

## City of Palm Coast, Florida Agenda Item

Agenda Date: April 19, 2023

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>
<b>Division</b>	PLANNING	<b>Account #</b>
<b>Subject</b>	TOWN CENTER TRACTS 16 & 17 SUBDIVISION MASTER PLAN - TIER 2, APPLICATION # 5320	
<b>Presenter: Jordan Myers, CFM, Stormwater Operations Manager</b>		
<p><b>Background:</b>            The applicant/owner who purchased this property on December 20, 2022, has submitted for a proposed residential Subdivision Master Plan, consisting of 333 single family lots. Since the project has greater than 100 lots it is considered a “Moderate” (Tier 2) development, which requires review and approval by the Planning and Land Development Regulation Board (PLDRB).            The subject property is located within the Town Center DRI and Town Center MPD. Single family development in the Town Residential area is developed using the Town Residential Areas standards in the Town Center MPD Agreement, which provides that single family lots be a minimum of 2,500 sq. ft. and 25 feet in width.            The applicant’s layout shows the 333 single family lots with varying widths, but the minimum is 40’. The project depicts an amenity center, kayak launch, various wading paths, and pocket parks.</p>		
<p><b>Recommended Action :</b>            Planning staff recommends that the Planning and Land Development Regulation Board (PLDRB) find this application in compliance with the Comprehensive Plan and approve Application #5320, Town Center Tract 16 &amp; 17 a Subdivision Master Plan Tier 2.</p>		

Prepared By:  
Community Development Department  
City of Palm Coast  
160 Lake Avenue, Suite 135  
Palm Coast, FL 32164

Return To:  
City Clerk  
City of Palm Coast  
160 Lake Avenue, Suite 225  
Palm Coast, FL 32164

**CITY OF PALM COAST**  
**DEVELOPMENT ORDER**  
**APPROVAL**  
**TOWN CENTER TRACT 16 & 17 SUBDIVISION MASTER PLAN**  
**TIER 2**

On aPRIL 19, 2023, The City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

TRACT 16 AND 17: A PARCEL OF LAND LYING IN GOVERNMENT SECTION 29 AND 32,  
TOWNSHIP 11 SOUTH, RANGE 31 EAST

(The aforementioned property description has been provided to the City of Palm Coast by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner: MG PALM COAST 2, LLC**  
**918 WILSON ROAD**  
**30 W SUPERIOR STREET**  
**CENTAL, SC 29630**

**Project Name: TOWN CENTER TRACT 16 & 17**

**Application: SUBDIVISION MASTER PLAN TIER 2**

**Project No. 2023010034**

**Application No. 5320**

**Requested Development Approval for a Subdivision Master Plan Approval**

Parcel Nos:32-11-31-0000-03040-0010; 32-11-31-0000-01020-0000;

32-11-31-0000-01020-0020

Acreage: 194.64

Zoning: MPD

Proposed Use: Residential

Proposed Number of Lots/Units: 333

The Development Approval sought is consistent with the *City of Palm Coast Comprehensive Plan* and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances as set forth in the *Code of Ordinances of the City of Palm Coast*.

The Owners have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

**ORDER**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for Development Approval is **GRANTED**.

(2) All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Palm Coast at the time of issuance of a development order and/or development permit, including but not limited to, all impact fee ordinances.

(3) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of the City of Palm Coast by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to the provision and all other terms and provisions of this Development Order.

(4) The terms and provisions of this Order are not severable and in the event any portion of this Development Order shall be found to be invalid or illegal then the entire Development Order shall be null and void.

**Done and Ordered on the date first written above.**

**As approved and authorized for execution by the City of Palm Coast Planning and Land Development Regulation Board on APRIL 19, 2023.**

**Attest:**

**CITY OF PALM COAST, FLORIDA**

\_\_\_\_\_  
Irene Schaefer, Recording Secretary

\_\_\_\_\_  
Clint Smith, Chairperson

\_\_\_\_\_  
Sign and Record

**Development Order Affidavit**

**OWNER'S CONSENT AND COVENANT:**

Project Name: TOWN CENTER TRACT 16 & 17  
Project No.: 2023010034  
Application Type: SUBDIVISION MASTER PLAN TIER 2  
Application No.: 5320

**COMES NOW**, MG PALM COAST 2, LLC, the Owner on behalf of itself and its successors, assigns and transferees of any nature, whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, and conditions, and commitments set forth in this Development Order. Affiant states that he/she accepts the findings, as outlined in this Development Order, and further states that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing the said Development Order for TOWN CENTER TRACT 16 & 17:

MG PALM COAST 2, LLC

918 WILSON ROAD  
30 W SUPERIOR STREET  
CENTAL, SC,29630

\_\_\_\_\_  
Authorized Signer

**ACKNOWLEDGEMENT**

**STATE OF** \_\_\_\_\_  
**COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me, by means of \_ physical presence or \_ online notarization, this \_\_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ of MG PALM COAST 2, LLC who is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification and did/did not take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT FOR TOWN CENTER TRACT 16 & 17 SUBDIVISION MASTER  
PLAN  
PLANNING AND LAND DEVELOPMENT REGULATION BOARD  
APRIL 19, 2023**

**OVERVIEW**

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Project Name: Town Center Tract 16 & 17  
Application Number: 5320  
Agent: Gregg Malphrus, MG Palm Coast 2 LLC.  
Property Owner: MG Palm Coast 2 LLC.  
Location: Located on the north side of the Royal Palms Parkway & Town Center Boulevard intersection  
Parcel ID #: 32-11-31-0000-01020-0000 & 32-11-31-0000-03040-0010  
Current FLUM designation: DRI-Urban Core & Conservation  
Current Zoning designation: Mater Planned Development (MPD)  
Current Use: Vacant/Conservation  
Size of subject property: 194.64 +/- acres

**ANALYSIS**

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**REQUESTED ACTION**

The applicant/owner who purchased this property on December 20, 2022, has submitted for a proposed residential Subdivision Master Plan, consisting of 333 single family lots. Since the project has greater than 100 lots it is considered a “Moderate” (Tier 2) development, which requires review and approval by the Planning and Land Development Regulation Board (PLDRB).

**SITE DEVELOPMENT PLAN SUMMARY:**

- TOTAL SITE ACREAGE: 194.64 +/- acres
- NUMBER OF LOTS: 333 single family lots
- DENSITY: 1.71 units/per acre
- PHASES: 3

**BACKGROUND**

The subject property is located within the Town Center DRI and Town Center MPD. Single family development in the Town Residential area is developed using the Town Residential Areas standards in the Town Center MPD Agreement, which provides that single family lots be a minimum of 2,500 sq. ft. and 25 feet in width.

The applicant’s layout shows the 333 single family lots with varying widths, but the minimum is 40’. The project depicts an amenity center, kayak launch, various waking paths, and pocket parks.

**LAND USE AND ZONING INFORMATION**

The subject site is designated DRI-Urban Core and Conservation on the Future Land Use Map. The following table summarizes the general existing and proposed land use and zoning information:

**SURROUNDING FLUM AND ZONING CATEGORIES**

<b>Direction</b>	<b>FLUM Category</b>	<b>Zoning District</b>
North	Canals, Residential	PSP, SFR-2
South	Canals, DRI – Urban Core	PSP, MPD
East	Institutional, Mixed Use	PSP, COM-2, COM-3
West	Canals, Residential	PSP, SFR-2, SFR-5

**SITE DEVELOPMENT REQUIREMENTS**

Site development for the property must be in accordance with the requirements of the Town Center DRI/MPD, the Unified Land Development Code and the Comprehensive Plan. The MPD Uses Map shows both tracts designated as Town Residential. Hence, this single-family project is developed using the Town Residential Areas standards within the MPD. The following table summarizes the key project and lot development standards:

**SITE DEVELOPMENT REQUIREMENTS**

<b>Criteria (per Section 6.4 of MPD)</b>	<b>Required</b>	<b>Provided</b>
Minimum Lot Size	2,500 sq. ft.	4,400 sq. ft.
Minimum Lot Width	25 ft.	40 ft.
Maximum Impervious Surface Ratio	0.75	0.35
Maximum Gross Density	12-15 units/acre	1.71 units/acre
Maximum Building Height	80 ft.	One- and two-story homes

**SUBDIVISION MASTER PLAN PROCESS**

The Subdivision Master Plan process is one of three types of Master Plans specified in Section 2.10 of the Unified Land Development Code (LDC). The Master Plan review process is intended to provide a review of the basic development concepts without significant engineering design, prior to the Preliminary Plat. When the Development Order is issued for the Subdivision Master Plan, the applicant can apply for a Preliminary Plat along with construction drawings.

**ANALYSIS OF LAND DEVELOPMENT CODE, SECTION 2.10.04 MASTER SUBDIVISION PROCESS**

Prior to approval of a Development Order for a Subdivision Master Plan, the proposed project must be evaluated for compliance with the standards of LDC Section 2.10.04, which provides the following criteria that must be met.

***A. Logic of design.***

Planning Staff Finding: The site plan has been conceptually reviewed and found to meet the standards of the Town Center DRI/MPD and the LDC except those that will be addressed in more detail during the Preliminary Plat.

***B. Internal consistency.***

Planning Staff Finding: A common architectural theme for the amenity center and signage will be provided during the Preliminary Plat Development Order Application process.

***C. Impact on neighboring sites.***

Planning Staff Finding: This project will warrant two east bound left turn lanes on Royal Palms Parkway to enter the project which should prevent traffic from backing up on the road and impacting the existing neighborhoods. There is existing west bound right turn lanes into the project that will be utilized for ease of access. The common development standards within this project and this large DRI/MPD will allow all sites in the overall neighborhood to develop in a manner that will be complementary with other nearby sites.

***D. Internal vehicular and pedestrian connectivity.***

Planning Staff Finding: The project will provide internal sidewalks and walking trails throughout, as well as sidewalks and roads connecting to Royal Palms Parkway.

***E. Consolidation of utilities and facilities, including stormwater, parking, signage, etc.***

Planning Staff Finding: These will be addressed during the more detailed part of the platting process and the applicant will be required to setup a residential property owners association for management and maintenance of these shared facilities. It should be noted that this project will be required to comply with the existing storm water management system previously approved for the Town Center project. In addition, major infrastructure, such as, water and wastewater infrastructure has been previously constructed by the Town Center Development.

***F. Public benefit from the project.***

Planning Staff Finding: This development project is within the Town Center DRI/MPD and much of the base infrastructure to serve the DRI/MPD has already been provided. Essentially, this project will assist in getting some use of this public infrastructure. Construction of this project will assist in providing for numerous construction jobs over the next two years or so and the additional rooftops will encourage commercial services in the Town Center area.

**ANALYSIS OF LAND DEVELOPMENT CODE, SECTION 2.05.05 DEVELOPMENT ORDER**

Prior to approval of a Development Order for the Subdivision Master Plan, the proposed project must also be evaluated for conformance with the requirements of LDC Section 2.05.05, which provides criteria that must be met to issue approval. The proposed project has been evaluated against the review criteria as described in detail below.

***A. The proposed development must not be in conflict with or contrary to the public interest;***

Planning Staff Finding: The proposed development is not in conflict with or contrary to the public interest, as the project will meet all applicable development standards within the Unified Land Development Code, the Town Center DRI, and the Town Center MPD.

***B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;***

Planning Staff Finding: The request is consistent with the Comprehensive Plan, which designates the project as primarily within the DRI Urban Core designation. The following are a selection of goals, policies, and objectives that the project supports:

**Chapter 1, Future Land Use Element, Objective 1.3.1 – Ensure Adequate Public Facilities Concurrent with New Development.** Require that public facilities, infrastructure, and services shall be provided concurrent with the impacts of new development. *(Adequate public facilities are already in place to serve this project.)*

**Chapter 2, Transportation Element, Policy 2.2.1.2** Each new residential subdivision and all new residential developments of more than 50 dwelling units, or which use as access a street that is 2,500 feet or more in length shall provide a minimum of two external connections at least one of which connects to a public collector or arterial roadway, but both being directly connected to a public road. *(The project will provide two means of ingress and egress onto Royal Palms Parkway. In addition, there will be an emergency access from Road E to Road A along the lake due to there being more than 50 lots north of the intersection of Road B and Road D.)*

**Chapter 4, Public Recreation and Open Space Element, Objective 4.3.1 – Neighborhood Parks** Plan for the adequate provision of neighborhood parks by establishing minimum requirements for on-site acreage and the provision of open space in new residential developments. **Policy 4.3.1.2** – The City shall encourage the development and operation of neighborhood parks and recreation facilities by non-profit groups and private interest groups to help meet local recreational needs. *(The developer will be providing amenity areas for residents and their guests and will later turn these recreational facilities over to the homeowner's association for operation and maintenance.)*

***C. The proposed development must not impose a significant financial liability or hardship for the City;***

Planning Staff Findings: The public infrastructure needed to support the project is already in place adjacent to the site and is adequate to serve the project.

***D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;***

Planning Staff Finding: The proposed development poses no unreasonable hazard, nuisance, nor does it constitute a threat to the general health, welfare, or safety of the City's inhabitants. All improvements will be newly constructed and/or developed in compliance with the relevant Town Center DRI/MPD, the LDC, Building Code, and other agency requirements.

***E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;***

Planning Staff Finding: The applicant has submitted or shall submit plans and permit applications as required to the various agencies having jurisdiction, and shall meet all requirements of applicable local, state, and federal laws, statutes, ordinances, regulations, and codes.



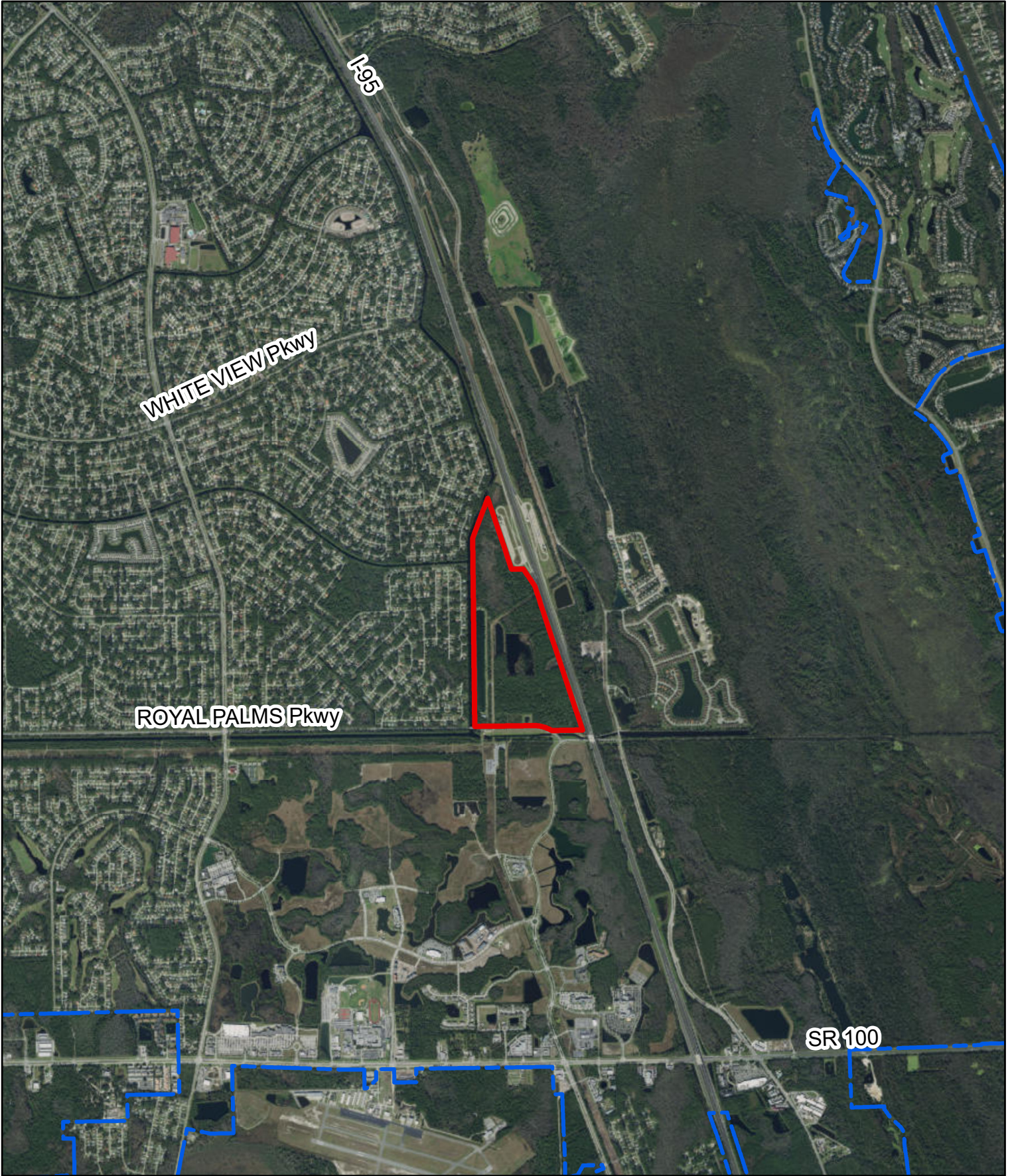
**SUMMARY OF FINDINGS**

After review and evaluation of the proposed project for conformance with the requirements of the Town Center DRI/MPD, the LDC and Comprehensive Plan, staff finds that the proposed Subdivision Master Plan complies with all such requirements.



**RECOMMENDATION**

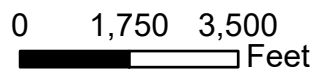
Planning staff recommends that the Planning and Land Development Regulation Board (PLDRB) find this application in compliance with the Comprehensive Plan and approve Application #5320, Town Center Tract 16 & 17 a Subdivision Master Plan Tier 2.

# Town Center Tracts 16 & 17

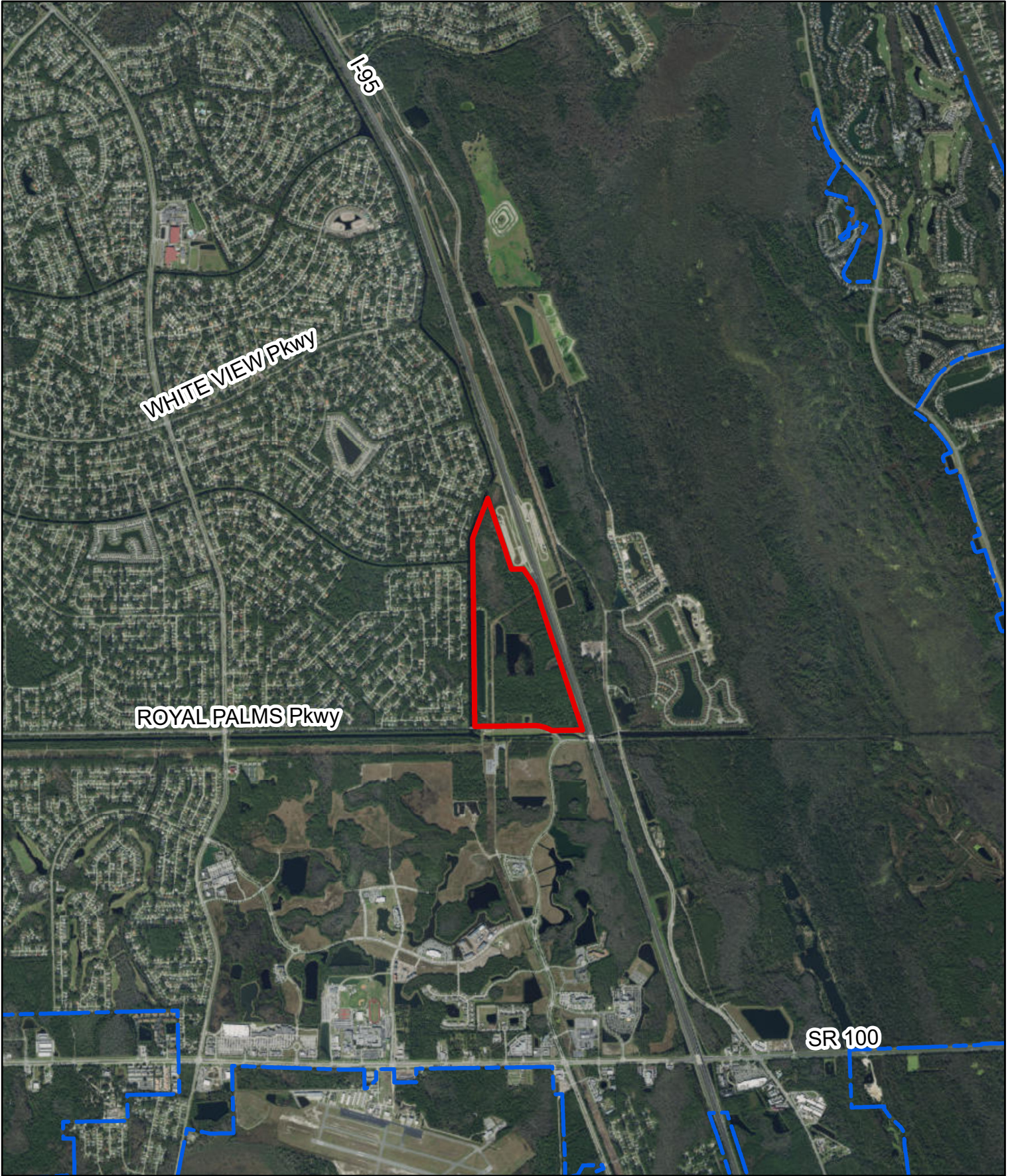


## Legend



-  Palm Coast City Limits
-  Tract 16 & 17

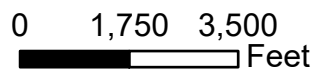


# Town Center Tracts 16 & 17

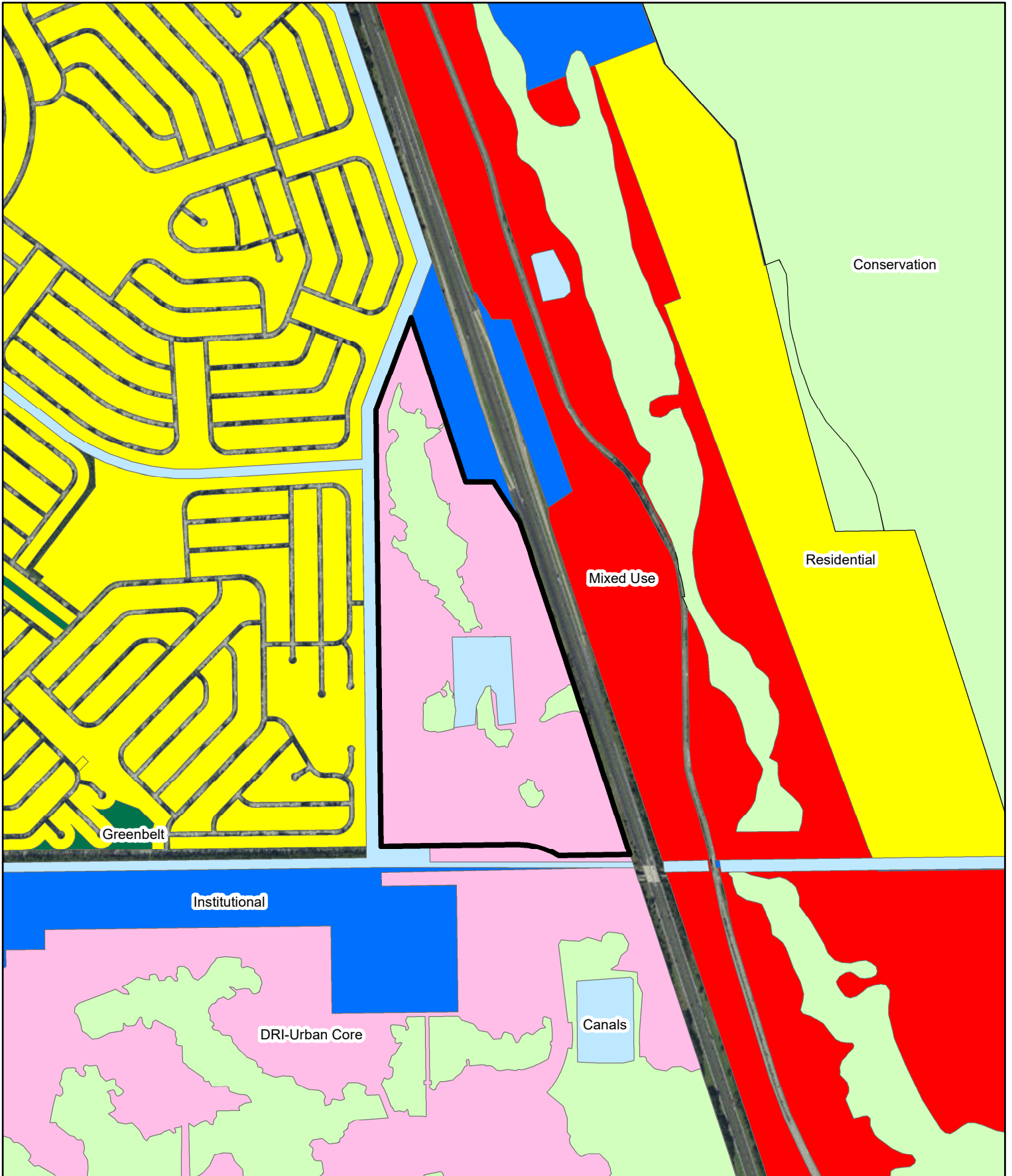


## Legend

-  Palm Coast City Limits
-  Tract 16 & 17



# Town Center Tracts 16 & 17



## Legend

- |   |  |  |   |
|---|--|--|---|
|  Palm Coast City Limits | <b>Palm Coast FLUM</b>   |  DRI-Urban Core |  Mixed Use   |
|  Tract 16 & 17          |  Canals       |  Greenbelt      |  Residential |
|   |  Conservation |  Institutional  |   |

0 750 1,500 Feet



Map Provided By: Planning Division

# Town Center Tracts 16 & 17

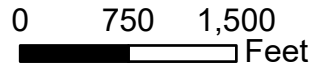


## Legend

- Palm Coast City Limits
- Tract 16 & 17

### Palm Coast Zoning

- COM-2
- COM-3
- DPX
- EST-1
- MFR-2
- MPD
- OFC-2
- PRS
- PSP
- SFR-1
- SFR-2
- SFR-3
- SFR-4
- SFR-5







# City of PALM COAST

## GENERAL - APPLICATION

DATE 01/10/2023

APPLICATION TYPE SUBDIVISION MASTER PLAN RESIDENTIAL >100

PROJECT NAME		Town Center Tract 16 & 17			
LOCATION OF SUBJECT PROPERTY ( PHYSICAL ADDRESS)		4077 ROYAL PALMS PKWY PALM COAST FL 32164			
PROPERTY APPRAISER'S PARCEL NUMBER		32-11-31-0000-03040-0010			
LEGAL DESCRIPTION		96.56 AC ALL THAT PORTION OF SE 1/4 LYING WEST OF WLY RW 1-95 OR 811 PG 560 OR 1010 PG 909 99-324-CA (EXC 3 PIECES BEING 3.97 AC, 2.40 AC, 1.31 AC ALL GOING TO THE CITY OF PC LYING ON SLY			
SUBDIVISION NAME		City Meter Box			
SECTION	32	BLOCK	03040	LOT	0010
PROPERTY ACRES		194.64	PROPERTY SQ FT		8478518
FUTURE LAND USE MAP DESIGNATION		EXISTING ZONE DISTRICT			
OVERLAY DISTRICT					
COMMUNITY PANEL NUMBER		120684	MAP PANEL DATE	06/06/2018	
FLOOD ZONE					
PRESENT USE OF PROPERTY					
DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS)					
Proposed 333-lot single family subdivision with associated infrastructure					
PROPOSED NUMBER OF LOTS		333	IS THERE EXISTING MORTGAGE?		No



# City of PALM COAST

OWNER	APPLICANT / AGENT
Name: MG PALM COAST 2, LLC	Name: PAUL PERRY HUTCHINSON
Mailing Address: 918 WILSON ROAD 30 W SUPERIOR STREET CENTAL, SC 29630	Mailing Address: 14775 OLD ST. AUGUSTINE ROAD JACKSONVILLE, FL 32258
Phone Number: (843) 816-7902	Phone Number: (904) 265-3238
E-mail Address: GREGG.MALPHRUS@MALPHRUS.COM	E-mail Address: HUTCHINSONP@ETMINC.COM
MORTGAGE HOLDER	ENGINEER OR PROFESSIONAL
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ARCHITECT	TRAFFIC ENGINEER
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
SURVEYOR	LANDSCAPE ARCHITECT
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ATTORNEY	
Name:	
Mailing Address:	
Phone Number:	
E-mail Address:	

**APPLICANT / OWNER'S AFFIDAVIT:** I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning

**APPLICANT / OWNER'S ELECTRONIC SUBMISSION STATEMENT:** Under penalty of perjury, I declare that all the information contained in this development application is true and correct. By signing this Electronic Submission Form, I consent to use electronic communications, electronic records, and electronic signatures rather than paper documents for the form(s) provided on this web site. I understand that my electronic signature is legally binding, as stated by [2016 Florida Statutes Title XXXIX Chapter 668 Section 50](#)

**Signature of Property Owner or Applicant**

PAUL HUTCHINSON