### City of Palm Coast, Florida Agenda Item

Agenda Date: 9/15/2020

Department	PLANNING
Item Key	8691

Amount Account #

### Subject RESOLUTION 2020-XX APPROVING AVIARA AT PALM COAST MASTER SITE PLAN, APPLICATION # 4252

Presenter: Bill Hoover

#### Background:

The applicant has submitted an application (AR#4252) for a Master Site Plan for Aviara at Palm Coast, a proposed 256-unit multi-family community located on the east side of US Highway 1 about one-half mile north of White View Parkway. The property's Multi-Family (MFR-2) Zoning allows a density of 12 units/per acre of the site except for wetland areas that allow a density of 3 units/per acre for a maximum number of 769 homes. The requested 256 units is only 33% of the maximum allowed units and at a density of only 2.79 units/acre.

The Aviara at Palm Coast is a multi-family project comprised of 256 units in 12 buildings that are situated internal to the 91.74 +/- acres the applicant is developing. Additionally, there is a clubhouse that is located between the project's entrance onto US 1 and the residential homes internal to the site. An emergency only access is also provided at the southern end of the site that would align with the stub-out at the north end of Wood Aspen Lane.

The proposed layout of the project retains existing natural features of the site to maximize privacy for existing neighboring homes, especially the single-family homes located north and east of the site. Essentially, the existing large lake in the NE corner of the site will be retained which will allow many neighboring residents to continue enjoying this lake view. A small wetland area is also being retained in the SW corner of this lake and south of the club house that will minimize views of the proposed homes by neighboring homes to the north and northeast. Additionally, a large wetland area is being saved along the balance of the eastern boundary of the site which will hide or greatly minimize views of the proposed homes at the end of the Wood Cedar Lane cul-de-sac.

This easterly wetland area and another large wetland area on the westerly side of the project will also minimize views of the proposed homes for residents living south of the project in properties zoned Multi-Family (MFR-1) and Duplex Residential (DPX). The preservation of these two large wetland areas also provides excellent views for future residents of the new community and the westerly wetland area will protect them from views and sounds of the industrial uses located west of this new community along US 1.

Since the number of units is above the 100-unit threshold, the Master Site Plan is considered a "Major" (Tier 3) development, requiring review and recommendation by the PLDRB followed by review and final determination by the City Council. If the City Council approves the Master Site Plan, the applicant will follow with a Technical Site Plan application that will require City staff administrative review of detailed engineering drawings.

Public Participation: A neighborhood information meeting was held on August 11, 2020 starting

at 6:15 PM at the Hilton Garden Inn along SR 100. On July 25, a letter was sent out to all residents living within 300 feet of the boundaries of the project inviting them to this meeting. On August 3, a second letter was sent out advising residents that due to social distancing standards there would be two identical meetings with presentations with one starting at 6:30 PM and the second at 7:30 PM. The second letter also advised neighbors that the meetings could also be attended via Zoom. About 50 residents from the neighborhood attended the two meetings in person or via Zoom. Also attending were four persons representing the developer and two City staff members.

One letter from a concerned neighbor about the project was received by City staff and was attached to the agenda. Planning staff notified all neighboring property owners who attended the neighborhood meeting and left contact information of the PLDRB meeting and will also do so for the City Council meeting.

<u>Planning and Land Development Regulation Board (PLDRB)</u>: The PLDRB meeting was held at 5:30 PM on August 19, 2020. This was a Zoom or virtual meeting. No one from the public spoke for or against the project at this meeting. The PLDRB found this project in compliance with the Comprehensive Plan and recommended approval to City Council of this Master Site Plan by a 7 – 0 vote.

**Recommended Action:** The Planning and Land Development Regulation Board recommends approval to City Council for Application #4252, Aviara of Palm Coast a Master Site Plan for 256 homes so the developer may apply for a Technical Site Plan that would need to meet all applicable development requirements.

#### RESOLUTION 2020-\_\_\_\_ AVIARA OF PALM COAST MASTER SITE PLAN

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING APPLICATION # 4252 THE AVIARA OF PALM COAST MASTER SITE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 17, 2020, Application No. 4252, (hereinafter "the application") was submitted by CPH, Inc. to the City of Palm Coast Community Development Department for approval of a residential Master Site Plan for 256 apartments on 91.74 +/- acres of land located on the east side of US Highway 1 about one-half mile north of White View Parkway; and

WHEREAS, the City staff has reviewed the development proposal and has determined that it is in accordance with the codes, ordinances and land development regulations of the City; and

WHEREAS, the Planning and Land Development Regulation Board held a public hearing on the application at its regularly scheduled meeting on August 19, 2020, and determined it is in compliance with the Comprehensive Plan and has unanimously recommended approval to the City Council by a 7 - 0 vote; and

**NOW, THEREFORE, BE IT RESOLVED** by the City of Palm Coast, Flagler County, Florida:

#### SECTION 1. APPROVAL APPLICATION/FINDINGS.

(a). The City Council hereby approves the application for the Aviara of Palm Coast Master Site Plan for a 256-unit apartment community located on the east side of US Highway 1 about one-half mile north of White View Parkway and hereby authorizes the Mayor of the City of Palm Coast to execute the Development Order.

(b). The development approval sought under and pursuant to the application is consistent with the City of Palm Coast Comprehensive Plan and development of the property will be subject to and consistent with and in compliance with 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.

**SECTION 2. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

**SECTION 3. CONFLICTS.** All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

**SECTION 4. IMPLEMENTING ACTIONS.** The City Manager, or designee, is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 15 day of September 2020.

#### CITY OF PALM COAST, FLORIDA

ATTEST:

MILISSA HOLLAND, MAYOR

VIRGINIA A. SMITH, CITY CLERK

Approved as to form and legality

William E. Reischmann, Jr., Esq. City Attorney

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#### City Council Public Hearing September 15, 2020

#### OVERVIEW

Project Name:	Aviara at Palm Coast
Application Type:	Master Site Plan
Application Number:	4252
Applicant/agent:	CPH, Inc.
Property Owner:	Aviara Palm Coast, LLC
Location:	4800 US Highway 1 (one-half north of White View Parkway on the
	East Side US Highway 1)
Parcel ID #:	22-11-30-5545-00000-0040
Current FLUM designation:	Mixed Use
Current Zoning designation:	MFR-2
Current Use:	Vacant
Size of subject property:	98.83 +/- acres less Parcel C (7.09 +/- ac) = 91.74 +/- acres

#### ANALYSIS

#### **REQUESTED ACTION:**

The applicant has submitted an application (AR#4252) for a Master Site Plan for Aviara at Palm Coast, a proposed 256-unit multi-family community located on the east side of US Highway 1 about one-half mile north of White View Parkway. The property's Multi-Family (MFR-2) Zoning allows a density of 12 units/per acre of the site except for wetland areas that allow a density of 3 units/per acre for a maximum number of 769 homes. The requested 256 units is only 33% of the maximum allowed units and at a density of only 2.79 units/acre.

#### PROJECT DESCRIPTION:

The Aviara at Palm Coast is a multi-family project comprised of 256 units in 12 buildings that are situated internal to the 91.74 +/- acres the applicant is developing. Additionally, there is a clubhouse that is located between the project's entrance onto US 1 and the residential homes internal to the site. An emergency only access is also provided at the southern end of the site that would align with the stub-out at the north end of Wood Aspen Lane.

The proposed layout of the project retains existing natural features of the site to maximize privacy for existing neighboring homes, especially the single-family homes located north and east of the site. Essentially, the existing large lake in the NE corner of the site will be retained which will allow many neighboring residents to continue enjoying this lake view. A small wetland area is also being retained in the SW corner of this lake and south of the club house that will minimize views of the proposed homes by neighboring homes to the north and northeast. Additionally, a large wetland area is being saved along the balance of the eastern boundary of the site which will hide or greatly minimize views of the proposed homes at the end of the Wood Cedar Lane cul-de-sac. This easterly wetland area and another large wetland area on the westerly side of the project will also minimize views of the proposed homes for residents living south of the project in properties zoned Multi-Eamily (MER-1) and Duplex Residential (DPX).

properties zoned Multi-Family (MFR-1) and Duplex Residential (DPX). The preservation of these two large wetland areas also provides excellent views for future residents of the new community and the westerly wetland area will protect them from views and sounds of the industrial uses located west of this new community along US 1.

Since the number of multi-family units is above the 100-unit threshold, the Master Site Plan is considered a "Major" (Tier 3) development, requiring review and recommendation by the PLDRB followed by review and final determination by the City Council. If the City Council approves the Master Site Plan, the applicant can follow with a Technical Site Plan application with staff administrative review of detailed engineering drawings.

#### SITE DEVELOPMENT PLAN SUMMARY:

PROJECT ACREAGE:	91.74 +/- acres (Master Site Plan area)
WETLAND AREA	36.80 +/- acres
DEVELOPABLE AREA	54.94 +/- acres
□ NUMBER OF NEW BUILDINGS:	Twelve 3-story buildings
D TOTAL UNITS:	256 multi-family units

#### LAND USE AND ZONING INFORMATION

The following table summarizes the general existing and proposed land use and zoning data:

#### SURROUNDING ZONING AND FLUM CATEGORIES

Direction	FLUM Category	Zoning District
North	Residential	SFR-3
South	Residential	MFR-1 then DPX
East	Residential	SFR-3, SFR-2
West	Mixed Use, Institutional, and Industrial in Flagler County	COM-2, IND-1, PSP, and IND in Flagler County

#### SITE DEVELOPMENT REQUIREMENTS:

Site development must be in accordance with the requirements of the City of Palm Coast Land Development Code, the Comprehensive Plan and the latest Building Codes. The following tables summarize the basic development standard requirements and corresponding proposed development criteria, with which the application complies:

#### SITE DEVELOPMENT REQUIREMENTS FOR MFR-2

Criteria (per LDC)	Required	Provided
Minimum Lot Size	4 acres	91.74 +/- acres
Maximum Density	8.38 units/acre	2.79 units/acre
Maximum Impervious Coverage	70%	11%
Maximum Building Height	60 ft.	35 ft.
Minimum living area	650 s.f.	773 s.f. 1-BR
		1071 s.f. 2-BR
		1226 s.f. 3-BR
Minimum Building Setbacks (Extra 20' required along east &	Front: 25/45 ft.	25/45 ft. minimum
west property lines where SFR-2	Rear: 20/40 ft.	20/40 ft. minimum
and SFR-3 Zoning are present.)	Int. Side: 10/30 ft.	10/30 ft. minimum
Minimum Parking		
256 units x 33% with garages = 96 1-bedroom units x 1.5 = 144 +	86 garage spaces	96 garage spaces
160 2 & 3 bedroom units x 2 = 320	464 residential spaces	516 residential spaces
Plus Clubhouse/Rec. uses =	+25 spaces	+27 spaces
Total spaces including garages	489 total spaces	543 total spaces

#### MASTER SITE PLAN PROCESS

The Master Site Plan application process is specified in Section 2.10 of the Unified Land Development Code (LDC). This review process is intended to ensure that site development takes place in an orderly and efficient manner through a process that provides adequate review based on the size and complexity of the proposed development. Master Site Plan review and approval establishes the viability of a development thereby, allowing a project to proceed to the Technical Site Plan process.

This application incorporates a review/approval process coordinated by and through City staff, the PLDRB, and the City Council as applicable. As provided in Table 2-1 of Sec. 2.04 of the LDC, residential projects over 100 units are classified as Major projects, which requires review and recommendation from the PLDRB, and with final review and determination by the City Council.

Section 2.10.04 of the LDC establishes the review criteria for a Master Site Plan as detailed below.

Review Criteria	Comments
1. Logic of design	The Master Site Plan proposed for multi-family development illustrates a proposed project consisting of twelve 3-story buildings. Due to much of the perimeter site having wetlands and a large existing lake in the NE corner of the site, the residential development area is clustered into a central area.
2. Internal Consistency	The Master Site Plan is designed for the multi-family development of Aviara and future development of Parcel C which is about 7.09 +/- acres. A shared access road is being provided so both projects can utilize the same access road.
3. Impact on neighboring sites	This multi-family project should have minimal impact on neighboring single-family homes due to the large lake in the NE corner of the site and the expanse of wetlands located along the eastern, southern and western property lines. Additionally, the project's access is onto US 1 which is away from neighboring home sites.
4. Internal vehicle and pedestrian connectivity	Pedestrian access ways will allow project residents to walk and bicycle throughout the site using sidewalks and numerous scenic trails.
5. Public benefit from the project	The project will allow for a wider diversity of housing opportunities to be available in Palm Coast.

#### ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2, SECTION 2.05.05

Prior to approval of a Development Order for a Site Plan, the proposed project must be evaluated for conformance with the requirements of LDC Chapter 2, 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 directed by the LDC, which states: *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:* 

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

**Planning Staff Finding**: As conditioned in the staff recommendation, the proposed development is not in conflict with or contrary to the public interest, as the specified land use is consistent with the City's LDC, its MFR-2 Zoning and the Comprehensive Plan.

### 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. The following are applicable goals, policies and objectives that the project supports:

• Chapter 1 – Land Use Element: Goal 1.1 - Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors. Allowing multi-family uses on this

infill site will combat urban sprawl by utilizing land that is located east of US 1 and reasonably close to commercial services. Additionally, these multi-family homes will allow a broader mix of housing types in Palm Coast where a preponderance of available homes are single-family. Multi-family land uses compared to single-family home sites, also allow a significantly better opportunity for preserving open space and protecting environmentally sensitive areas.

- Chapter 1 Land Use Element: Policy 1.1.4.5 Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation. All public services are already available to serve the site and have adequate capacity for doing so. Additionally, multi-family homes with fewer exterior walls than detached single-family homes will be significantly more energy efficient.
- Chapter 3-Housing Element: Objective 3.4.1 Diversity in Housing Opportunities; Policy 3.4.1.1 Through the FLUM and zoning district regulations of the LDC, the City shall make provisions to supply land that can be developed with various types of residential uses, including single-family homes of various sizes, duplexes, multi-family dwellings, and residential units in mixed use developments. Approval of this multi-family master site plan will allow the developer to move forward with developing multi-family homes in an area that transitions from single-family homes to the north, east and south to existing industrial and future commercial lands to the west. By the developer saving the large wetland areas surrounding the development it further aids in providing a high quality transition between land uses.

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

**Planning Staff Findings**: The proposed development does not impose a significant financial liability or hardship for the City as the project will meet the LDC and the City's concurrency requirements.

### 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 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:** For the project to proceed, the applicant is required to submit a Technical Site Plan, building plans and permit applications as required to the various agencies having jurisdiction, and shall meet all requirements of other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

#### **PUBLIC PARTICIPATION**

A neighborhood information meeting was held on August 11, 2020 starting at 6:15 PM at the Hilton Garden Inn along SR 100. On July 25, a letter was sent out to all residents living within 300 feet of the boundaries of the project inviting them to this meeting. On August 3, a second letter was sent out advising residents that due to social distancing standards there would be two identical meetings with presentations with one starting at 6:30 PM and the second at 7:30 PM. The second letter also advised neighbors that the meetings could also be attended via Zoom. About 50 residents from the neighborhood attended the two meetings in person or via Zoom. Also attending were four persons representing the developer and two City staff members.

One letter from a concerned neighbor about the project was received by City staff and was attached to the agenda. Planning staff notified all neighboring property owners who attended the neighborhood meeting and left contact information of the PLDRB meeting and will also do so for the City Council meeting.

#### SUMMARY OF FINDINGS

After review and evaluation of the proposed project for conformance with the requirements of the City of Palm Coast LDC and Comprehensive Plan, staff finds that the proposed conceptual Master Site Plan can meet the requirements for approval. The Master Site Plan process recognizes that up to 25% cumulative design change may be allowed after further engineering.

#### PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB)

The PLDRB meeting was held at 5:30 PM on August 19, 2020. This was a Zoom or virtual meeting. No one from the public spoke for or against the project at this meeting. The PLDRB found this project in compliance with the Comprehensive Plan and recommended approval to City Council of this Master Site Plan by a 7 - 0 vote.

#### RECOMMENDATION

The Planning and Land Development Regulation Board (PLDRB) recommends approval to City Council for Application #4252, Aviara of Palm Coast a Master Site Plan for 256 homes so the developer may apply for a Technical Site Plan that would need to meet all applicable development requirements.

### Aviara Multi-Family



### Legend



Palm Coast City Limits Aviara Multi-Family Streets selection



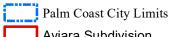




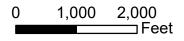
### Aviara Subdivision



### Legend



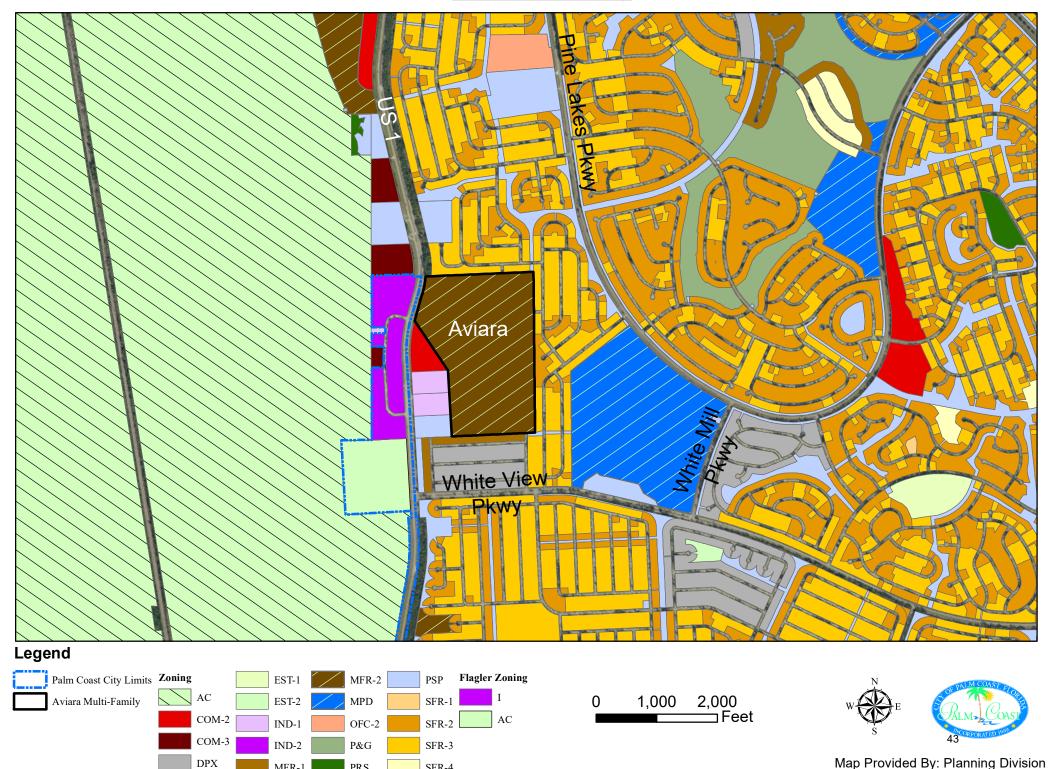
Aviara Subdivision
- Streets selection







Aviara Multi-Family

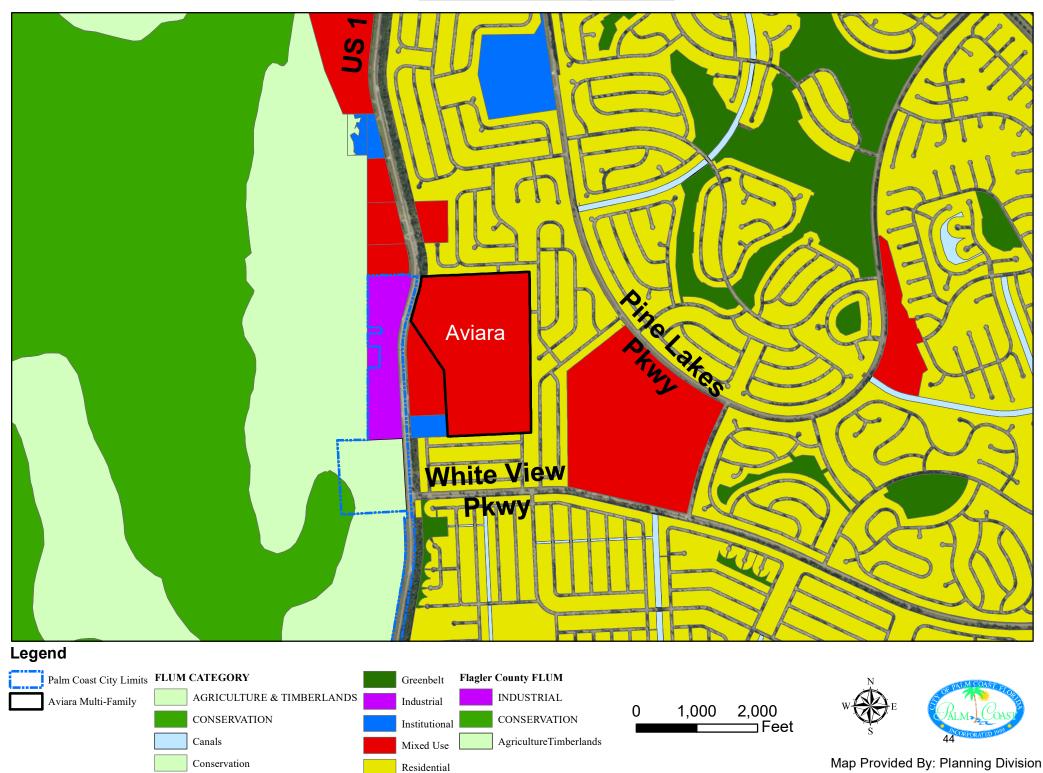


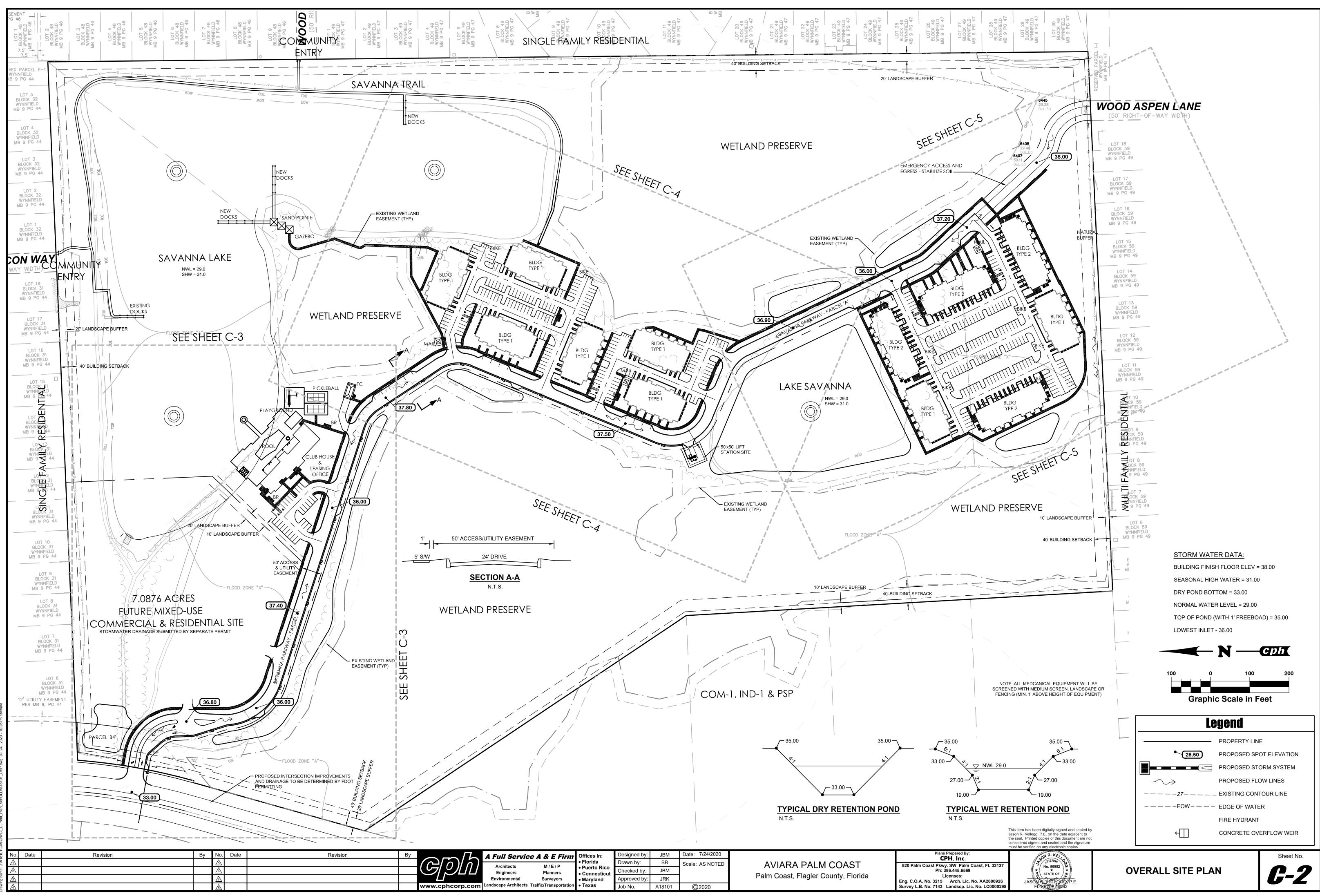
SFR-4

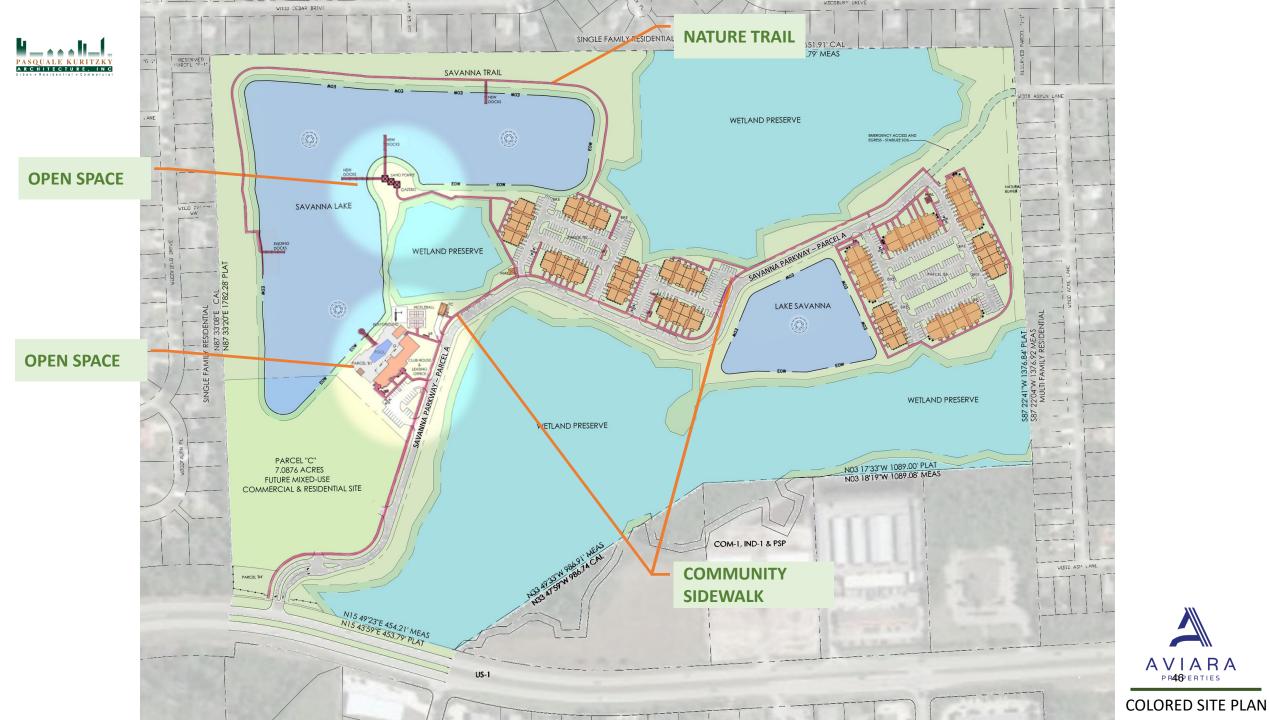
MFR-1

PRS

Aviara Multi-Family - FLUM













BUILDING TYPE 2 - RIGHT ELEVATION

BUILDING TYPE 2 - LEFT ELEVATION

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BUILDING TYPE 2 - REAR ELEVATION



## AVIARA PALM COAST



Sec. 2.

John W Horan Palm Wave Realty 216 S 5<sup>th</sup> Street Flagler Beach, FL 32136

July 20, 2020

Re: Proposed Development Aviara 256 units formerly known as Sandlake 99 Acres SANDLAKE SUBD LOT 4 98.85 AC ORD 2003-24 OR 1389 PG 511 OR 1798/210 OR 2264/846 OR 2386/1987 Parcel ID 22-11-30-5545-00000-0040

Neighboring Property Owner Notification of Neighborhood Meeting

Dear Neighboring Property Owner:

A neighborhood meeting to discuss the development of the above referenced parcel is scheduled for August 11, 2020 located at Hilton Garden Inn 55 Town Center Blvd, Palm Coast, FL 32164 at 6pm.

The meeting is to discuss the development of the property for its entitled use consisting of 256 units. A map of the subject property is attached for your use and reference.

If you have any questions, please do not hesitate to contact me at 561-346-7355. We look forward to seeing you at the above referenced meeting.

Masks are required. We will check temperatures and provide hand sanitizer at the door.

Sincerely,

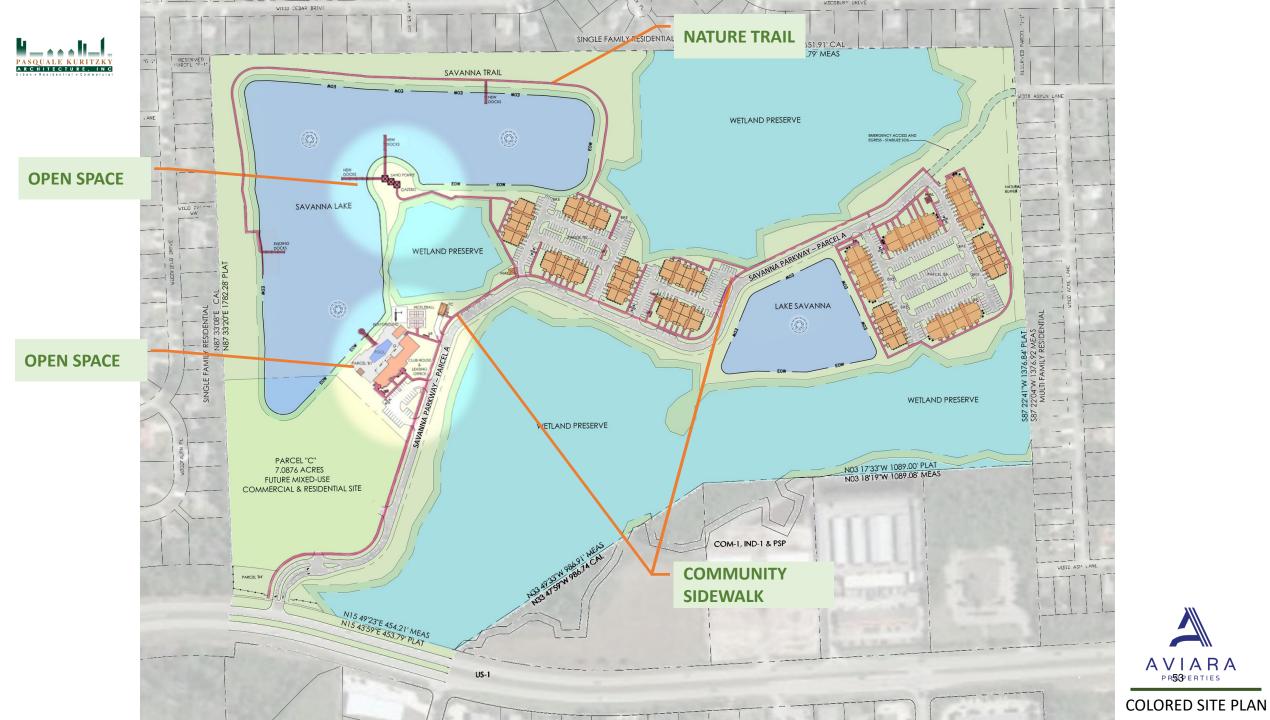
John W Horan Broker/Agent John W Horan Palm Wave Realty 216 S 5<sup>th</sup> Street Flagler Beach, FL 32136

First Class Stamp

KRUCZKOWSKA BARBARA & KAROL PO BOX 2144 AQUEBOGUE, NY 11931

Neighboring Property Owner Notification of Neighborhood Meeting









July 30, 2020

Re: Neighborhood Meeting for the Proposed Aviara Multi-Family Community (Formerly known as Sand Lake)

Dear Neighboring Property Owner:

This approximate 98.85-acre property is located on the east side of US 1 with its project access about 0.65 miles north of Whiteview Parkway. About 91.7 acres of the site is proposed to be developed for a multi-family project with the remaining 7+ acres to be developed later. All 98.85 acres are already zoned Multi-Family 2 (MFR-2) which the City's Land Development Code allows to be developed for up to 12 units per acre except for wetland areas that can be developed for up to 3 units per acre. In this case the property owner is proposing only 256 homes which is only about one-third of the maximum allowed number of units that could be built.

Attached is a site plan overlaid onto an aerial photograph that shows the Master Site Plan of our community. The site design shows we are retaining the large lake in the northeast corner of our site, and the large wetland area that is located in the East, and Southeast corner of our site. This will allow neighboring single-family homeowners to continue to enjoy the lake and preserve area views while also allowing our residents to enjoy these amenities. Our project is intended to be an upscale multi-family community for residents who enjoy being surrounded by lakes and preserve areas. Additionally, we will provide multiple walking trails and recreational amenities. Our clubhouse and recreational area can be seen on the SW corner of the large lake that is between our buildings and US 1 entry.

The City's Land Development Code requires that an applicant hold a neighborhood meeting with property owners who own property within 300 feet of the subject site when applying for a Master Site Plan for 40 homes or more, which is the purpose of this letter. At this neighborhood meeting the property owner and his representatives will show conceptual layout plans for this project and respond to any questions from neighboring residents and property owners. City staff will also attend this meeting if you have any questions on the review process of this project.

The neighborhood meeting is scheduled for the evening of Tuesday, August 11th at the Hilton Garden Inn, located at 55 Town Center Boulevard (just North of SR 100 and West of Advent Health Hospital). Due to the COVID-19 issues, we will have two separate but identical presentations in order to promote social distancing. The first meeting begins at 6:15 PM and the second starting at 7:30 PM. Each presentation will be about 10-15 minutes followed by up to 45 minutes of responding to questions. At 7:15 PM we will dismiss in time to sanitize the room, tables and chairs before the second presentation. Masks will be required by all attendees. Additionally, attendees temperatures will be checked at the door before being allowed for admittance and hand sanitizer will be available.

We will also provide a Zoom option at 6:30 and again at 7:30. Both meetings will be identical in nature. The Zoom link for the meeting held at 6:30 is <u>https://zoom.us/j/96671567815</u> and the meeting ID is 966 7156 7815. The Zoom link for the meeting held at 7:30 is <u>https://zoom.us/j/92926133932</u> and the meeting ID is 929 2613 3932.

We welcome you to attend our neighborhood meeting either in person or via Zoom to discuss this residential project. If you have any questions, my name is John Horan. You can contact me at 561-346-7355.

Sincerely,

John W. Horan Broker Agent John@PalmWaveRealty.com Palm Wave Realty 216 S 5<sup>th</sup> Street Flagler Beach, Fl. 32136



### Aviara Neighborhood Meeting 8-11-2020

Location: Hilton Garden and Inn

#### 6:00 PM Meeting 1 Commence 6:15 PM Presentation 1 Begin

35 Attendees in Person5 Attendees on Zoom2 City Staff3-4 Development Reps

Presentation 1 Overview: Mr. Horan introduced the project and subsequently Mr. Pasquale. Mr. Pasquale presented slides detailing the location and lay-out of the Project development at Aviara including Buffer Zone, Wetlands, Lakes and where the Apartments, parking, roads, amenitics, and walkways will be built. Design characteristics of the apartments were highlighted as well as the privacy that will be retained by existing residential neighborhoods. Please see Powerpoint attached.

#### 6:30 PM Q&A 1 Begin (All Recordings below are paraphrases)

Q: What will the trail around the far side of the lake look like?

A: The trees will remain, it will be a foliage covered, unpaved trail.

Q: When will the work commence?

A: The goal is to begin by year end.

Q: Are you committed to not opening Wood Field and Wood Cedar into the development? A: The goal is to limit traffic, there is only one entrance- from US 1. There will be a gated emergency access point near Wood Aspen which will only be accessible to Fire, Police and EMT.

Q: What about fences that border homeowners' property but are not owned by those individuals? A: The question regarding the intermittent fencing on the border of the Aviara property has come up recently and the status as well as what to do with it will be evaluated.

Q: Some of my trees were tagged, are they marked for removal?

A: Those are only surveyor location markers, the white ribbons will be removed, the trees will stay.

Q: Will sanitation for the development connect into existing sewer lines?

A: It will not. It will be run independently of the existing residential sewer lines.

Q: How many jobs will be added?

A: Hundreds, including subcontractors.

Q: What about the wetland preservation?

A: A wetland determination has been completed and this project satisfies the requirements.

Q: Will there be swales?

A: Not for each individual residence. Grouped, dry retention will be integrated into the property.

Q: (From Zoom) How close will the nature trail be to the houses on Woodcedar?

A: 50-60 Feet from Wood Cedar at minimum.

Q: Will Powerlines and water lines be connected to the surrounding residential neighborhoods to provide electricity and water to the Development? A: No.

Q: (From Zoom, Follow up to first question) How close will the trail be to the houses on the corner of Woodcedar?

A: Nothing will change there, buffer will be maintained. The trail will run right next to the lake.

Q: The access to Wood Cedar will not be public access?

A: Correct, it will be an emergency exit that is gated and only accessible by Emergency Services.

Q: What about Mosquitoes and other wildlife?

A: Mosquito control will have better access once roads are cut in, you may see a reduction. Wildlife has plenty of preserve both on site and in neighboring undeveloped area. We satisfied the required Environmental Assessment.

Mr. Horan close the meeting by thanking participants for coming and directing any further questions to him via email or direct phone call to his cell.

#### 7:00 PM Q&A 1 and Meeting 1 Conclude, Sanitization Procedure Performed

#### 7:15 PM Meeting 2 Commence 7:30 PM Presentation 2 Commence

7 Attendees in Person 2 on Zoom 1 City Staff

Presentation 2 Overview: Mr. Horan introduced the project and subsequently Mr. Pasquale. Mr. Pasquale presented slides detailing the location and lay-out of the Project development at Aviara including Buffer Zone, Wetlands, Lakes and where the Apartments, parking, roads, amenities, and walkways will be built. Design characteristics of the apartments were highlighted as well as the privacy that will be retained by existing residential neighborhoods. Please reference Powerpoint included for Presentation 1.

### 7:55 PM Q&A 2 Begin (All Recordings below are paraphrases)

Q: How close will the people using the lake trail be to the back property line of Woodfield Dr? A: 50-60 Feet, the trail will hug the lake, it will not be paved, the buffer will remain.

Q: How will traffic be impacted in the surrounding subdivisions?

A: A traffic study was completed and can be provided to show that we satisfy traffic requirements.

Q: What kind of development is it?

A: Market rate apartments, not tax credit housing.

Q: What will be done with fencing on the bordering property line of Wood Acre Lane? A: We've seen fencing is a point of interest for several neighbors and it is on our radar to evaluate existing fencing and determine what should be done from that evaluation.

Q: How close is the Apartment closest to Wood Acre Lane?

A: 60-240 Feet depending on which Wood Acre Property you reference. There is also an 8-10 foot berm and 30 foot trees which will provide a screen and privatize views.

Mr. Horan close the meeting by thanking participants for coming and directing any further questions to him via email or direct phone call to his cell.

#### 8:40 PM Q&A 2 and Meeting 2 Conclude

Jøhn Horan, Broker-Agent

12/28

Date

# **AVIARA MASTER SITE PLAN**

## **City Council Public Hearing**

# on September 15, 2020



# **Location Map**



Aviara is a proposed multi-family project located on the east side of US Highway 1 whose access is about one-half mile north of White View Parkway.



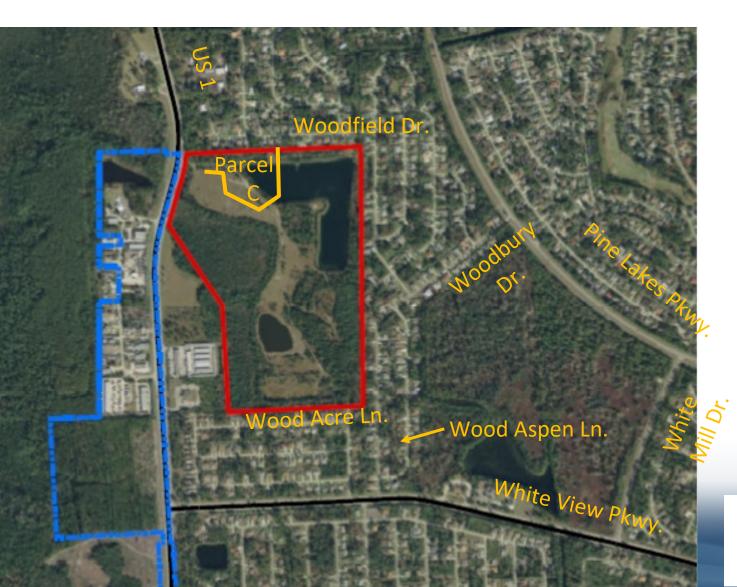
#### Legend







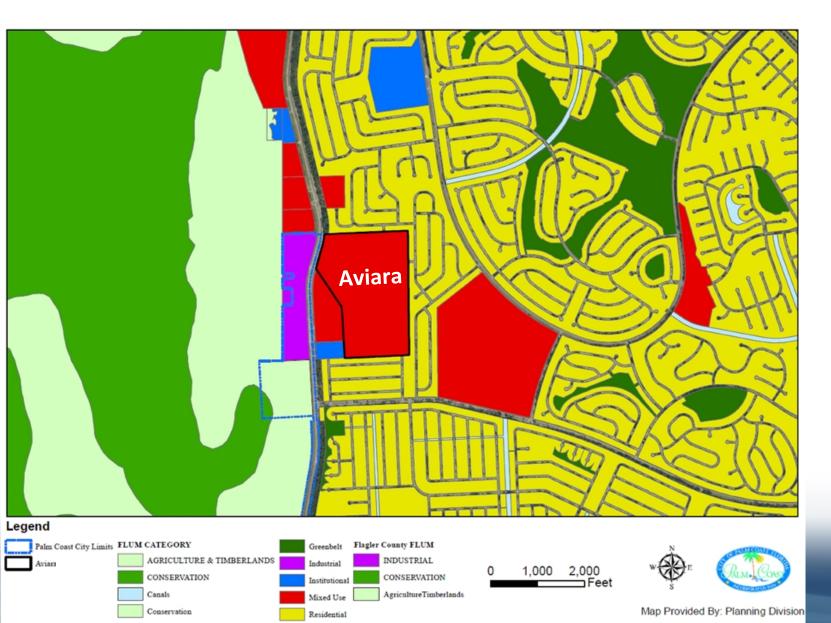
# **Close-up Aerial and Request**



Overall site is 98.85+/- acres. Parcel C in NW area is excluded. Remaining 91.74 +/- acres is proposed for a multi-family community of 256 homes. A Tier 3 Master Site Plan has been submitted with review and recommendation by PLDRB before going to City Council.



# Future Land Use Map (FLUM)



Aviara is designated Mixed Use.

Lands to the west are Industrial, Mixed Use and Institutional.

Lands to the north, east and south are Residential.

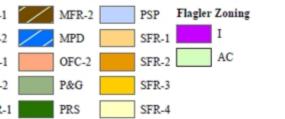




1.000

2,000

Feet



# Zoning Map

Subject Site: MFR-2

North and East: SFR

South: MFR-1 then DPX

West: COM-2, IND-1, PSP IND in Flagler County



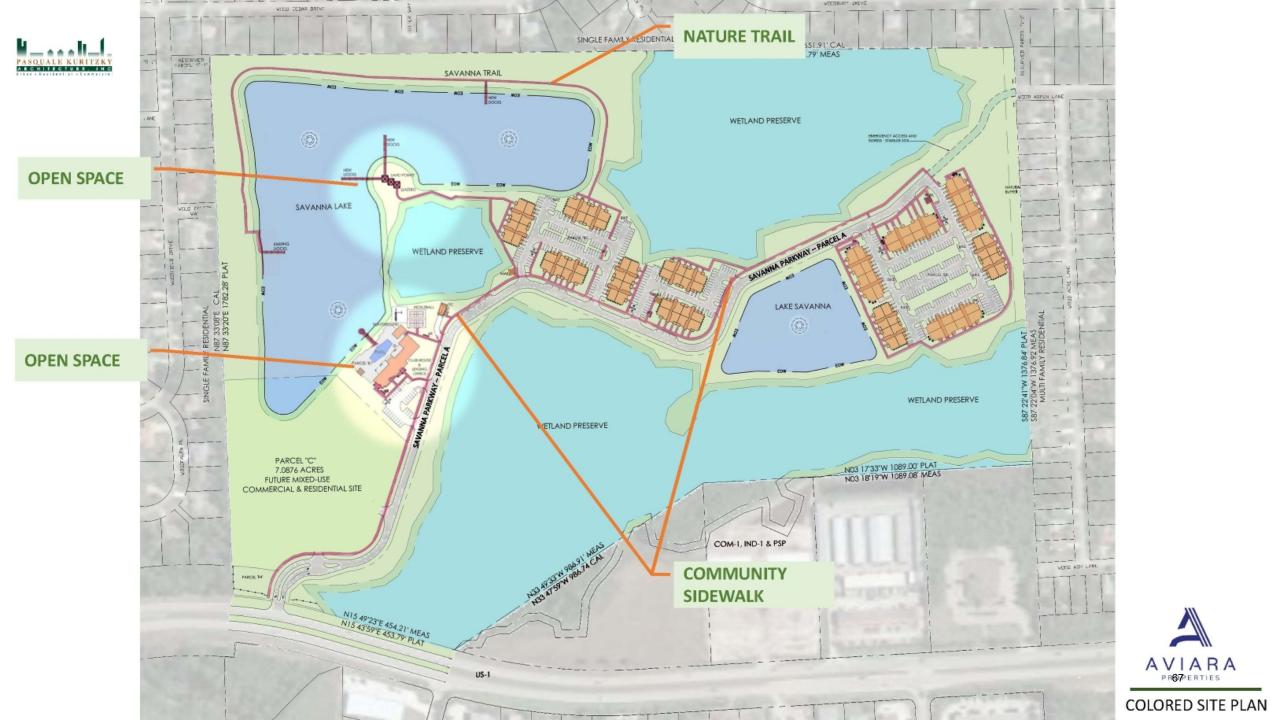


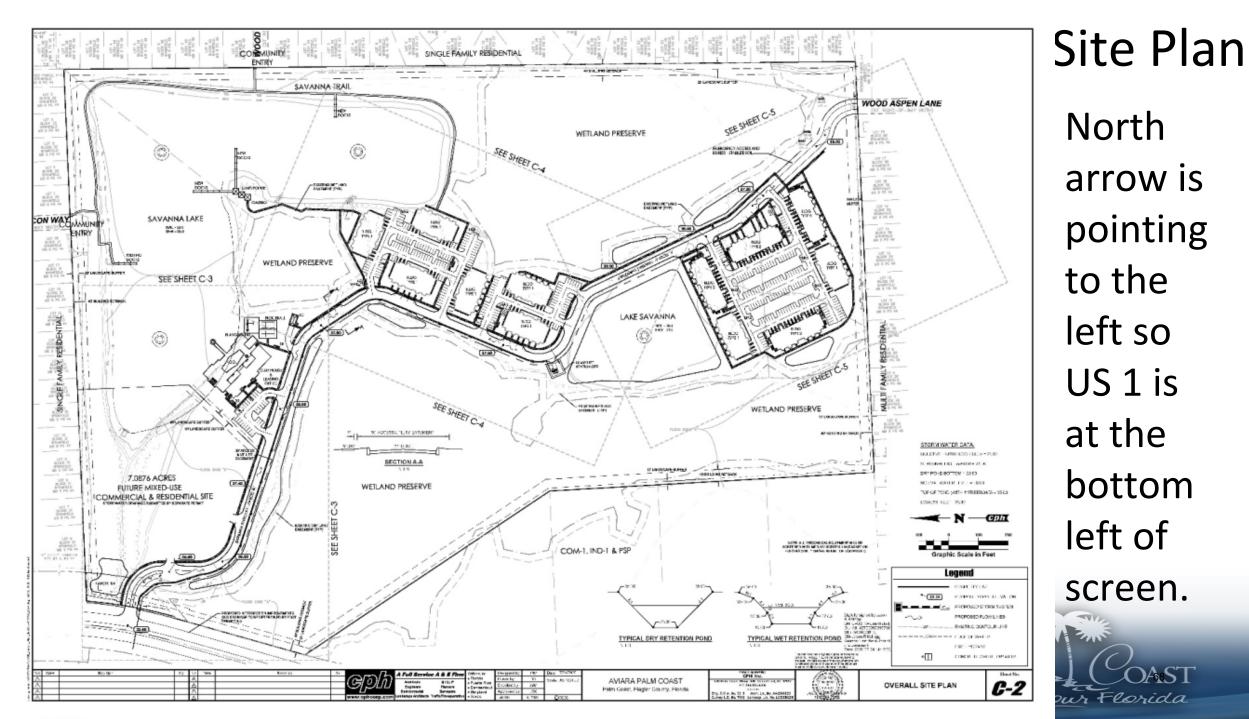
# Site Plan Over Aerial

By retaining lake in NE corner and the wetlands areas the buildings (in orange) have been clustered within the interior of the site. Allows neighboring homeowners to continue enjoying lake and wetland views while retaining privacy. Owner is only constructing 1/3 of homes allowed by MFR-2 Zoning.



## Proposed Site Layout Shown on Oblique Aerial Looking to the NW





North arrow is pointing to the left so US 1 is at the bottom left of screen.

our Florida

### Site Development Requirements

Criteria (per LDC/MFR-2 Standards)	<u>Required</u>	<u>Provided</u>
Minimum Development Site Area	4 acres	91.74 +/- acres
Maximum Building Height	60 feet	35 feet
Minimum Building Setbacks* *20' additional required against north and east property lines where SFR Zoning is located	North:       10 + 20* = 30 feet (Side)         East:       20 + 20* = 40 feet (Rear)         South:       10 feet (Side)         West:       25 feet (Front)	North: 475' East: 400' South: 40' West: 400'
Minimum Parking: 1.5 spaces per 1BR & 2 spaces for 2BR & 3BR + 25 for clubhouse/recreational area 256 homes x 1/3 = # of garages	96 x 1.5 = 144 spaces + 160 x 2 = 320 spaces = 464 resident spaces + 25 for clubhouse = 489 total that includes 86 garages	517 total spaces that includes 96 garages
Minimum Living Area of Homes	650 Sq. Ft. for all units	773 Sq. Ft. 1-BR Units 1071 Sq. Ft. 2-BR Units 1226 Sq. Ft. 3-BR <sup>®</sup> Units

# **Building Elevations**





BUILDING TYPE 2 - FRONT ELEVATION

### Five Review Criteria from Sec. 2.05.05 of LDC

### Master Site Plan is analyzed for:

- A) Must not be in conflict with public interest
- B) Must be consistent with LDC and Comprehensive Plan
- C) Must not impose a significant liability or hardship on City
- D) Must not create an unreasonable hazard or nuisance
- E) Must comply with all applicable government standards



### Staff Analysis Based on Review Criteria

- Planning staff reviewed these five criteria and provided detailed findings in the staff report.
- The Master Site Plan will not create a nuisance, hazard, or any compatibility issues as it meets all development standards and is in compliance with its "Mixed Use" designation on FLUM.
- This development already has needed infrastructure in place.
- Supports three goals, policies or objectives of the Comp. Plan.
- Project meets standards of the MFR-2 District and LDC.



### **Public Participation**

- Applicant mailed out letters on July 25 and Aug. 3, advising neighbors within 300' of project's boundaries of the meetings.
- Due to social distancing standards, two meetings were held on August 11<sup>th</sup> at 6:15 and at 7:30 PM at the Hilton Garden Inn along SR 100. Neighbors could also attend via Zoom.
- In attendance were about 50 residents from the neighborhood,
   4 persons representing the applicant and 2 City staff members.



# Next Steps

- Technical Site Plan with administrative review by City staff.
- Building Permits with review by City staff.



# Planning & Land Development Regulation Board

- PLDRB was a virtual Zoom meeting at 5:30 PM on August 19<sup>th</sup>
- No one from the public spoke for or against the project
- PLDRB recommended approval to City Council by 7 0 vote



### Recommendation

The Planning and Land Development Regulation Board (PLDRB) found this project in compliance with the Comprehensive Plan and recommended approval to City Council for Application #4252, Aviara of Palm Coast a Master Site Plan for 256 homes so the developer may apply for a Technical Site Plan that would need to meet all applicable development requirements.



Applicant's Representatives are in Attendance and have a Power Point Presentation

> Broker/Agent – John Horan Project Engineer - Brett Markovitz Architect - Joseph Pasquale



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

### <u>CITY OF PALM COAST</u> <u>MASTER SITE PLAN</u> <u>DEVELOPMENT ORDER APPROVAL</u> <u>AVIARA SUBDIVISION</u>

On Sept 15, 2020, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

SANDLAKE SUBD LOT 4 - 98.85 AC ORD 2003-24

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

#### **FINDINGS OF FACT**

Property Owner: AVIARA AT PALM COAST LLC 216 S. 5TH STREET FLAGLER BEACH, FL 32136

Project Name:	AVIARA SUBDIVISION
Project No.:	2020010043
Application Type:	MASTER SITE PLAN
Application No.	4252

Requested Development Approval: Master Site Plan Approval for an Apartment Complex (in accordance with stamped approved plans)

Zoning Classification: MFR-2 FLUM: Mixed Use Parcel #: 22-11-30-5545-00000-0040

Parcel Acreage: 98.85

#### SITE DEVELOPMENT DATA

Building Use: Apartment Complex

Bldg. Height: 35'

Total Bldg. Square Footage: 377,724 + 8,431 = 386,155

Number of Bldgs.: 12

BUILDING #	Total G Sq. Ft.	Units
1 (Type 1)	29,543	22
2 (Type 1)	29,543	22
3 (Type 1)	29,543	22
4 (Type 1)	29,543	22
5 (Type 1)	29,543	22
6 (Type 1)	29,543	22
7 (Type 2)	35,345	20
8 (Type 2)	35,345	20
9 (Type 2)	35,345	20
10 (Type 1)	29,543	22
11 (Type 2)	35,345	20
12 (Type 1)	29,543	22
TOTALS	377,724	256

Parking Provided: Standard Spaces 384; Accessible Spaces 8; Garages 96; Motorcycle 28; Bicycle Spaces: 27

Club House/Leasing Office S.F.: 8,431

Clubhouse Parking: Standard Spaces 25; Accessible Spaces 2; Bicycle Spaces: 2

Density Proposed: 2.79

ISR: 11%

Pervious: 89%

FAR: 0.97

#### CONCLUSIONS OF LAW

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 afore described property.

#### ORDER

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

(1) The afore mentioned 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) The conditions upon this development approval and the commitment made as to this development approval, which have been accepted by and agreed to by the Owner of the property is as follows:

#### **Reviewing Department Comments**

#### PLLA - PLANNING LANDSCAPE ARCHITECT (386) 302-7057

<u>Comments:</u> Mitigation calculations will be confirmed during the Technical Site Plan review phase. Clarify tree survey so that existing trees are legible for Technical Site Plan submission. Further protected trees may require removal at that time if it is determined that the tree protection fencing requirements/distances cannot be met with proposed design/grading and so it may alter mitigation needs from this plan. Tree protection must be shown around all trees being saved if located inside of the silt fence area.

(4) This Development Order touches and concerns the afore described 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 in 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 this provision and all other terms and provisions of this Development Order.

(5) 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.

(6) The Development Order shall remain valid for a period of twelve (12) months from the date of issuance. If construction has not commenced or is not continuing in good faith to conclusion during this valid period, this Development Order will expire. The Development Order may be extended, upon request, during the period of three (3) months before the expiration of the valid period. Staff may approve an extension not to exceed twelve (12) months. A maximum of three (3) extensions may be granted provided the development has a valid Certificate of Concurrency.

#### (7) <u>No construction of any TYPE shall commence until a mandatory pre-</u> <u>construction meeting has been conducted with City staff.</u>

(8) Utility fees and applicable agreements shall be executed prior to issuance of a Site Development permit.

(9) All required federal, state, county, and/or local permits shall be acquired prior to construction.

(10) All projects located in Special Flood Hazard Area "A" or "AE" zone(s) shall meet Chapter 10.02, Unified Land Development Code and Chapter 15, Code of Ordinances regarding Flood Damage Protection regulations. These building(s) and associated utilities will require elevation certificates at all three stages (construction drawing, building under construction and final construction) at building permit.

(11) This Development Order satisfies the concurrency requirements for transportation, sanitary sewer, sold waste, drainage, parks & recreation, and potable water. This Development Order is limited to the land uses and associated development as listed below:

#### Description: Apartments; Unit Amount: 256

Concurrency shall remain valid with the life of this Development Order.

Done and Ordered on the date first written above. As approved and authorized for execution by the City Council of the City of Palm Coast, at their regularly scheduled meeting of September 15, 2020.

#### Virginia Smith, City Clerk

Milissa Holland, Mayor

\_\_\_\_Sign and Return Sign and Record

#### **Development Order Affidavit**

#### **OWNER'S/APPLICANT'S CONSENT AND COVENANT:**

Project Name: AVIARA SUBDIVISION Application Type: MASTER SITE PLAN Application No.: 4252 **COMES NOW,** AVIARA PALM COAST 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 AVIARA SUBDIVISION:

ATTEST:

AVIARA PALM COAST LLC 216 S. 5TH STREET 1181 SOUTH ROGERS CIRCLE FLAGLER BEACH, FL 32136

Attesting Corporate Official

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 \_\_\_\_\_\_, 2020. \_\_\_\_\_\_ of AVIARA PALM COAST 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 , 2020

Notary Public