



**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, April 19, 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.

A Call to Order and Pledge of Allegiance

Chair Smith called the April 19, 2023 Planning and Land Development Regulation Board (PLDRB) meeting to order @ 5:30pm. Chair Smith also welcomed by Mr. David Ferguson as the newest member of the PLDRB.

B Roll Call and Determination of a Quorum

Present and responding to roll call were the following:

*Chair Smith
Vice Chair Shank
Mr. Albano
Mr. Lemon
Ms. Nicholson
Mr. Ferguson*

*Excused:
Mr. Bush
Mr. Hilton
Mr. Gross
Mrs. Lucas*

C Approval of Meeting Minutes

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

Pass

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

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

D Public Hearing

2 9TH AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT - APPLICATION # 5275

Chair Smith declared a conflict with agenda item #1 and #2 and he provided the required Form 8B to the Recording Secretary to file. He then handed the gavel to Vice Chair Shank for her to preside over these two agenda items. Vice Chair Shank introduced Mr. Ray Tyner, Deputy Chief Development Officer, who gave a brief update on the history of the Palm Coast Park Development of Regional Impact (DRI). He also introduced Mr. Bill Hoover, AICP, Senior Planner, who gave a presentation for agenda item #1 and #2 which is attached to this record. Please note separate public comment periods and votes were taken for each of these two agenda items.

Mr. Michael Chiumento, representing the developer, addressed the PLDRB members about the history of these applications.

Mr. Ferguson asked the difference between the developer, owner and the declarant. Mr. Chiumento, the developer, owner and declarant at one time were synonymous. However, as properties were sold starting in 2004, the developer could be the person who develops the property, the owner could be different than the developer, and the declarant is the person who has control over the DRI

and the Planned Unit Development (PUD), who ensures that land uses comply with the initial vision of the DRI. Mr. Lemon asked about past history of gopher tortoises and if present will they need to be relocated. Mr. Chiumento said yes, the owner set aside 40 or 70 acres including a relocation habitat for gopher tortoises within the DRI. In addition, there are limitations within the DRI for wetland impacts.

Vice Chair Shank asked about the date of the latest studies on the Palm Coast Park DRI. Mr. Chiumento stated that there is a requirement of the DRI that a bi-annual report (every two years) be completed and submitted for review and that report does include a traffic study. Mr. Tyner also added that St. Johns River Water Management District (SJRWMD) helped to establish the FLUM for this property at the start of the DRI. Also new applications within the DRI follow the Land Development Code (LDC) for review including environmental review. Vice Chair Shank asked about currently developed sites within the DRI. Mr. Chiumento reviewed the Palm Coast Park map for each of the tracts and their current development status. Vice Chair Shank asked about the current use of 21A and Mr. Chiumento said it is a flex use. Discussion ensued of the current location of the school site which is on tracts 16 and 7A. Discussion took place of impact on the middle and high schools within the Flagler Schools. Mr. Chiumento stated that the Flagler School modeling addresses the middle and high school concurrency. Discussion of the original language within the DRI regarding affordable housing being changed in the new DRI ensued. Discussion of affordable housing definition - Vice Chair Shank stated the definition as being no more than 30% of the household's income is spent on housing costs. Ms. Nicholson asked what phase the construction of Palm Coast Park is in at this time. Mr. Chiumento stated that the Palm Coast Park's construction phase is in phase 1 and soon to be in phase 2.

Discussion took place regarding adding the affordable housing wording from page 44, Section 11A from the approved DRI being reinstated into the proposed DRI. Discussion of also addressing the removal of the DEO reference as their policies have changed. Vice Chair Shank suggested that the original language be reinstated after being tweaked. Ms. Katie Reischmann explained the revised motion to restore the original language less the reference to DEO. Vice Chair Shank further read from the stricken sections from the affordable housing section. Mr. Chiumento also referenced a table that shows the exactions that have been satisfied. Discussion ensued about the original affordable housing DRI language not addressing the additional 750 requested housing units in the current proposal.

Vice Chair Shank opened to this item to public comment at 6:17pm and seeing no one approach the podium she closed this item to public comment @ 6:18pm

Discussion of the extension of Belle Terre Pkwy. option within the proposed DRI as the land would be donated for free from the developer and the City would pay for design and construction of the extension and the City would have 3 years to develop. Mr. Tyner stated that there is no obligation on behalf of the City to take advantage of this option.

Ms. Nicholson proposed a motion to approve as compliant with the Comprehensive Plan and Mr. Albano seconded. The motion failed with a vote of 2-3 and the vote follows:

No - Mr. Lemon, Vice Chair Shank, and Mr. Ferguson. Yes - Mr. Albano and Ms. Nicholson.

Discussion ensued about reinstating the affordable housing wording from the original DRI and how it relates to the 750 additional units. Mr. Tyner also mentioned that the DEO is no longer reviewing DRIs so the wording regarding the DEO should be altered. Chair Shank stated that affordable housing covers more than multi-family, it applies to home ownership as well. Vice Chair Shank stated that staff may refer back to the affordable housing language in the Community Development Block Grant (CDBG) reporting.

Mr. Albano asked why affordable housing is being cherry picked for this project and Vice Chair Shank stated that we are not cherry picking we are just leaving what was in the originally DRI. Ms. Katie Reischmann, legal counsel, clarified that the wording will reflect changes to the current situation.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan and with the inclusion of wording that would be up to current legal standing and that would provide the intent that is in the original wording from the original DRI section 11A (affordable housing) by Board Member Nicholson and seconded by Board Member Ferguson

**Approved - 4 - Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank
Denied - 1 - Board Member James Albano**

3 5th AMENDMENT TO THE PALM COAST PARK MPD DEVELOPMENT AGREEMENT - APPLICATION # 5276

This item's presentation was addressed under agenda item #2.

Vice Chair Shank opened this item to public comment at 6:34pm and seeing no one approach the podium she closed this item to public comment at 6:35pm.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Code by Board Member Lemon and seconded by Board Member Ferguson

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

4 AK TIRES TECHNICAL SITE PLAN TIER 1 WITH LANDSCAPE BETTERMENT PLAN- APPLICATION # 5324

Vice Chair Shank returned the gavel to Chair Smith. Mr. Tyner introduced this facilities' parking history. Mr. Tyner introduced Mr. Bill Hoover, AICP, Senior Planner and Mr. Richard Picatagi, Landscape Architect, who gave a presentation which is attached to this record. Mr. Richard Picatagi addressed the PLDRB members regarding the proposed Landscape Betterment Plan.

Ms. Kimberly Buck, Engineer for the project, gave a presentation which is attached to this record.

Ms. Nicholson asked traveling east on SR 100 can you turn left into the site or does one have to make a U turn. Ms. Buck stated yes there is a median cut which allows a U turn into the property.

Mr. Albano asked if the area to the west of the exit is to have sod and to the east side of the exit will it also have sod. Ms. Buck stated yes due to sidewalk work being done both areas will be resodded.

Chair Smith opened this item to public comment at 6:55pm and seeing no one approach the podium he closed this item to public comment at 6:56pm.

Pass

Motion made to approve as presented as this item is found to be in compliance with the Comprehensive Plan and the Land Development Code with the one staff condition by Board Member Nicholson and seconded by Board Member Albano

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

5 ORDINANCE 2023-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 505.6+/- ACRES FROM MIXED USE AND CONSERVATION TO RESIDENTIAL AND CONSERVATION AND ADDING A SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT ON THE SUBJECT PROPERTY TO 750 DWELLING UNITS

Mr. Ray Tyner introduced this agenda item as the former JX DRI, as well as Ms. Jordan Myers, CRM, Stormwater Operations Manager, who gave one presentation for item #s 5 & 6 which is attached to this record. Please note separate public comment periods and votes were taken for each of these two agenda items.

Mr. Jay Livingston, Livingston & Sword, representing the applicant, addressed the PLDRB members and gave a presentation which is attached to this record.

Mr. Albano asked if the property line to the east connects to the new pedestrian bridge. Scott Lockwood, Project Engineer, England-Thims & Miller, said it is about 300- 500 ft. away, there is no direct connections due to heavily wooded areas.

Chair Smith opened this item to public comment at 7:25pm.

Ms. Laurie Cascoffski, 26 Arena Lake Drive, addressed the PLDRB regarding effects of development on the Lehigh Trail, specifically conservation and traffic impacts.

Mr. Donnie Mazago, 6 Sea Board Court, addressed the PLDRB regarding the roundabout stating it would be a bad idea with regard to the walking trail, also construction of roundabout is incorrect for the line of site, causing visibility issues. He referenced the European roundabout model where they are not raised.

Chair Smith closed this item to public comment at 7:28pm.

Mr. Tyner addressed Mr. Mazago's concern about the roundabout stating that the City has no plans for what type of improvement that will be made at the site. The applicant was showing that a connection would be needed some day and that this may be an option. The City's Engineering Department will design a solution. Mr. Livingston added that a roundabout was shown on the plans to demonstrate the amount of land that the applicant has set aside for the connection.

Ms. Myers showed a graph depicting a decrease in traffic by 1360 trips from the approved JX DRI. She also stated that there is an increase of 10+ acres proposed for conservation area. Mr. Livingston stated that there are 173.9 conservation acres in the proposed plan. Mr. Livingston addressed the benefit of maintaining the trail, including pedestrian safety, and the development of a connection in Phase II to allow the City time to address the Old Kings Rd. expansion.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan by Vice Chairman Shank and seconded by Board Member Nicholson

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

6 ORDINANCE 2023-XX REZONING COQUINA SHORES MPD - APPLICATION #5243

This item was addressed under agenda item # 6. Mr. Albano asked what the time table is of beginning construction.

Blaz Kovacic, Vice President of JX Palm Coast Land, LLC, stated that construction will begin during 1st quarter of 2024.

Chair Smith opened this item to public comment at 7:33pm and seeing no one approach the podium he closed this item to public comment at 7:34pm

Chair Smith called for a 5 minute break at 7:35pm.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan by Vice Chairman Shank and seconded by Board Member Ferguson

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

7 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 180 DWELLING UNITS - APPLICATION 5060

Chair Smith reconvened the meeting at 7:42pm. Mr. Tyner introduced this item which was continued from the March 19th PLDRB meeting.

Ms. Jordan Myers, CRM, Stormwater Operations Manager, gave a presentation that is attached to this record for both agenda item #s 7 and 8. Please note separate public comment periods and votes were taken for each of these two agenda items.

Mr. Jay Livingston, Livingston and Sword, gave a presentation for this item and item #8 which and is attached to this record.

Chair Smith opened this item to public comment at 8:02pm.

Mr. Donnie Mazzio, 6 Sea Board Court, addressed the PLDRB members about wildlife concern and the increase in the number of Bobcat sightings. He also is concerned about the increase in stormwater impacts as the water does not move very fast in that area.

Chair Smith closed this item to public comment at 8:04pm.

Mr. Tyner stated the SJRWMD requires each new proposal for a subdivision requires a permit for all new development including a pre and post reading of water runoff of the raw land that must balance, no off site storage is now allow. Ms. Myers stated that at the time of preliminary plat or subdivision master site a new listed species report will be required, which addresses if the property contains any threatened and/or endangered animals. Mr. Tyner discussed that the wildlife may move with the food source.

Mr. Albano asked what the City's position is on keeping some of these estate size lots. Mr. Tyner stated that the City's Comprehensive Plan calls for a variety of different lot sizes. From a greenbelt perspective we have some estate lots in the Nottingham Estates of the City. From a planning perspective that is the best location for those sites (on the perimeter of the City). Mr. Tyner also commented on the downsizing of 55+ residents which has been occurring, requiring smaller lots. Ms. Myers also stated that as currently platted these lots do not meet the Estate zoning district standards.

Chair Smith asked if staff agrees with the greenbelt designation and Mr. Tyner stated that at that time it was believed that the site contained high quality wetlands based on aerial views; however, after a review it should not have been designated as greenbelt.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan and to include site specific policy to limit development on the subject property to 180 dwelling units by Board Member Nicholson and seconded by Board Member Ferguson

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

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

This item was addressed under agenda item # 7.

Chair Smith opened this item to public comment at 8:11pm.

Mr. Donnie Mazzio, 6 Sea Board Court, addressed the PLDRB members regarding pre and post stormwater study does it include all proposed developments in the Seminole Woods Blvd. near Grand Landings area.

Chair Smith stated that the City has a model for that area's development and they will have to use that model which will take future development into consideration. Mr. Livingston added that all development should have no increase in pre and post development conditions. Mr. Tyner discussed the City's canal system, specifically Dry Lake (City owned property) which will be used for future stormwater capacity.

Chair Smith closed this item to public comment at 8:15pm.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan by Board Member Ferguson and seconded by Vice Chairman Shank

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

9 TOWN CENTER TRACTS 16 & 17 SUBDIVISION MASTER PLAN - TIER 2, APPLICATION # 5320

Mr. Tyner introduced this item along with Ms. Myers who gave a presentation which is attached to this record.

Ms. Casey Dendor, representing the engineer England-Thims & Miller, gave a presentation which is attached to this record.

Chair Smith opened this item to public comment at 8:23pm and seeing no one approach the podium he closed this item to public comment at 8:24pm.

Pass

Motion made to Recommend Approval as this item is found to be in compliance with the Comprehensive Plan by Vice Chairman Shank and seconded by Board Member Nicholson

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

10 TECHNICAL SITE PLAN - TIER 2, SECURE SPACE SELF STORAGE, APPLICATION # 5147

Mr. Ray Tyner introduced the history of this agenda item. He also introduced Ms. Estelle Lens, AICP, Planner, who gave a presentation which is attached to this record.

Mr. Cody Boggert, Newkirk Engineering, Engineer of Record, introduced himself to the PLDRB members and was present to answer any questions. Mr. Ferguson asked Mr. Boggert, what type of market study was done for this project. Mr. Boggert was not involved in any market study but it is his understanding that there is a high demand within the City of Palm Coast for storage facilities especially RV and boat storage.

Chair Smith opened this item to public comment at 8:38pm and seeing no one approach the podium he closed this item to public comment at 8:39pm.

Pass

Motion made to approve as this item was found to be in compliance with the Comprehensive Plan subject also to the eight staff conditions by Vice Chairman Shank and seconded by Board Member Albano

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano

E Board Discussion and Staff Issues

Vice Chair Shank informed the PLDRB members that a Housing Forum will be held at the Flagler County of Realtors from 10am-2pm on Thursday, April 20th. Please note Vice Chair Shank informed the Recording Secretary the next day, that the actual date was Friday, April 21st and the Recording Secretary informed all the PLDRB members of the update to the date via email.

F Adjournment

Motion made that the meeting be adjourned by Mr. Albano and the motion was seconded by Ms. Nicholson. The meeting was adjourned at 8:39pm.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

Pass

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

Approved - 6 - Chairman Clinton Smith, Board Member David Ferguson, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano