain green space at the time of platting it should have been designated as conservation. Mr. Tyner said the Greenbelt allows for clustering. Discussion of clustering would limit density if left as EST-1 or if following platting would limit to 134 units which is less than 200 proposed units. Mr. Livingston also stated that the proposed subdivision application allows for building out to include amenities. Mr. Tyner asked for the existing FLUM be shown and reviewed the history of the FLUM designation and pointed out that based on the aerial this area is not a transition between urban to rural, it is urban to urban.

Mr. Albano made a motion to recommend approval which is consistent with Comprehensive Plan which was seconded by Mr. Hilton, the motion failed with a vote of 3 to 3, both Ms. Nicholson and Mr. Gross objected to the application on the basis of losing the Greenbelt designation for this property. Discussion ensued regarding any compromise that may be allowed to move the project forward. Ms. Reischmann informed the PLDRB members that they may continue to discuss the conditions which may allow the PLDRB members who voted against to vote for the application with conditions. Chair Shank suggested limiting the # of units to the allowable number under the EST-1 zoning designation. Ms. Myers clarified that under the current Plat the lots are not 1 acre lots. Mr. Livingston explained that the reason for the applicant to request the Comprehensive Plan Amendment and the rezoning, rather than buildout the units as platted ITT lots, is to allow for the extra amenities along with stormwater that the subdivision master plan would allow. Mr. Albano asked legal counsel if it was possible for the PLDRB members to pass a motion to rezone based on minimal lot size. Ms. Reischmann stated that this is a FLUM designation but we have never done a site specific designation policy calling out a lot size and that the state may object to this type of restriction. She further stated that the PLDRB members may let the vote stand and if so then they would not consider the rezoning application - agenda item #7. Ms. Reischmann pointed out that Mr. Livingston and his client have vested rights to develop 134 lots. Mr. Livingston requested that the PLDRB members consider a motion to continue this item in order to have the owner present to address density concerns. He was not present for personal reasons.

Pass

Motion made to continue application #5060 in order to discuss with the owner/developer by Board Member Gross and seconded by Board Member Hilton

Approved - 6 - Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

7 ORDINANCE 2023-XX REZONING SEMINOLE WOODS SF – APPLICATION #5061

Chair Shank opened this item to public comment at 6:43pm and seeing no one approach the podium she closed the item to public comment at 6:44pm.

Pass

Motion made to continue application # 5061 in order to discuss with the owner/developer by Board Member Gross and seconded by Board Member Albano

Approved - 6 - Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

8 STATION AT PALM COAST SUBDIVISION MASTER PLAN - TIER 2, APPLICATION # 5322

The applicant has withdrawn this application, no vote is required.

9 ENCLAVE AT SEMINOLE PALMS SUBDIVISION MASTER PLAN-TIER 2, APPLICATION # 5223

Mr. Ray Tyner, introduced this item along with Ms. Estelle Lens, AICP, Planner who gave a presentation which is attached to this record.

Mr. Jay Livingston, Livingston and Sword, project engineer, gave a presentation on this subdivision master plan which is attached to this record.

Ms. Nicholson asked about the connectivity of the sidewalks to the Master Planned Development (MPD), specifically where does the sidewalk connect to the adjacent property. Mr. Corey Sitler, Kimley Horn Associates, representing the developer stated that the emergency access is dual purpose and will function as a pedestrian trail with landscaping and fencing to provide a barrier to the canal to the north. Sidewalk connections to the sidewalks along Citation Blvd. along the northern side of Citation Blvd. will be provided. Ms. Lens pointed on the map where the sidewalk connections will be located.

Mr. Gross asked about the # of floors. Chris Reese, Coulter, representing the developer, stated that the project calls for 2 story homes being 50' long.

Chair Shank opened this item to public comemnt at 7:31pm and seeing no one approach the podium she closed the item to public comment at 7:32pm.

Pass

Motion made to Recommend Approval since this project is consistent with the Comprehensive Plan and Unified Land Development Code and approve the Subdivision Master Plan for Enclave at Seminole Palms, Application No. 5223 by Board Member Nicholson and seconded by Board Member Hilton

Approved - 6 - Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton

Board Discussion and Staff Issues

Mr. Tyner mentioned that City staff is going to review the sign code and he asked for 1 volunteer from the PLDRB to work on the sign code project.

Mr. Lemon asked about the timeframe. Mr. Tyner stated that work would start in the next 3 or 4 weeks. Mr. Gross volunteered.

Adjournment

Motion made that the meeting be adjourned by Ms. Nicholson and the motion was seconded by Mr. Albano. The meeting was adjourned at 7:34pm.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

Pass

Motion made to approve by Board Member Nicholson and seconded by Board Member Albano

Approved - 6- Board Member Larry Gross, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton