



**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 William Whitson***

Wednesday, July 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.

Call to Order and Pledge of Allegiance

Chair Smith called the July 19, 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 Smith

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

Excused were:
Mr. Whitson
Mr. Gross

Approval of Meeting Minutes

1 MEETING MINUTES OF THE MAY 17, 2023 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

Motion made to approve as presented by Vice Chairman Shank and seconded by Board Member Nicholson

Approved - 7 - Chairman Clinton Smith, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson

Public Hearing

2 2023 AMENDMENT TO THE MARINA VILLAGE MPD - APPLICATION # 5448

Mr. Ray Tyner, Deputy Chief Development Officer, introduced this agenda item as well as Mr. Bill Hoover, AICP, Senior Planner who gave a presentation which is attached to this record.

Mr. Michael Chiumento, representing the applicant Mr. Jeffers, addressed the PLDRB members and gave a presentation which is attached to this record.

Mr. Hilton asked about the cement kiln dust removal process. Mr. Chiumento stated that the kiln dust has a tendency to leach into the ground water and all the kiln dust has been remediated under the requirements of the Florida Department of Environmental Protection (FDEP) and Army Corps of Engineers. Vice Chair Shank asked about the availability of the kiln dust remediation report. Mr. Doug Jeffers, Lighthouse Palm Coast Holdings, addressed the PLDRB members stating that the prior owners as a condition of selling the property were required to mitigate all stuff found on the site. He stated that APTIM, Environmental Consulting, testing firm monitored the remediation process. Ground water studies has been done and we are at statutory required levels for cleanup for everything that has been identified. A restriction will be placed on the property as a result of the kiln issue, which will not allow any wells to be used on the property. Mr. Ray Tyner stated that when the subdivision master plan or site plan for this property is submitted the proof of remediation will be required. Mr.

Tyner stated that if you would feel more comfortable adding a condition to the Master Plan Development (MPD) agreement that during the technical process the remediation documentation is provided. Mr. Ferguson asked the status of the existing marina permit for this project. Mr. Jeffers stated that they have an active permit from the St. Johns River Water Management District (SJRWMD) which entitles them to 80 wet slips and 200 rest slips. Mr. Albano asked if the referenced permit allows for breaking the dam between your lake and the canal. Mr. Jeffers stated yes and the plans submitted in the agenda package does show the permitted set from SJRWMD and the Army Corps of Engineers for the marina. Vice Chair Shank asked about the presence of any wetlands on the property. Mr. Jeffers stated there are some wetlands in the southeast corner of the property, identified on the plans, a buffer for the wetlands is underway and the project's environmental consultant, Jody Sisk, has identified all the wetlands and they are being preserved. Mr. Ferguson asked about the importance of Sea Ray's presence to the project. Mr. Jeffers stated they are currently a neighbor and so they are looking for any synergies and will work with them and be a good neighbor to them. Vice Chair Shank asked if the design includes preserving the smokestack and Mr. Jeffers stated yes, they will be turning it into a lighthouse. Vice Shank asked about the restriction for wells on the property and Mr. Jeffers stated that it would have to be written into the Covenants and Restrictions – that no wells for irrigation would be allowed. Vice Shank asked about making the restrictions regarding irrigation wells part of the marketing of the property. Mr. Jeffers stated that since it is commercial for rent and it would be disclosed during the marketing.

Chair Smith opened this item to public comment at 6:02pm and seeing no one come forward he closed this item to public comment at 6:03pm.

Vice Chair Shank stated that approving the rezoning for the site prior to seeing the remediation report is questionable. Mr. Tyner stated that the remediation report would be in hand at the next step which is the technical process, either the platting or the site plan process, and that according to the applicant the report exists at this time.

Pass

Motion made to Recommend Approval as the item is consistent with the Comprehensive Plan with the condition that the City receive proof that the site has been cleared by the State Regulatory Boards and with the staff's change on Section 7 in Permitted Uses in the MPD Agreement under Tract 1 would still have the following uses: SFR 1 and Com 2 uses as well as MFR 2 uses by Vice Chairman Shank and seconded by Board Member Albano

Approved - 7 - Chairman Clinton Smith, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson

3 BELLE TERRE ESTATES MPD - APPLICATION # 5302

Mr. Ray Tyner, Deputy Chief Development Officer, introduced this item and Mr. Bill Hoover, AICP, Senior Planner, who gave a presentation which is attached to this record.

Ms. Christina Evans, Matthews Design Group, addressed the PLDRB members and gave a presentation which is attached to this record.

Mr. Ferguson asked how the public enters the dog park. Ms. Evans referenced the map and stated that to the west of the resident's entrance is a commercial entrance and the public dog park, there are 2 entrances on Citation Blvd. into the public dog park.

Mr. Albano asked about the width of a townhome as the Land Development Code (LDC) has a minimum width shown as 25'. Mr. Hoover stated that the Master Planned Development (MPD) allows for a deviation to the width of the townhome. Mr. Tyner added that although an MPD can allow a deviation to the LDC in some matters, parking is one deviation that isn't allowed in an MPD. Mr. Albano asked if the dog park is the public benefit and Mr. Hoover stated that the developer donated the land for the dog park. Mr. Albano asked if the townhomes are fee simple and Ms. Evans stated yes.

Ms. Nicholson asked how the residents access the dog park. Mr. Hoover stated that there is a walkway from the parking area to the dog park. Mr. Tyner added that the owner stated that he would add a lock on the residents' gate. Ms. Nicholson asked about guest parking. Ms. Evans stated that each unit has at least 1 car parking garage and 2 driveway parking spaces. Some random number of parking will be scattered throughout the development. Mr. Tyner stated that this fee simple project does not have a LDC requirement for guest parking. Ms. Nicholson suggested adding parking at the end of the runs. Mr. Tyner stated a recommendation of adding guest parking to the MPD agreement may be an option. Vice Chair Shank asked if the developer has completed any other projects similar to this one. Mr. Joey Possey, legal counsel for the developer, stated the developer has not completed any projects in Flagler however he has completed similar projects in other locales in FL. Vice Chair Shank asked if there has been a market study done for the need of this type of housing. Ms. Evans stated no, there has not been one done. Vice Chair Shank suggested considering a single floor level unit(s) based on the age restriction nature of the project. Mr. Possey stated that in their other projects the 2nd floor allows family members to stay with older residents. Vice Chair Shank asked about the housing pricing and building construction. Ms. Evans stated she does not know the proposed pricing nor could she answer the question on the construction type of the buildings. Mr. Hilton asked about what is being planned for the 1.75 acres commercial area. Ms. Evans stated that a CVS, pharmacy, retail site, etc.

Chair Smith opened this item to public comment at 6:47pm and seeing no one come forward he closed this item to public comment at 6:48pm.

Mr. Tyner clarified that his item will not come back to PLDRB for the review of the subdivision master plan. Mr. Albano clarified that the PLDRB cannot dictate construction type. Mr. Albano asked about details on the dog park that will be deeded over to the City. Mr. Tyner stated that the dog park itself is in an

outstanding location for a dog park and in the development agreement the developer will provide the equipment. The Parks Team is looking at the type of equipment to be used in the dog park. Mr. Tyner stated that there will be a separate site plan application for the dog park and that it will have an administrative review.

Pass

Motion made to Recommend Approval as this item is in compliance with the Comprehensive Plan and recommend that the applicant review the site plan to see if more parking can be made available for guests and visitors. As well as the applicant works with the City to ensure that the equipment in the dog park meets the City's request by Board Member Nicholson and seconded by Board Member Albano

Approved - 7 - Chairman Clinton Smith, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson

4 COQUINA SHORES, SUBDIVISION MASTER PLAN, APPLICATION # 5429

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

Mr. Scott Lockwood, England-Thims & Miller, Inc, addressed the PLDRB members and gave a presentation which is attached to this record.

Mr. Ferguson asked about recreation amenities- tennis court instead of pickle ball court. Mr. Lockwood stated the amenities are still being planned at this time and Mr. Ferguson suggested looking into enlarging the pickle ball court to accommodate tennis. Vice Chair Shank questioned the project being age restricted (age 55 or over) and Mr. Lockwood stated that it will be age restricted. Mr. Ferguson asked about exiting the property and Mr. Lockwood stated that there is a median cut already there allowing for drivers to turn in either direction. Mr. Ferguson asked about the presence of a traffic light and Mr. Lockwood stated that a warrant study would be required for a traffic light to be added to this location.

Chair Smith opened this item to public comment at 7:11pm and seeing no one come forward he closed this item to public comment at 7:12pm.

Pass

Motion made to approve as this project is consistent with the Comprehensive Plan and the Unified Land Development Code with the following conditions:

1. Applicant will provide the required recreational amenities with the preliminary plat submittal to meet the Level of Service for recreation and open space. 14.4 acres total are required; 9 acres of active (activity based) recreation and 5.4 acres of passive(resource based) recreation are required. And that the informational comments which are included in the

staff report be carried over to the Development Order by Vice Chairman Shank and seconded by Board Member Hilton

Approved - 7 - Chairman Clinton Smith, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson

Board Discussion and Staff Issues

None.

Adjournment

Motion made that the meeting be adjourned by Mr. Ferguson and the motion was seconded by Mr. Albano. The meeting was adjourned at 7:13pm.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

Pass

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

Approved - 7 - Chairman Clinton Smith, Board Member Charles Lemon, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson