



**City of Palm Coast  
Minutes  
PLANNING AND LAND  
DEVELOPMENT  
REGULATION BOARD**

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
www.palmcoast.gov

**Chair Sandra Shank  
Vice Chair James Albano  
Board Member Hung Hilton  
Board Member Suzanne Nicholson  
Board Member David Ferguson  
Board Member Dana Mark Stancel  
Alternate Board Member Larry  
Gross  
Alternate Board Member Garrett  
Decker  
School Board Rep Lisa Divina**

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**Wednesday, December 17, 2025**

**5:30 PM**

**City Hall - Jon Netts Community  
Wing**

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- 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, persons needing assistance to participate in any of these proceedings should contact the ADA Coordinator at 386-986-2570 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 Shank called the Planning and Land Development Regulation Board (PLDRB) December 17, 2025 meeting to order at 5:30pm.*

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

*Present and responding to roll call were:*

*Chair Shank  
Vice Chair Albano  
Board Member Ferguson  
Board Member Hilton*

Board Member Stancel  
Board Member Decker

Excused were:  
Flagler School Representative Divina  
Board Member Nicholson  
Board Member Gross

**C Approval of Meeting Minutes**

**1 MEETING MINUTES OF PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETINGS:  
NOVEMBER 5, 2025 WORKSHOP  
NOVEMBER 19, 2025 BUSINESS  
NOVEMBER 19, 2025 WORKSHOP**

*Motion made by BM Decker to approve as presented the November 5, 2025, PLDRB Workshop and seconded by VC Albano; unanimous vote to approve as presented.*

*Motion made by VC Albano to approve as presented the November 19, 2025, PLDRB Business and seconded by BM Decker; unanimous vote to approve as presented.*

*Motion made by BM Hilton to approve as presented the November 19, 2025, PLDRB Workshop and seconded by BM Decker; unanimous vote to approve as presented.*

**Pass**

**Approved - 6 - Chair Sandra Shank, Vice Chair James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Dana Mark Stancel, Board Member Garrett Decker**

**D Public Hearing**

**2 TECHNICAL SITE PLAN AND LANDSCAPE BETTERMENT PLAN FOR CHIPOTLE, APPLICATION #6374**

*Mr. Jose Papa, Senior Planner, AICP, introduced this item along with Mr. Dylan Rodriguez, Planner, who gave a presentation which is attached to this record.*

*Mr. John Stoeckel, Principal Engineer, MJ Stokes Consulting, representing the applicant, gave a presentation which is attached to this record.*

*BM Ferguson asked how long the property has been vacant. Mr. Stoeckel stated that his client purchased the property in 2023. BM Ferguson asked if the gas tanks at the site have been removed, and Mr. Stoeckel stated that working with the Department of Environmental Protection (DEP) permitting, the tanks were abandoned in place and backfilled with an approved sand mixture. BM Ferguson asked to clarify the application stating that the major point of this application is the betterment landscape plan along with the hardscape plan and Mr. Stoeckel summarized the project by stating that the project is complying with*

*the Land Development Code (LDC) and is working with staff to protect the trees along the westside, turning the inside circulation into a one-way around the building.*

*BM Stancel asked how long this project is going to take to complete. Mr. Stoeckel stated that the owner's contractor is looking to start after the new year and the owner is anticipating a June/July opening.*

*C Shank opened this item to public comment at 5:48pm*

*Mr. Dursow, E section, addressed the PLDRB and stated that this site has been abandoned several years. And questioned the ingress and egress that is proposed for this project.*

*C Shank closed this item to public comment at 5:51pm*

*BM Stancel asked the applicant to clarify the ingress and egress of the facility. Mr. Stoeckel stated that the access into the plaza will not be changed however they are improving the radius on the entrance into the property.*

*C Shank stated that the site was vacant since 2011, and the landscape betterment plan looks good. BM Decker agreed with C Shank's statement.*

*Mr. Marcus Duffy, Legal Counsel, asked the PLDRB members to address the question if they had any ex-parte communication regarding this agenda item. All PLDRB members responded that they had not.*

**Pass**

**Motion made to approve the Technical Site Plan and Landscape Betterment Plan for Chipotle, Application No. 6374, as the project is in compliance with the Land Development Code and Comprehensive Plan, by Board Member Decker and seconded by Board Member Hilton**

**Approved - 6 - Chair Sandra Shank, Vice Chair James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Dana Mark Stancel, Board Member Garrett Decker**

**3 MOBILE FOOD DISPENSING VEHICLES ORDINANCE 2026-XX**

*Mr. Jose Papa introduced this item, giving information that this item was heard by city council last month, he also introduced Mr. Michael Hanson, Senior Planner, AICP, who gave a presentation which is attached to this record.*

*VC Albano asked about the density in the Mobile Food Park. Mr. Hanson stated that the minimum lot size is 28,000 sq ft. and the max. density of vehicles is 15 (unless an approved administrative deviation). As a primary use it would require restrooms, parking, shared seating, on-site stormwater retention, which will take up some of the space.*

*BM Decker asked about any requirements for the potential development of two adjacent mobile food parks and any associated required buffer. Mr. Hanson*

*stated there is no requirement for buffer between adjacent mobile food parks, so in theory they both could be developed however they have setbacks internal to the site, if they are separate parcels. However, through a binding lot agreement the 2 lots could be combined into one lot. BM Decker asked about outdoor amplified noise as compared to bar and restaurant, asking if mobile vehicles are being more restricted than a bar or restaurant. Mr. Hanson for bar, restaurant have noise enforcement and if compared to the food truck it is more restrictive. He suggested getting more direction as our focus was the food truck being used as an accessory site.*

*BM Ferguson questioned the original intension of City Council and Mr. Hanson stated that originally, we were looking at summer events and under direction from former Deputy Chief Development Officer, Mr. Ray Tyner staff was directed to look at primary use. BM Ferguson asked about the notice process for this draft ordinance and Mr. Hanson explained the list of 65 mobile food vendors registered with the special event team were notified.*

*BM Hilton did you receive any feedback from the notice. Mr. Hanson gave examples of the 3 responses he received.*

*BM Decker asked about a private party held on private land not open to the public no more than 6 hours does not require a permit. Mr. Hanson stated yes private property for a private event less than 6 hours does not require a permit. Mr. Duffy stated that the answers to these specific questions may be a fact specific situation.*

*C Shank opened public comment for this item at 6:32pm.*

*Mr. Charles Hayes, Eagle Harbor Trail, he had a brick-and-mortar restaurant, and this will upset these owners. He inquired about health department involvement in approval of these mobile vendors.*

*Mr. Keith Thorstein, owner/operator of "Cool Beans BBQ", stated that these mobile food vendors are very well inspected and regulated. His requests is to consider local food truck vendors first when permitting.*

*Ms. Mary Keenan, one of the owners of "Original Philly Cheese Steak", stated that requirements exist for food truck licenses and requirements. Local food trucks first idea is appealing to her and is interested in partnering with the city.*

*Ms. Sheila Hines, owner of "Sweet Shiela's Funnel Cakes", City of Palm Coast is prohibiting small businesses to operate. Asked why someone should be restricted from having a private party on their own property for more than 6 hours. The word "Rogue" food truck should be changed to unpermitted in the proposed ordinance. Questioned the potential fees associated with the proposed ordinance.*

*Mr. Wilson Hurdens, owner of "Sweet Melissa's", has a brick and mortar and a trailer that he intended to use for events. He asked that "local" is absolute local first.*

*C Shank closed this item to public comment at 6:43pm. Chair Shank encouraged the people to fill out comment cards, if they didn't get to speak as public comment has closed.*

*Mr. Hanson stated that food trucks are licensed through the state with Florida Department of Business & Professional Regulation (FDPR) and health is regulated through the Florida Department of Health. Mr. Hanson stated that the city can establish rules for use for a zoning district and hours of operation for mobile food dispensing vehicles. Mr. Hanson cost for auxiliary use, application hasn't been created yet and fees are not yet established. Mr. Hanson commented on the site plan requirements which include showing the use, location and hours of operation and signed by the property owner to indemnify the City of Palm Coast. Mr. Hanson stated that the city created the 6-hour event limitation, and this was suggested by City Attorney. Chair Shank questioned the limitation of 6 hours, and she suggested using the limitations on operation between 2am-6am should be sufficient.*

*C Shank questioned "local first" vendors. Mr. Hanson stated that if legally defensible we could add that recommendation. Mr. Duffy stated that we are not limited to Flagler County residents, nor would we be allowed to charge a different rate for local vs. nonlocal. BM Decker asked about first come first serve for the first "40" permits that are filed. Mr. Duffy suggested instead that you mail all vendors on your list and do an extra mailing to the Flagler County vendors.*

*C Shank asked about fees again regarding in a MPD will they be required to apply separately outside of the MPD. Mr. Hanson used Track 22 in Town Center as an example as a principal use as well as accessory use stating that a principal use requires a site development when an accessory use does not.*

*VC Albano commends the City and staff on their work for this Ordinance, stating that additional fees and hours can be worked on.*

*BM Decker stated that this a great addition to the city.*

*BM Stancel stated that this is a great day, however, the 6 hours limitation is a problem. Mr. Hanson stated that there is an exception for a special exemption permit. BM Decker stated we can make a motion to eliminate the 6-hour restriction.*

*The PLDRB members voted to open public comment for a total of 3 minutes collectively for all speakers to get the public to address the following question: What are your average hours of operation for your food trucks. BM Decker made the motion and BM Stancel seconded and the vote was unanimous to approve (6-0).*

*Public comment was re-opened for this item as outlined above at 7:13pm.*

*Jennifer – 8 hours /5 days*

*Shiela Hines – 2-12 hours*

*Joylyn Spenkler – 8-12 hours*

*Helen Zimzack – 8-12 hours*

*Carol Ludlip – 8 hours*

*C Shank re-closed public comment for this item at 7:15pm.*

*The recording secretary received 5 comment cards and will be responding through Palm Coast Connect to all cards in the following business days.*

**Pass**

**Motion made to Recommend Approval of the mobile food dispensing vehicles and/or temporary commercial kitchens ordinance to the City Council with the site noise ordinance to be consistent with other site such as bars/restaurant and eliminate the 6-hour requirement by Board Member Decker and seconded by Board Member Stancel**

**Approved - 6 - Chair Sandra Shank, Vice Chair James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Dana Mark Stancel, Board Member Garrett Decker**

**4 EASTHAMPTON MASTER PLANNED DEVELOPMENT (MPD) AMENDMENT - APPLICATION # 6302**

*Mr. Jose Papa, Senior Planner, AICP introduced this item along with Mr. Michael Hanson, Senior Planner who gave a presentation which is attached to this record.*

*Mr. Dick Smith, Vice President, Development and Nika Hosseini, Esq.-Deputy General Counsel ICI homes addressed the PLDRB members and had a presentation which is attached to this record.*

*BM Decker why wasn't this decided in the settlement and Mr. Smith stated that the change is based on market conditions and the cost of materials. Mr. Hanson commented on the annexation process reduced the allowance from 3 dwelling units per acre and when it was annexed by the city it was adopted as a greenbelt which reduced the property to 1 dwelling unit per acre and the settlement was negotiated to avoid a Regulatory Taking.*

*VC Albano asked about the rear setbacks and Mr. Hanson stated that rear setbacks are based on the back of the home to the property line.*

*BM Decker asked about impacts on the utilities and Mr. Hanson stated that there isn't analysis at this time as it would be reviewed at the time of Technical Site Plan submittal. Mr. Hanson stated that this item goes to a first and second read where the city utility staff members would be present and staff would be able to address the capacity issues.*

*VC Albano clarified that the property could be developed for 58 approved houses without this application approval.*

*C Shank opened this item to public comment at 8:00pm.*

*Mr. Marcello Gallo, Egan Dr., commented that this application sounds like a trojan horse, he questioned the impacts to stormwater (flooding) and house values. Questioned the location of the lift station planned for the project.*

*Mr. Cunningham, Eric Dr. stated that this project will upset the balance of the neighborhood, decreasing lot sizes, smaller setbacks with only one way in and out of the development.*

*Mr. Derick, W section, stated that this project has too many people, fix the roads, questioned the traffic impacts, only one way in and one out.*

*Mr. Thomas Sumpress, Cypress Knolls, "when is enough, enough". Lift station behind a residential home where the existing resident lost use of their backyard. He commented this is a retirement town.*

*Mr. Greg Norton, 161 Eric Drive, present at both the 2010 and October meeting, original agreement with neighbors required that the homes be built to the standards of the existing homes.*

*Anna Eisman questioned whether this development is happening whether we like it or not (reference to the existing Development Agreement for 58 homes), increase in vehicles (i.e.) traffic impact, road resurfacing is needed in the E section, school capacity, utilities impact.*

*Paul Eisman commented on the different style of the homes, traffic light controls, and noted that an added egress is needed.*

*Mr. Carl Sales, Eagle Trails, the issue of the new lot size will be disruptive to the whole Cypress Knolls area.*

*Mr. Benny Ruis, Egan Drive, pedestrians walking on Easthampton will be a disaster, recommended a building hold until the infrastructure is caught up.*

*Mr. Ira Strause, 11 Ebb Tide Drive, commented on the view outside the back of his home, concerned about property values being impacted by the increased density.*

*Ms. Carla Amarol, Palm Harbor, applicant is asking for a 22% increase and commented on the city not having an ordinance for a workforce density bonus ordinance. She recommended that the board recommend to City Council directing staff to work on an ordinance to create a workforce density bonus.*

*Mr. Robert Povolli, Egan Dr., referenced contract believing it should be honored, and the infrastructure isn't available to support this project.*

*Ms. Janet Ganns has issues with the lot size impacting the neighborhood values. The City already compromised with the land swap; drainage issues are of concern.*

*Mr. Ed Case, 28 Egret Trail, most homes in E section are about 10,000 sq. ft. and the proposed lot size is not fitting in the area. Recommends denial based on the impact to the value of the neighborhood. He also commented on the drainage issues which exist in this neighborhood.*

*Mr. Ted Komninakis, 177 Eric Drive, these changes would destroy the neighborhood if allow. The infrastructure is not up to par. Recommended slowing the pace of building.*

*C Shank closed public comment on this item at 8:32pm.*

*Mr. Hanson stated that the project has a letter of availability, and the water is within the wastewater treatment #1 area. Mr. Duffy stated that we are under a DEP consent order. Mr. Duffy explained that we would not have capacity until DEP permit is issued. Individual capacity is addressed via the DEP permit.*

*Nika Hosseini, Esq. ICI home applicant was given time by C Shank to address the concerns discussed during public comment and the PLDRB members including capacity concerns and she related that thus far in the application process ICI homes has worked with staff to ensure the project is compliant with*

*the city's LDC and Comprehensive Plan. She also touched on the future timing of the utility permitting.*

*BM Stancel commented on the neighborhood and the proposed development doesn't fit the neighborhood.*

*BM Decker comment on the 2 entrances and now only 1 entrance. Waste treatment plant #1, footprint is less, increase utilities and road usage and the lift station being added to the plan, suggested adding something to block from the neighborhood view, affordable homes are needed. Traffic impacts, current market is a buyers' market. Market dictates pricing.*

*C Shank referenced the March 12, 2012 final copy of settlement and commitment (read sub section C - developer shall not seek more than 58 units in the; 18 acres reserved for the stormwater ponds. Initial site plan for the 58 homes 3 stormwater and included 3 common areas the new plan 1 common area. Decrease from the original 10.3 wetlands reduced to 7.83 acres. Need for workforce homes and the proposed pricing of \$500,000 eliminates the place for workforce homes. She quoted section D - safety and health of the property 1 road and 2 cul du sac entrances - emergency vehicles entering the site. Mr. Hanson stated that based that to be compliant for a secondary access.*

*Discussion of impact of the # of homes that require a secondary access.*

*VC Albano asked a question to Mr. Duffy regarding the reason they are here tonight to look at the legality of changing the original agreement and Mr. Duffy stated that only City Council has the authority to change the original agreement.*

*Mr. James Stowers, ICI homes, addressed the PLDRB regarding the rationale behind the process to approach the MPD modification agreement.*

*Mr. Hanson confirmed the concept plans with the Development Order agreement MPD and that Final Plat approval was never granted.*

*Mr. Marcus Duffy, Legal Counsel, asked the PLDRB members to address the question if they have had any ex-parte communication regarding this agenda item. Individually the PLDRB members responded no they had not.*

**Pass**

**Motion made to Recommend Denial of Application #6302 based on limited information available to the board-by-Board Member Decker and it was seconded by Board Member Stancel.**

**Approved - 6 - Chair Sandra Shank, Vice Chair James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Dana Mark Stancel, Board Member Garrett Decker**

## **E Board Discussion and Staff Issues**

*VC Albano discussed a time limit for staff presentations. Mr. Papa addressed the PLDRB members, and we can discuss this with the Planning Manager and legal counsel streamlining our presentation. However, we are testifying on quasi-judicial matters. C Shank stated that the criteria is presented twice. Mr. Duffy commented that if we receive an appeal we rely on the official record to support our actions. We also do not want to not cover some information in our presentation that was addressed in our staff report to avoid any sense of impropriety.*

**F Adjourment**

*Motion made to approve by BM Decker and seconded by BM Hilton. The meeting was adjourned at 9:09 pm.*

*Respectfully Submitted by:  
Irene Schaefer, Recording Secretary*