#### City of Palm Coast, Florida Agenda Item

Agenda Date: May 21, 2024

DepartmentCOMMUNITY DEVELOPMENTDivisionPLANNING

Amount Account #

#### Subject: RESOLUTION 2024-XX TOWN CENTER TRACT 8 TECHNICAL SITE PLAN TIER 3 - APPLICATION NO. 5598

#### Presenter: Bill Hoover, AICP, Senior Planner

#### Attachments:

- 1. Presentation
- 2. Resolution
- 3. Development Order
- 4. Staff Report
- 5. Distant Map
- 6. Close Up Map
- 7. Future Land Use Map (FLUM)
- 8. Zoning Map
- 9. Survey
- 10. Overall Site Plan
- 11. Traffic Study
- 12. Environmental Report
- 13. Combined Landscape Plans
- 14. Combined Building Elevations
- 15. Technical Site Plan Application

#### Background:

#### This is a quasi-judicial item, please disclose any ex parte communication.

The applicant Hillpointe, LLC has submitted a Technical Site Plan application for a multifamily rental community with 264 homes. Town Center Tract 8 is 67.81 +/- acres and located at 746 Town Center Boulevard. The project will be a key component of Town Center as it has about one-half mile of frontage along the east side of Town Center Boulevard and extends from Central Avenue to about one-fifth mile north of Imagine School.

The proposed apartment community has ten 3-story buildings with 24 or 36 units each plus a large clubhouse and amenity center. Since the project is over 100 residential units it is classified as a Tier 3 Technical Site Plan that requires review and recommendation by the Planning and Land Development Regulation Board (PLDRB) followed by review and determination by City Council.

Hillpointe, LLC purchased the land on December 8, 2023. The developable area of the 67.81 +/- acres is located adjacent to the east side of Town Center Boulevard and existing stormwater ponds encompass the central area of the site. A large conservation area extends from the stormwater ponds to the north, east and south boundaries of the property. The stormwater ponds and conservation areas will provide some scenic views for residents to

enjoy. The onsite conservation areas along with other conservation areas extending about 1/3 mile east to I-95 will also minimize much, if not most of the noise from I-95 traffic for residents.

This developer recently completed, and residents are now moving into the 300-unit Pointe Grand apartment complex along Pine Lakes Parkway North that is located about <sup>3</sup>/<sub>4</sub> mile north of Palm Coast Parkway NW. Pointe Grand was reviewed by the PLDRB and approved by City Council in the first half of 2021.

The subject site is designated "DRI – Urban Core" and "Conservation" on the Future Land Use Map and as Town Center PUD on the Zoning Map. The Town Center PUD Land Use Map shows the subject property to be Tract 8 of this PUD and designated as "Urban Center" on the Town Center Master Development Plan Map and was intended to be developed for higher intensity uses in a pedestrian friendly environment.

<u>Public Participation:</u> This residential project does not meet the criteria for the applicant having a neighborhood meeting. Additionally, Technical Site Plans, including Tiers 2 and 3, do not require newspaper notification or the posting of the orange signs along the project's frontage.

<u>Planning and Land Development Regulation Board (PLDRB)</u>: The PLDRB reviewed this application at its regularly scheduled meeting at 5:30 PM on April 17, 2024, and by a 6 - 0 vote found it in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code and recommended approval to City Council. No one from the public spoke regarding this petition.

#### Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD FOUND THIS PROJECT IN COMPLIANCE WITH THE COMPREHENSIVE PLAN, THE TOWN CENTER PUD, AND LAND DEVELOPMENT CODE, AND RECOMMENDED APPROVAL TO CITY COUNCIL OF THE TECHNICAL SITE PLAN TIER 3 FOR TOWN CENTER TRACT 8, APPLICATION NO. 5598.

# TOWN CENTER TRACT 8 TECHNICAL SITE PLAN – TIER 3

# City Council Public Hearing on May 21, 2024



locument Path: H:\7.0 GIS\3.0 Projects\Bill\Town Center Tract 8\Town Center Tract 8\Town Center Tract 8.aprx



### **Distant Aerial**

Town Center Tract 8 is on 67 +/- acres and located on the east side of Town Center Boulevard starting at about Central Avenue and extending north for ½ mile.





## **Closeup Aerial and Request**

Hillpointe, LLC has submitted a Technical Site Plan for a multi-family rental community with 264 apartments, a clubhouse and amenity center.

Since it is over 100 residential units it is a Technical Site Plan - Tier 3 which goes to the PLDRB and City Council.

Owner recently completed Pointe Grande apartments on Pine Lakes Parkway N., located about <sup>3</sup>/<sub>4</sub> mile north of Palm Coast Pkwy NW.





# Future Land Use Map

Town Center is comprised of DRI-Urban Core (pink areas), Conservation (light green areas) and Canals (light blue).

North = Conservation and Canal East = Conservation South = Conservation and DRI-Urban Core West = DRI-Urban Core







### Zoning Map

Site is part of the Town Center PUD.

The two PSP zoned areas to the NW and South of the site are FPL facilities.



## Town Center DRI/PUD



Town Center DRI/ PUD is 1,600 +/- acres and originally approved in 2003. On this Plan the site is designated Urban

Center, which is intended for higher intensity uses in a pedestrian friendly

environment.



### **Overall Site Plan**





### Closeup of Development Area of Site Plan



# Site Development Requirements

<u>Criteria (per Urban Core Area of</u>	<u>Required</u>	<u>Provided</u>
Town Center PUD/LDC Standards)		
Maximum Building Height	80 feet	41 feet
Maximum Impervious Surface Ratio	0.85	0.14
Minimum Parking	505 parking spaces including 11 ADA spaces and 84 standard garages and 4 ADA garages plus 51 bicycle spaces	597 spaces including 24 ADA spaces, 84 standard garages and 4 ADA garages plus 52 bicycle spaces
Minimum Building Setbacks	Front (West):20 feetInterior Side (North):0 feetRear (East):20 feetInterior Side (South):0 feet	40 feet 100+ feet 100+ feet 100+ feet

Applicant has received approval from the Town Center Architectural Review Committee for this project.

Applicant's team will provide colored building elevations in their presentation.

> NOTE: See civil engineering, Gator Fire Protection, A4





A. Must not be in conflict with public interest.

<u>Findings</u>: The project is in the public interest as it is consistent with the Town Center DRI – Urban Core and Conservation designations on the FLUM and with the Town Center PUD.

B. Must be consistent with LDC and Comprehensive Plan.

<u>Findings:</u> Staff has determined it meets the LDC and the Comprehensive Plan. It supports five goals, policies, or objectives of the Future Land Use Element of the Comprehensive Plan as described on the following slides.



- Goal 1.1 Preserve the character of residential communities, prevent urban sprawl and protect open spaces and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.
- **Objective 1.1.4** Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.



• Policy 1.1.4.2 – The Master Planned Development (MPD) zoning district shall allow residential housing types to be mixed with retail, service, office, commercial and other land uses. Potential areas for MPD's are strategically located throughout the City to promote infill development and to maximize vehicular and pedestrian accessibility.



- **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.
- **Goal 1.2** Maintain the community's quality of life through preservation and enhancement of environmental and community resources.



C. Must not impose a significant liability or hardship on City.

<u>Findings</u>: It will not have these negative impacts on the City as the project already has the public infrastructure in place for the project and is considered infill development.

### D. Must not create an unreasonable hazard or nuisance.

<u>Findings:</u> The project will not create any issues that would arise to the level of being a hazard, nuisance or threat to the City's residents. The traffic study was based on 264 multi-family homes and estimated that 1,768 daily trips, 105 AM peak hour trips, and 134 PM peak hour trips will be generated. All roadway segments and intersections within the project's study area were shown to operate at an accepted LOS with the project's traffic included.



E. Must comply with all applicable government standards.

<u>Findings</u>: The project has met all other reviewing agencies standards. It will not impact any of the 21.29 +/- acres of wetlands located in its Conservation areas. No protected species were identified on the site by the project's environmentalist.



## **Public Participation**

- The LDC does not require a neighborhood meeting for this project.
- Per Table 2-2 of the LDC, neither orange signs are required to be posted or news ads required to be run to provide public notice of public hearings on Master Site Plans and Technical Site Plans.



Planning and Land Development Regulation Board (PLDRB)

The PLDRB reviewed this application at its regularly scheduled meeting at 5:30 p.m. on April 17, 2024.

By a 6 - 0 vote, the PLDRB found it in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code and recommended approval to City Council.

No one from the public spoke regarding this petition.



### Next Step

• Staff review of Building Permits



### Recommendation

The Planning and Land Development Regulation Board found this project in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code; and recommended approval to City Council of the Technical Site Plan Tier 3 for Town Center Tract 8, Application No. 5598.



### Applicant's team is in attendance.



#### RESOLUTION 2024-\_\_\_ TOWN CENTER TRACT 8 TECHNICAL SITE PLAN – TIER 3 APPLICATION NO. 5598

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING APPLICATION NO. 5598 TOWN CENTER TRACT 8 TECHNICAL SITE PLAN – TIER 3; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 21, 2023, Application No. 5598, (hereinafter "the application") was submitted by Hillpointe, LLC to the City of Palm Coast Community Development Department for approval of a Technical Site Plan - Tier 3 for a multi-family rental community with 264 homes and an amenity center on 67.81 +/- acres of land generally located north of Central Avenue on the East Side of Town Center Boulevard; 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 a meeting on April 17, 2024, and determined it was in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code, and recommended approval to the City Council by a 6 - 0 vote; and

### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:

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

(a). The City Council hereby approves the application for Town Center Tract 8 Technical Site Plan – Tier 3 for a multi-family rental community with 264 homes and an amenity center on 67.81 +/- acres of land generally located north of Central Avenue on the East Side of Town Center Boulevard, 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.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part 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 is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 21<sup>st</sup> day of May 2024.

ATTEST:

#### CITY OF PALM COAST

KALEY COOK, CITY CLERK

DAVID ALFIN, MAYOR

APPROVED AS TO FORM AND LEGALITY

MARCUS DUFFY, CITY ATTORNEY

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 TECHNICAL SITE PLAN TIER 3 DEVELOPMENT ORDER APPROVAL TOWN CENTER TRACT 8

On May 21, 2024, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

A Portion of Government Section 5, Township 12 South, Range 31 East, Flagler County, Florida.

(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: FLORIDA LANDMARK COMMUNITIES LLC 30 W SUPERIOR STREET DULUTH, MN 55802

Project Name:TOWN CENTER TRACT 8Project No.:2023070008Application Type:TECHNICAL SITE PLAN TIER 3Application No.5598

Requested Development Approval: Site Plan Approval for 264 Multi-Family Apartments (in accordance with stamped approved plans)

Zoning Classification: Master Planned Development FLUM: DRI-Urban Core and Conservation Parcel #'s: 05-12-31-0650-000A0-0013 Address #: 746 Town Center Blvd Parcel Acreage:67.81 +/-

#### SITE DEVELOPMENT DATA

**Building Use: Multi-Family Apartments** 

Bldg. Height: 41'

Total Bldg. Square Footage: 327,468

Number of Bldgs.: 10 Residential + 1 clubhouse

Total Units: 264

(Multi-Family Apartments)

Total Bldg. No.: 10	S.F. per Bldg.:	Units per Bldg.:
Building 1	28,821	24
Building 2	28,821	24
Building 3	28,821	24
Building 4	28,821	24
Building 5	43,122	36
Building 6	28,821	24
Building 7	28,821	24
Building 8	28,821	24
Building 9	43,122	36
Building 10	28,821	24

Parking Provided: 597 spaces including: 485 Standard Spaces, 24 Accessible Spaces, 84

Standard Garages, and 4 Accessible Garages

Club House SF: 10,656

**Bicycle Parking Spaces: 52** 

Density Proposed/Maximum: 3.89 units/per acre

Impervious Surface Ratio (ISR):14%

Pervious/Open Space: 86%

#### 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) Issuance of a Development Permit or Development Order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(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.

(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, parks & recreation and fire. This Development Order is limited to the land uses and associated development as listed below:

Description: Multi-Family; Unit Amount: 264 unit #'s

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 May 21, 2024.

Attest:

City of Palm Coast, Florida

Kaley Cook, CMC, FCRM, City Clerk

David Alfin, Mayor

\_\_\_\_Sign and Record

#### **Development Order Affidavit**

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

Project Name: TOWN CENTER TRACT 8 Application Type: TECHNICAL SITE PLAN TIER 3 Application No.: 5598

**COMES NOW,** FLORIDA LANDMARK COMMUNITIES 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 8:

FLORIDA LANDMARK COMMUNITIES LLC 30 W SUPERIOR STREET DULUTH, MN 55802

Authorized Signer

#### ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The s. for war as a line as line at		de deve d'he e <b>f</b> e ve v			
I DE TOPEDOIDO IDST	rument was acknow	leaded netore r	ne ny means	of novs	ical nresence
			ne, by means		
5 5		9	, <b>,</b>	_ / /	

or \_ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by

of FLORIDA LANDMARK COMMUNITIES 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

\_\_\_\_\_, 2024.

Notary Public



#### COMMUNITY DEVELOPMENT DEPARTMENT TECHNICAL SITE PLAN - TIER 3 STAFF REPORT FOR MAY 21, 2024 CITY COUNCIL PUBLIC HEARING

#### OVERVIEW

Project Name: Application Number: Property Owner:	Town Center Tract 8 AR # 5598 Hillpointe, LLC, 101 S, New York Ave, #211, Winter Park, FL
Applicant/Agent:	ETM, Inc., Jacksonville, FL
Size of subject property:	67.81 +/- acres
Location:	North of Central Avenue on the east side of Town Center Blvd.
Address:	746 Town Center Blvd.
Current FLUM designation:	DRI-Urban Core and Conservation
Current Zoning designation:	Town Center PUD
Current Use:	Vacant with existing master drainage stormwater ponds
Parcel ID #:	05-12-31-0650-000A0-0013

#### **REQUESTED ACTION**

The applicant has submitted a Technical Site Plan application for a multi-family rental community with 264 homes. Town Center Tract 8 is 67.81 +/- acres and located at 746 Town Center Boulevard. The project will be a key component of Town Center as it has about one-half mile of frontage along the east side of Town Center Boulevard and extends from Central Avenue to about one-fifth mile north of Imagine School.

The proposed apartment community has ten 3-story buildings with 24 or 36 units each plus a large clubhouse and amenity center. Since the project is over 100 residential units it is classified as a Tier 3 Technical Site Plan that requires review and recommendation by the Planning and Land Development Regulation Board (PLDRB) followed by review and determination by City Council.

#### **BACKGROUND/SITE HISTORY**

Hillpointe, LLC purchased the land on December 8, 2023. The developable area of the 67.81 +/- acres is located adjacent to the east side of Town Center Boulevard and existing stormwater ponds encompass the central area of the site. A large conservation area extends from the stormwater ponds to the north, east and south boundaries of the property. The stormwater ponds and conservation areas will provide some scenic views for residents to enjoy. The onsite conservation areas along with other conservation areas extending about 1/3 mile east to I-95 will also minimize much, if not most of the noise from I-95 traffic for residents.

This developer recently completed, and residents are now moving into the 300-unit Pointe Grand apartment complex along Pine Lakes Parkway North that is located about <sup>3</sup>/<sub>4</sub> mile north of

Palm Coast Parkway NW. Pointe Grand was reviewed by the PLDRB and approved by City Council in the first half of 2021.

#### LAND USE AND ZONING INFORMATION

The subject site is designated "DRI – Urban Core" and "Conservation" on the Future Land Use Map and as Town Center PUD on the Zoning Map. The Town Center PUD Land Use Map shows the subject property to be Tract 8 of this PUD and designated as "Urban Center" on the Town Center Master Development Plan Map and was intended to be developed for higher intensity uses in a pedestrian friendly environment.

The following table summarizes the general land use and zoning information:

Direction	FLUM Category	Zoning District
North	Conservation and Canal	Town Center PUD
East	Conservation	Town Center PUD
South	Conservation and DRI-Urban Core	Town Center PUD
West	DRI-Urban Core	Town Center PUD

#### SURROUNDING ZONING AND FLUM CATEGORIES

#### SITE DEVELOPMENT REQUIREMENTS

Site development for the property must be in accordance with the requirements of the Town Center PUD, the City of Palm Coast Land Development Code, and the City's Comprehensive Plan. The following table summarizes the basic development standards and how the proposed development project complies with these standards.

#### SITE DEVELOPMENT REQUIREMENTS

<b>Criteria</b> (per Urban Center Area of Town Center PUD and LDC)	Required	Provided
Minimum Development Site Area	4,000 sq. ft. (.092 acres)	67.81 +/- acres
Maximum Impervious Surface Ratio	0.85	0.14
Minimum Living Area	400 sq. ft.	1,021 sq. ft.
Maximum Building Height (per LDC) Minimum Building Height	80 feet 24 feet	41 feet 41 feet
Minimum Building Setbacks	Front (West):20 feetInterior Side (North):0 feetRear (East):20 feetInterior Side (South):0 feet	40 feet 100+ feet 100+ feet 100+ feet
Parking:	505 spaces including 11 for ADA and 84 standard garages, and 4 garages for ADA, plus 51 bicycle spaces	597 spaces including 24 for ADA, 84 standard garages, and 4 ADA garages, plus 52 bicycle spaces

#### TECHNICAL SITE PLAN PROCESS

The Technical Site Plan review application process is specified in Chapter 2, Section 2.11 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. The purpose of detailed site plan review is to ensure compliance with all development regulations; therefore, the level of detail shall be that of construction plans and technical specifications. The review is based not only on conformance to Code, but also conformance with any applicable approved master plan or Special Exception. Approval of the construction plans, and technical specifications represents the final development order. Therefore, approval of a Technical Site Plan Development Order authorizes an applicant to apply for a Site Development Permit to commence site work.

The application incorporates a review/approval process coordinated by and through City staff, the Planning and Land Development Review Board (PLDRB) and City Council based upon the scale of development. As provided in Table 2-1 of Sec. 2.04 of the LDC, non-residential projects with 40,001 to 100,000 square feet of gross floor area require review and approval from the PLDRB while projects over 100,000 square feet are heard and recommended by the PLDRB and then go to the City Council for final review and determination.

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

Prior to approval of a Development Order for a Technical 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**: The proposed development is not in conflict with or contrary to the public interest, as the site's specified land uses are consistent with the DRI – Urban Core and Conservation designations on the Future Land Use Map (FLUM) and with the Town Center PUD including its which will ensure it is not harmful to the public interest.

### *B.* The proposed development must be consistent with the provisions of the Land Development Code and the Comprehensive Plan;

**Planning Staff Finding:** The request will be consistent with all applicable portions of the LDC and the Comprehensive Plan. The following are a selection of five goals, policies and objectives from the Comprehensive Plan that the project supports:

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

- Chapter 1, Future Land Use Element: Objective 1.1.4 Discourage Urban Sprawl Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.
- Chapter 1, Future Land Use Element: Policy 1.1.4.2 The Master Planned Development (MPD) zoning district shall allow residential housing types to be mixed with retail, service, office, commercial and other land uses. Potential areas for MPD's are strategically located throughout the City to promote infill development and to maximize vehicular and pedestrian accessibility.
- Chapter 1, Future 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.
- Chapter 1, Future Land Use Element: Goal 1.2 Maintain the community's quality of life through preservation and enhancement of environmental and community resources.

### 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 and was provided by the Town Center DRI master developer so the City will not incur any expenses or hardships. This project is considered infill development which minimizes the City's costs on providing infrastructure.

### 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 project will not create any issues that would arise to the level of being a hazard, nuisance, or a threat to the City's residents. Below is the key traffic data.

<u>Traffic:</u> The traffic study was prepared based on 244 multi-family units and was expected to generate 1,768 daily trips, 105 AM peak hour trips and 134 PM peak hour trips. All roadway segments and intersections within the project's study area were shown to operate at an accepted LOS with the project's traffic included. No offsite roadway improvements are required by this development; however, the intersection of Town Center at Lake Ave will be improved to add a northbound left turn lane by the Legacy development.

### *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 plans and permit applications as required to the various agencies having jurisdiction, and has met all requirements of other applicable local, state and federal laws, statutes, ordinances, regulations and codes. Below is a summary of environmental issues.

<u>Environmental</u>: The project has 21.29 +/- acres of wetlands and this development has no impacts on those wetlands. The applicant's environmentalist has identified no protected species on the site and stated the likelihood of any occurring is low.

#### PUBLIC PARTICIPATION

This project does not meet the criteria for the applicant having a neighborhood meeting. Additionally, Technical Site Plans, including Tiers 2 and 3, do not require newspaper notification or the posting of the orange signs along the project's frontage.

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

The PLDRB reviewed this application at its regularly scheduled meeting at 5:30 PM on April 17, 2024, and by a 6 - 0 vote found it in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code and recommended approval to City Council. No one from the public spoke regarding this petition.

#### SUMMARY OF FINDINGS

Planning staff has reviewed this Technical Site Plan in detail and determined this infill project will meet all standards of the Comprehensive Plan, the Town Center PUD, and Land Development Code in order to issue a Development Order.

#### RECOMMENDATION

The Planning and Land Development Regulation Board found this project in compliance with the Comprehensive Plan, the Town Center PUD, and Land Development Code; and recommended approval to City Council of the Technical Site Plan Tier 3 for Town Center Tract 8, Application No. 5598.



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

0

2,000

Date: 2/1/2024

64


Subject Property

Map Provided by the Planning Division
Date: 2/1/2024

65

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

0

800 ⊒ Feet



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate, however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data. Document Path: H:\7.0 GIS\3.0 Projects\Bill\Town Center Tract 8\Town Center Tract 8\Town Center Tract 8.aprx



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate, however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# KEYMAP FOR TOPOGRAPHIC SURVEY

B. H. AND ASSOCIAT	ES SHEET 1 OF 9 7800 (TOPO)
21B UTILITY DRIVE – PALM COAST, FLORIDA – 32137 –	PHONE (904) 703-8799
I HEREBY CERTIFY THAT THIS TOPOGRAPHIC	SURVEY
PERFORMED UNDER MY RESPONSIBLE DIRECTION, MEETS THE STANDARDS OF PRACTIC CHAPTER 5J-17, FLA. ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLOR	CE FOR LAND SURVEYORS IN ACCORDANCE WITH
GIL D. HOWATT,	REGISTERED LANDTENTEVER FLA. NO. 4718 ENSEL BOSINESS NUMBER 7800
BEARING DATUM BASED ONBOUNDARY SURVEY BY B.H. AND ASSOCIATES	And Surveyor and Mining
FIELD BOOK NO.:, PAGE(S) LEGAL:	WORK ORDER NO.:
COMPLITED FILE NAME, TOWN CENTER COMMERCIAL TOPO SURVEY SCALE, $1^{*}=30^{\circ}$	

- NOTES:
- 2) THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY

- 4) LANDS SHOWN HEREON HAVE NOT BEEN ABSTRACTED FOR RIGHT-OF- WAY,

- LANDS SHOWN HEREON ARE CONSIDERED TO BE IN ZONE "X" AREAS DETERMINED TO

- INDIVIDUAL OR ENTITY WITHOUT AUTHORIZATION FROM GIL D. HOWATT #LS 4718.

		4 13 13
ADJACENT PROPERTY ZONED PUD		ala ala
	GARAGE 1 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 2 GARAGE 3 GARAGE	7 1 4
SIDEWALK ACCESS (CONNECT TO EXISTING SIDEWALK) WETLAND AREA TABLE TOTAL WETLAND 21.29 AC± AREA WETLAND IMPACT AREA REMAINING WETLAND 21.29 AC±	BIKE RACK (TYP)	
<ul> <li>PROJECT SUMMARY</li> <li>NUMBER OF ANTICIPATED PHASES: ONE</li> <li>TOTAL SITE AREA: 67.81 AC ± INCLUDING WETLANDS</li> <li>LIMITS OF CONSTRUCTION AREA: 19.94 AC ±</li> <li>NUMBER OF DWELLING UNITS: 264</li> <li>NUMBER OF PROPOSED BUILDINGS: 10 PLUS 1 CLUB HOUSE.</li> <li>TOTAL BUILDING IMPERVIOUS AREA = 3.11 AC± (4.59%; INCLUDES APARTMENTS, GARAGES, CLUBHOUSE/AMENITY CENTER, AND MAIL KIOSK)</li> <li>EXISTING &amp; PROPOSED ZONING: MPD</li> <li>LANDUSE: DRI URBAN CENTER AND DRI TOWN COMMONS</li> </ul>	ADJACENT PROPERTY ZONED PUD	HT-
9. VEHICULAR USE AREA: 4.86 AC $\pm$ (7.17%) 0. SIDEWALK AREA: 0.89 AC $\pm$ (1.31% OF SITE AREA)	BUILDING TYPE UNITS PER BUILDING INTERIOR CONDITIONED	

. TOTAL IMPERVIOUS AREA = 8.86 AC $\pm$  NOT INCLUDING POND OR WETLANDS (13.07%)

TOTAL PERVIOUS AREA: 58.95 AC $\pm$  (86.93%, INCLUDING PONDS AND

WETLANDS) 3. PARKING REQUIREMENTS PER CHAPTER 5

- 4. PROJECT LOCATED IN FEMA FLOOD ZONE X, PER FEMA MAP NO.12035C0230E, DATED: JUNE 6, 2018
- 5. SIGNAGE TYPE, LOCATION AND DIMENSIONS TO BE IN ACCORDANCE WITH ZONING FOR ALL LINE DIMENSIONS. 6. POTABLE WATER AND SEWER TREATMENT FACILITIES PROVIDED BY CITY OF
- PALM COAST.
- 7. HANDICAP PARKING SHALL MEET ADA REQUIREMENTS.
- B. ADA RAMPS WILL BE PROVIDED AT ALL SIDEWALK CONNECTIONS PROJECT DENSITY: 3.89 UNITS/ACRE
- UNITS PER BUILDING BUILDING TYPE SPACE PER UNIT (SF) BUILDING 1000 (3 STORIES) 24 1021.24 BUILDING 2000 (3 STORIES) 24 1021.24 BUILDING 3000 (3 STORIES) 24 1021.24 BUILDING 4000 (3 STORIES) 24 1021.24 BUILDING 5000 (3 STORIES) 36 1021.24 BUILDING 6000 (3 STORIES) 24 1021.24 BUILDING 7000 (3 STORIES) 24 1021.24 BUILDING 8000 (3 STORIES) 1021.24

24

36

24

1021.24

1021.24

BUILDING 9000 (3 STORIES)

BUILDING 10000 (3 STORIES)





Ref: 6026.02

# **TECHNICAL MEMORANDUM**

То:	Phong Nguyen, Senior Planner City of Palm Coast
From:	George Galan, PE
Date:	October 13, 2023
Subject:	Pointe Grand at Town Center – Site Access Analysis Palm Coast, Florida

### INTRODUCTION

LTG, Inc. has been retained by Hillpointe, LLC. to prepare a Site Access Analysis for the proposed Pointe Grand at Town Center of the Town Center Development of Regional Impact (DRI). The proposed development is located in the northeast corner of Town Center Boulevard at Central Avenue, in the City of Palm Coast, Florida. **Figure 1** shows the location of the project relative to the surrounding road network. The development will consist of 264 low-rise multifamily dwelling units. Build-Out of the proposed development is anticipated by the year 2027.

Access to the development will be provided via two full access driveways along Town Center Boulevard, one full access aligns with Lake Avenue and the second full access aligns with Kid City Day Care, Tract 13 development. A preliminary site plan is provided as **Exhibit A**. The intent of the traffic study is to provide site access analysis at the proposed driveway locations in order to evaluate the operational impacts of the development and determine access needs at the time of build-out. Concurrency has already been addressed for the proposed development through conditions and phasing criteria outlined in the Town Center DRI.

The analysis follows standards engineering and planning procedures outlined in the River to Sea Transportation Planning Organization (R2CTPO) Traffic Impact Analysis (TIA) Guidelines, and those adopted by the Florida Department of Transportation (FDOT) and City of Palm Coast.

### STUDY AREA

This analysis will include the following intersections and roadway segments as approved in the submitted methodology which is provided in **Exhibit B**.

Intersections:

- Town Center Boulevard at Central Avenue
- Town Center Boulevard at Southern Charter School Driveway
- Town Center Boulevard at Lake Avenue/Project Driveway 1
- Town Center Boulevard at Project Driveway 2

### Roadway Segments:

- Town Center Boulevard from Central Avenue to Lake Avenue
- Town Center Boulevard from Lake Avenue to Royal Palm Parkway

1049 Eber Boulevard, Suite 104 = Melbourne, FL 32904 = Phone 321.499.4679 = Fax 321.499.4680



Phong Nguyen October 13, 2023 Page 3

### **EXISTING CONDITIONS**

Turning movement counts (TMCs) were collected during the AM and PM peak hours on Tuesday, September 26, 2023, for all study area intersections. The 2022 FDOT Seasonal Factor (SF) for the week the data was collected. The raw count data and 2022 FDOT SF documentation are included as **Exhibit C**. The existing adjusted AM and PM peak hour volumes are presented in **Figure 2**.

### **Intersection Analysis**

The level-of-service (LOS) at an unsignalized intersection is based on the average stop delay per vehicle for the various movements within the intersection. The operating conditions at the existing intersection was evaluated using *Highway Capacity Software 2023 (HCS), Version 8.2.* This software utilizes the procedures outlined in Chapter 20 of the <u>Highway Capacity Manual</u>, 6<sup>th</sup> Edition, titled "Two-Way Stop Controlled Intersections". **Table 1** shows the resulting AM and PM peak hour LOS at the intersection under existing conditions. The HCS summary sheets are attached as **Exhibit D**.

-		AM Peak Hour					PM Peak Hour			
Intersection	Adopted LOS	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	
1. Town Center Boulevard at Central Avenue	D	EB	5.5	А	No	EB	6.5	А	No	
2. Town Center Boulevard at Southern Charter School Driveway	D	EB	14.5	В	No	EB	18.0	С	No	
3. Town Center Boulevard at Lake Avenue/Project Driveway 1	D	EB	16.0	С	No	EB	16.9	С	No	

### Table 1 Existing Intersection Analysis Pointe Grand at Town Center

As indicated in Table 1, the existing unsignalized intersections are currently operating within the adopted LOS under AM and PM peak hour conditions.





Phong Nguyen October 13, 2023 Page 5

### **Roadway Segment Analysis**

Roadway LOS describes the operating condition determined from the number of vehicles passing over a given section of roadway during a specified time period. It is a qualitative measure of several factors which include speed, travel time, traffic interruptions, freedom to maneuver, driver comfort, convenience, safety, and vehicle operating costs. Six LOS categories have been established as standards by which to gauge roadway performance, designated by the letters A through F. The LOS categories are defined as follows:

Level of Service A:	Free flow, individual users virtually unaffected by the presence of others
Level of Service B:	Stable flow with a high degree of freedom to select operating conditions
Level of Service C:	Flow remains stable, but with significant interactions with others
Level of Service D:	High-density stable flow in which the freedom to maneuver is severely restricted
Level of Service E:	This condition represents the capacity level of the road
Level of Service F:	Forced flow in which the traffic exceeds the amount that can be served

The 2021 Average Annual Daily Traffic (AADT) for the study area roadway segments was obtained from the *City of Palm Coast 2022 Transportation Facility Status Report* spreadsheet. The existing PM. peak hour two-way LOS for the study area roadway segments are shown in **Table 2**. As indicated, the study area roadway segments are currently operating within the adopted LOS.

Table 2 Existing Peak Hour Two-Way Segment Analysis Pointe Grand at Town Center

Roadway	Segment		No. of Lanes <sup>1</sup>	Adopted LOS	2021 AADT <sup>1</sup>	Existing PM Peak Hour Two-Way Volume <sup>1</sup>	Peak Hour Two-Way Capacity at Adopted LOS <sup>1</sup>	Existing PM Volume Exceeds Peak Hour Capacity?
Town Center Boulevard	Central Avenue	Lake Avenue	2	D	5,365	821	2,170	No
Town Center Boulevard	Lake Avenue	Royal Palms Pkwy	2	D	3,727	783	2,170	No

\*Number of Lanes, The Peak-Hour Two-Way Capacity, Adopted LOS, Peak-Hour Two-Way Volume was determined using Palm Coast's 2022 Transportation Facility Status Report.



Phong Nguyen October 13, 2023 Page 6

### **2027 FUTURE CONDITIONS**

Traffic is expected to increase due to local government approvals and planned projects within the study area of the project. The following section documents the methods used to project 2027 background traffic and project traffic under future conditions.

### Background Growth

The background growth along Town Center Boulevard and Central Avenue was determined using the last five years of historical AADT data obtained from the City of Palm Coast AADT Spreadsheet. The FDOT *Traffic Trends* analysis method was used to determine the historical annual growth rates for each segment. The resulting historical annual rate and applied growth rates used in the analysis are provided in **Table 3**. The Traffic Trends summary sheets are attached as **Exhibit E**.

Pointe Grand at Town Center											
Roadway	S	egment	Average Annual Growth Rate	Applied Growth Rate							
	Control Avenue		2.000/	0.000/							
Town Center	Central Avenue	Lake Avenue	3.33%	3.33%							
Boulevard	Lake Avenue	Royal Palms Pkwy	-2.72%	2.00%							

### Table 3 Historical Growth Rates Pointe Grand at Town Center

### **Project Trip Generation**

The daily, AM and PM peak-hour trip generation of the proposed development were determined by using the Institute of Transportation Engineers (ITE) <u>Trip Generation Manual</u>, *11<sup>th</sup> Edition*. The total trip generation for full build-out is shown in Table 4.

Table 4 Trip Generation Pointe Grand at Town Center

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Daily	Multifamily Housing (Low- Rise)	220	T=6.41(X)+75.31	264	DU	50%	50%	884	884	1,768
AM Peak Hour	Multifamily Housing (Low- Rise)	220	T=0.31(X)+22.85	264	DU	24%	76%	25	80	105
PM Peak Hour	Multifamily Housing (Low- Rise)	220	T=0.43(X)+20.55	264	DU	63%	37%	84	50	134

### **Project Trip Distribution**

The Central Florida Regional Planning Model, version 7 (CFRPM) was used to obtain the project trip distribution. The resulting project distribution and engineering judgement will be used to assign projects trips to the roadway network. The resulting distribution used to assign project trips to the network is shown in **Figure 3**.

### **Project Trip Assignment**

Using the project trip generation, trip distribution, and preliminary site plan the AM and PM peak hour project trips were assigned to the study area. **Figures 4 and 5** graphically depict the 2027 background volume, project volume, and total 2027 buildout volume assigned to the network for the AM and PM peak hours.









Phong Nguyen October 13, 2023 Page 10

### 2027 Intersection Analysis

The study area intersections were analyzed under 2027 future conditions to determine the operational LOS at the time of buildout. **Table 6** shows the projected LOS for the study area intersections under AM and PM peak hour conditions. The HCS worksheets are included as **Exhibit F**.

### Table 6 2027 Buildout Intersection Analysis Pointe Grand at Town Center

			AM Peak	Hour			PM Peak	Hour		
Intersection	Adopted LOS	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	Critical Approach	Delay (sec.)	LOS	V/C greater than 1.0?	
1. Town Center Boulevard at Central Avenue	D	EB	6.6	A	No	EB	8.0	Α	No	
2. Town Center Boulevard at Southern Charter School Driveway	D	EB	16.6	С	No	EB	22.4	С	No	
3. Town Center Boulevard at Lake Avenue/Project Driveway 1	D	WB	25.3	D	No	EB	26.3	D	No	
4. Town Center Boulevard at Project Driveway 2	D	WB	18.7	C	No	WB	21.7	C	No	

As shown in Table 6, the intersections within the study area are expected to operate within the adopted LOS, under buildout conditions.

### 2027 Roadway Segment Analysis

The study area roadway segments were analyzed under 2027 build-out conditions to determine the anticipated twoway peak hour LOS. **Table 7** presents the results of the PM peak hour two-way roadway segment analysis for the study area roadway segments under 2027 build-out conditions.



Phong Nguyen October 13, 2023 Page 11

Table 7
2027 Future Peak Hour Two-Way Segment Analysis
Pointe Grand at Town Center

Roadway	Se	gment	No. of Lanes	Adopted LOS	Existing PM Peak Hour Two-Way Volume	Growth Rate (# of Trips)	Vested Trips	Total 2027 Background Volume	Project Distribution	Project Trips	Total 2027 Build- Out Volume	Peak Hour Two-Way Capacity at Adopted LOS	Build-Out PM Volume Exceeds Peak Hour Capacity?
Town Center Boulevard	Central Avenue	Lake Avenue	2	D	821	164	52	1,037	68.8%	92	1,129	2,170	No
Town Center Boulevard	Lake Avenue	Royal Palms Pkwv	2	D	783	94	52	929	31.3%	42	971	2,170	No



Phong Nguyen October 13, 2023 Page 12

### Access Review

Access to the development will be provided via two full access driveways along Town Center Boulevard, one full access aligns with Lake Avenue and the second full access aligns with Kid City Day Care, Tract 13 development. The warranting criteria, storage length and taper length for exclusive turn lanes at each access driveway was evaluated using the *Palm Coast Draft Turn Lane Technical Guidelines*, dated November 10<sup>th</sup>, 2020 (**Exhibit G**). The results of the turn lane evaluation are provided below under build-out roadway conditions at the proposed project driveway:

Roadway Characteristics and Turn Lane Thresholds:

- Posted speed limit 30-35 miles per hour (mph),
- 2-Lane Roadway with AADT over 5,000,
- Left-turn Lane threshold = 25 left-turn vehicles (LTV) during the peak hour,
- Right-turn Lane threshold = 100 right-turn vehicles (RTV) during the peak hour.

Based on the criteria noted above, an exclusive left-turn and right-turn Lane are not warranted at the project driveways.



Phong Nguyen October 13, 2023 Page 13

### CONCLUSION

A site access analysis was conducted to evaluate the access requirements for the Pointe Grand at Town Center development in Palm Coast, Florida. The results of the analysis are summarized below:

- The development will consist of 264 low-rise multifamily dwelling units.
- Access to the development will be provided via two full access driveways along Town Center Boulevard, one full access aligns with Lake Avenue and the second full access aligns with Kid City Day Care, Tract 13 development.
- The development is anticipated to generate 1,768 daily trips, 105 AM peak hour (enter/exit) trips, and 134 PM peak hour (enter/exit) trips.

### **Existing Conditions**

• Under existing conditions, the unsignalized study area intersections and roadway segments are operating within the adopted LOS under peak hour conditions.

### **Build-Out Conditions**

• Under build-out conditions, the unsignalized study area intersections and roadway segments are operating within the adopted LOS under peak hour conditions.

### **Access Review**

Based on the City of Palm Coast's Turn Lane Guidelines, the peak hour left turn and right turn threshold warrants for a two-lane roadway with a posted speed limit of 30-35 mph and an AADT over 5,000 is 25 and 100, respectively. The anticipated peak hour left turn volumes (16) and right turn volumes (36) at the project driveways do not warrant exclusive turn lanes.





June 30, 2023

Kyle Webb, PE Hillpointe, LLC 101 South New York Avenue, Unit 211 Winter Park, FL 32789 BY EMAIL: <u>Kwebb@hillpointe.com</u>

> SUBJECT: Environmental Assessment +/- 67.81-acre Vacant Parcel, Town Center Blvd Palm Coast, Flagler County, Florida PIN: 05-12-31-0650-000A0-0013

Dear Mr. Webb,

Thank you for contacting Carter Environmental Services (CES). We appreciate the opportunity to be of service to you. The purpose of our work on the referenced property was to determine if there are any natural resource concerns that could potentially affect future development of the site. Specifically, this environmental assessment was focused on assessing the presence of or potential utilization by any threatened, endangered, or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC). The results of this environmental assessment follow. Also, note that a regulatory conservation easement (CE) exists over the site's wetlands as well as some uplands on the eastern portion of the property. The CE was established under St. Johns River Water Management District (SJRWMD) Environmental Resource Permit (ERP) 88948-10 in October 2006.

I trust that this information will be helpful in your preliminary planning. Please contact me if you have any questions or need additional information.

Sincerely,

Ryan A. Carter, PWS Vice President

Enclosures: Location Map – Figure 1 Soils Map – Figure 2 FLUCFCS Map – Figure 3 SJRWMD Regulatory Conservation Easement – Figure 4 FWC Bald Eagle Nest Locator Map – Figure 5 FNAI Biodiversity Matrix



# 1.0 CURRENT SITE CONDITIONS

SJRWMD issued Individual ERP 88948-2 (under the name Town Center at Palm Coast) for the project area and adjoining properties in October 2004. A regulatory conservation easement (CE) was established on the eastern, northern, and southern portions of the property under SJRWMD permit 88948-10 in October 2006 (Figure 4). The subject property and surrounding parcels were cleared and graded in 2005-2006 (except for within the CE). The permitted area adjacent to the west of the property, beyond Town Center Blvd., was developed with a public charter school around 2010 that still exists today.

The subject property totals approximately 67.81 acres and is generally bound by vacant, wooded commercial land (including wetlands) to the north, east, and south, and by Town Center Blvd., followed by Imagine School at Town Center and cleared, vacant commercial and municipal parcels to the west (Figure 1). More specifically, the property is located in Section 5, Township 12 South, Range 31 East in Flagler County, Florida. On inspection, the property was observed to be comprised of both uplands and wetlands, as well as areas of open water, with two upland community types and two wetland communities as documented by CES biologists. The observed species within the onsite communities were consistent with what is frequently found in cleared uplands/protected wetlands in the area. The western portion of the site, which is composed almost entirely of uplands, appears to be regularly mowed and maintained.

# 1.1 Wetlands

Freshwater forested wetlands are present on the eastern, northern, and southern extents of the property. A regulatory conservation easement (CE) was established over these areas under SJRWMD permit 88948-10 in October 2006 (Figure 4).

# 1.2 Soils and Hydrology

Following a literature review, four (4) soil types were mapped on-site (Figure 2). CES biologists were able to verify the presence and general extent of these soils on-site and they are consistent with the soil types found in the vicinity.

# **1.3** Vegetative Communities

CES characterized the habitat types on-site using the Florida Department of Transportation's *Florida Land Use Cover Form Classification System* (FLUCFCS). The locations and acreages of each type are depicted on the enclosed FLUCFCS Map (Figure 3).

CES staff noted two upland habitat types/land classifications occurring on the property. Descriptions of these communities are as follows:

<u>Open Land (FLUCFCS 190)</u> - This category includes undeveloped land within urban areas and inactive land with street patterns but without structures. Open Land normally does not exhibit any structures or any indication of intended use. Often, urban inactive land



may be in a transitional state and ultimately will be developed into one of the typical urban land uses although at the time of the inventory, the intended use may be impossible to determine from aerial photo interpretation alone. On the subject property, this is the dominant land type and is comprised of a level, regularly mowed and maintained expanse west of the stormwater ponds on site that contains various grasses including invasive cogongrass (*Imperata cylindrica*).

<u>Pine Flatwoods (FLUCFCS 411)</u> – This community has a canopy dominated by slash pine (*Pinus elliottii*), with much lesser amounts of sweetgum (*Liquidambar styraciflua*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), and Brazilian pepper (*Schinus terebinthifolia*). The understory and groundcover are vegetated with wax myrtle (*Myrica cerifera*), yaupon holly (*Ilex vomitoria*), bitter gallberry (*Ilex glabra*), saw palmetto (*Serenoa repens*), and bracken fern (*Pteridium aquilinum*).

CES staff noted two wetland habitat types occurring on the property. Descriptions of these communities are as follows:

<u>Cypress (FLUCFCS 621)</u> – This community has a canopy and understory of bald cypress (*Taxodium distichum*), with lesser amounts of sweetgum, red maple (*Acer rubrum*), dahoon holly (*Ilex cassine*), and cabbage palm. The groundcover is vegetated with cinnamon fern (*Osmunda cinnamomea*), Virginia chain fern (*Woodwardia virginica*), and lizard's-tail (*Saururus cernuus*).

<u>Wetland Forested Mixed (FLUCFCS 630)</u> – This community has a mixed canopy of slash pine, dahoon holly, loblolly bay (*Gordonia lasianthus*), red maple, bald cypress, cabbage palm, and sweetgum. The understory and groundcover are vegetated with highbush blueberry (*Vaccinium corymbosum*), Virginia chain fern, and pipewort (*Eriocaulon* spp.).

CES staff noted one open water land classification occurring on the property. A description of this community is as follows:

<u>Stormwater Ponds < 10 acres (FLUCFCS 534)</u> – Two manmade, semi-maintained stormwater ponds are located on the subject property, generally running north-south through the center of the property. The ponds are part of permit number 88948-2.

# 2.0 PROTECTED SPECIES

A preliminary detailed characterization of the project site was conducted to identify probable habitat types and conditions on the site. References included the *Soil Survey of Flagler County, Florida,* aerial photographs, and the U.S. Geological Survey topographic map.

A review of federally and state-listed wildlife species was conducted using the most recent lists of endangered and threatened species for Flagler County, Florida. The lists were obtained from the following references:



- U.S. Fish and Wildlife Service (FWS) Flagler County Federally Listed Species, 2022.
- Florida Fish and Wildlife Conservation Commission (FWC) FWC 2018 list of Imperiled Species.
- Florida Natural Areas Inventory (FNAI)

Biodiversity Matrix online database. 2022. (See attached)

Based on these sources, a preliminary list of potentially occurring wildlife species was developed by understanding the preferred habitat for each of the species and the probability of the habitat occurrence in the project area. Biologists then conducted a limited pedestrian survey of the property to look for the presence of or potential utilization by any threatened, endangered or species of special concern (SSC) as listed by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission (FWC). The western portion of the site was cleared more than 15 years ago and appears to have been regularly mowed/maintained since, and at the site inspection remained free of vegetation except mostly nonnative grasses, limiting the available habitat for any native species there. Species, or evidence of such species (e.g., tracks or burrows), that were observed during the site visit included white-tailed deer (Odocoileus virginianus), American alligator (*Alligator mississippiensis*), American coot (*Fulica americana*), black vulture (*Coragyps atratus*), nine-banded armadillo (*Dasypus novemcinctus*), great blue heron (*Ardea Herodias*), and various songbirds.

# 2.1 Protected Animal Species

# **2.1.1 Gopher Tortoise** (*Gopherus polyphemus*)

CES determined it to be unlikely for gopher tortoises to exist on the site based on the mapped/observed soils and ongoing site disturbance, and no tortoise burrows or likely habitat were identified during the site review. The likelihood of any tortoises utilizing this site is low.

Additionally, CES did not observe any of the known protected communal species, which utilize the burrows for shelter and foraging grounds. These include the Florida mouse (*Podomys floridanus*), the eastern indigo snake (*Drymarchon corais couperi*), Florida pine snake (*Pituophis melanoleucus mugitus*), and the gopher frog (*Rana capito*).

# 2.1.2 Wading Birds

A review of the current FWC internet database of wading bird colonies (FWC Wading Bird Rookeries, 2022) revealed no known colonies within a one-mile radius of the subject property. Additionally, the property is not located within a wood stork (*Mycteria*)



*americana*) foraging area, and the site wetlands already are protected from development/impacts due to an existing conservation easement.

### 2.1.3 Bald Eagle (Haliaeetus leucocephalus)

Using the FWC Eagle Nest Locator Database (2022), CES found four bald eagle nests on record within a five-mile radius the property boundaries, but the nearest nest (FL007) was located approximately 2.6 miles east-northeast of the property boundary (Figure 5). Further, no nests were located by CES biologists, and the likelihood of any bald eagles utilizing this site is very low. While the bald eagle is not listed as threatened, endangered or as an SSC, it is protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Based on these acts, certain activities are regulated by FWS when they occur near an active nest during nesting season (1 October to 15 May).

### 2.2 Protected Plant Species

In addition to protected animal species, CES biologists reviewed the site for protected plant species, none of which were observed. No coordination would be required with any regulatory agency if protected plant species were observed in the future. Currently no regulations exist for protected plant species occurring on privately owned land, unless the landowner is harvesting and engaging in the commercial sale of the protected plant species.

### 3.0 <u>FUTURE DEVELOPMENT</u>

### 3.1 Federal Permitting

### 3.1.1 U.S. Army Corps of Engineers (ACOE)

As of December 2020, the state (DEP) assumed authority to issue permits in the state under Section 404 of the federal Clean Water Act. Following the state assumption of Section 404 responsibilities, however, ACOE still retains jurisdiction over navigable and coastal waters, including wetlands less than 300 feet from navigable/tidal waters. CES asserts that this area does not fall under current ACOE jurisdiction. **No coordination will be required with ACOE at this time**.

### 3.1.2 U.S. Fish and Wildlife Service (FWS)

FWS handles permitting associated with adverse impacts to federally listed wildlife or its habitat. Generally, separate coordination is required with FWS and federal permits are contingent upon receiving authorization from FWS. There are no anticipated impacts to any federally listed species at this time, and no coordination will be necessary with FWS.



### 3.2 State Permitting

### 3.2.1 St. Johns River Water Management District (SJRWMD)

Most new developments require a permit from SJRWMD. The type of permit required varies with the project acreage and acreage of wetland impact proposed. Many new developments that entail less than one acre of wetland impact will require a Standard Environmental Resource Permit. This permit is typically staff approved and frequently takes three to five months to process.

Developments that entail more than one acre of wetland impact will require an Individual Environmental Resource Permit. This permit is approved by SJRWMD staff and frequently takes seven months or more to process.

Additionally, SJRWMD requires that the applicant provide reasonable assurance that the proposed development will not cause adverse secondary impacts to the remaining wetlands on-site. An undisturbed upland buffer (minimum 15-foot width and 25-foot average width) around the remaining wetlands on-site is commonly used to provide assurance to SJRWMD that secondary impacts will not occur. SJRWMD issued Individual ERP 88948-2 for the project area and adjoining properties in October 2004, with the regulatory CE established on the eastern portion of the property under SJRWMD permit 88948-10 in October 2006. Because wetlands and stormwater features are present, an environmental resource permit will be required for any proposed future project on the site, requiring coordination with SJRWMD.

# 3.2.2 Florida Department of Environmental Protection (DEP)

Following the state (DEP) assumption of Section 404 responsibilities in December 2020, DEP now has permitting responsibility for non-navigable and non-coastal waters, including wetlands more than 300 feet from navigable/tidal waters. Assuming no impacts to DEP jurisdictional wetlands are proposed, a DEP 404 permit will not be required.

### 3.2.3 Florida Fish and Wildlife Conservation Commission (FWC)

FWC handles permitting associated with adverse impacts to state listed wildlife or its habitat. Generally, separate coordination is required with FWC and state permits are contingent upon receiving authorization from FWC. As no listed species have been observed on the site, no coordination will be required with FWC at this time.



### 3.3 Local Permitting

### 3.3.1 City of Palm Coast

In addition to any State and Federal permitting required for the project, coordination will be required with the City of Palm Coast. Wetland impacts are typically assessed by the City, with emphasis placed on avoiding impacts to higher-quality wetlands and concentrating any wetland impacts to areas that provide a lesser ecological value. Impacts to higher-quality wetlands may not be allowed. Figure 3 depicts the onsite wetlands. Assuming there are no wetland impacts proposed, which would likely require an amendment to the existing CE, a wetland quality assessment with the City will not be necessary.

# 4.0 <u>RECOMMENDATIONS</u>

Based on the assessment outlined above, this project has avoided many of the environmental issues associated with new developments, and demonstrates responsible development practices by avoiding impacts to any wetlands. In addition to wetland avoidance, no protected species have been identified onsite, and the likelihood of any occurring is low.

Please call me at (904) 540-1786 if you have any questions or need additional information.











### Florida Natural Areas Inventory Biodiversity Matrix Query Results UNOFFICIAL REPORT Created 12/29/2022

(Contact the FNAI Data Services Coordinator at 850.224.8207 or kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

### Report for 1 Matrix Unit: 50529



### Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

- LIKELY The species or community is known to occur in this vicinity, and is considered likely within this Matrix Unit because:
- 1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; or

2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

### Matrix Unit ID: 50529 0 Documented Elements Found

### 0 Documented-Historic Elements Found

3	Likely	Flements	Found

5 Likely Elements Found						
Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing		
Mesic flatwoods	G4	S4	N	N		
Scrub	G2	S2	N	Ν		
<u>Ursus americanus floridanus</u> Florida Black Bear	G5T4	S4	Ν	Ν		

### Matrix Unit ID: 50529

21 Potential Elements for Matrix Unit 50529				
Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<u>Aphelocoma coerulescens</u> Florida Scrub-Jay	G2?	S1S2	т	FT
Asplenium x heteroresiliens Morzenti's spleenwort	G2	S1	Ν	Ν
<u>Calopogon multiflorus</u> many-flowered grass-pink	G2G3	S2S3	Ν	т
<u>Centrosema arenicola</u> sand butterfly pea	G2Q	S2	Ν	E
Chamaesyce cumulicola sand-dune spurge	G2	S2	Ν	E
<u>Conradina grandifiora</u> large-flowered rosemary	G3	S3	Ν	т
Corportinus rafinesquii Rafinesque's Big-eared Bat	G3G4	S1	Ν	N
<u>Drymarchon couperi</u> Eastern Indigo Snake	G3	S2?	т	FT
Floodplain swamp	G4	S4	N	N
<u>Gopherus polyphemus</u> Gopher Tortoise	G3	S3	С	ST
<u>Gymnopogon chapmanianus</u> Chapman's skeletongrass	G3	S3	Ν	N
<u>Helianthus carnosus</u> lake-side sunflower	G1G2	S1S2	Ν	E
<u>Heterodon simus</u> Southern Hognose Snake	G2	S2S3	Ν	Ν
Lechea cemua nodding pinweed	G3	S3	Ν	т
Lechea divaricata pine pinweed	G2	S2	Ν	E
<u>Litsea aestivalis</u> pondspice	G3?	S2	Ν	E
<u>Matelea floridana</u> Florida spiny-pod	G2	S2	Ν	E
<u>Nemastylis floridana</u> celestial lily	G2	S2	Ν	E
Neofiber alleni Round-tailed Muskrat	G2	S2	Ν	N
Nolina atopocarpa Florida beargrass	G3	S3	Ν	т
<u>Pteroglossaspis ecristata</u> giant orchid	G2G3	S2	Ν	т

### Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a Standard Data Request option for those needing certifiable data.







NOTE:

See civil engineering, Gator Fire Protection, A4, DA4 and cover sheet for locations of the fire supprssion riser room at building ends.



Scale: 1/8"=1'-0"

**BUILDING END ELEVATION** 










**REVISION**:



## **GENERAL - APPLICATION**

DATE 11/20/2023

APPLICATION TYPE TECHNICAL SITE PLAN TIER 3

PROJECT NAME		Pointe Grand Town Center					
LOCATION OF SUBJECT PROPERTY							
(PHYSICAL ADDRESS)							
PROPERTY APPRAISER'S		05-12-31-0650-000A0-0013					
PARCEL NUMBER							
LEGAL DESCRIPTION		67.81 AC DESC AS LYING WLY OF I-95, ELY ALONG ELY ROW TOWN CENTER BLVD, LYING N AND WLY ALONG TRACT G, TOWN CENTER PHASE 1 AND SLY BNDRY IS ALSO NLY BNDRY OF LOT 25 TOWN CNTR					
SUBDIVISION NAME			1	1			
SECTION	05		ВLOCK	000A0		Lot	0013
Pr	OPERTY ACRES	68			PROPERTY	SQ FT	2962080
FUTURE LAND USE MAP DESIGNATION		EXISTING ZONE		EXISTING ZONE DIS	STRICT		
Overlay District							
COMMUNITY PANEL NUMBER		MAP PANEL DATE					
FLOOD ZONE							
PRESENT USE OF PROPERTY							
	Descrif	TION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS)					
264 Unit Apa	rtment Deve	elopme	nt with Associate	ed Infrastr	ucture		
PROPOSED NUMBER OF LOTS				IS THER	E EXISTING MORTO	GAGE?	No



Owner	APPLICANT / AGENT
Name: FLORIDA LANDMARK COMMUNITIES LLC	Name: HILLPOINTE LLC
Mailing Address: 30 W SUPERIOR STREET 30 W SUPERIOR STREET DULUTH, MN 55802	Mailing Address: 101 S. NEW YORK AVENUE, SUITE 211 WINTER PARK, FL 32789
Phone Number: (561) 252-9905	Phone Number: (303) 656-8506
E-mail Address: JEFF@DOUGLASPD.COM	E-mail Address: NEVERLY@HILLPOINTE.COM
Mortgage Holder	ENGINEER OR PROFESSIONAL
Name:	Name: DANIEL WELCH
Mailing Address:	Mailing Address: 14775 OLD ST. AUGUSTINE ROAD JACKSONVILLE, FL 32258
Phone Number:	Phone Number: (904) 265-3214
E-mail Address:	E-mail Address: WELCHD@ETMINC.COM
Агснітест	TRAFFIC ENGINEER
Name:	Name: MATT WEST
Mailing Address:	Mailing Address: 1450 WEST GRANADA BLVD, SUITE 2 ORMAND BEACH, FL 32174
Phone Number:	Phone Number: (386) 257-2571
E-mail Address:	E-mail Address: MWEST@LTG-INC.COM
SURVEYOR	LANDSCAPE ARCHITECT
Name: B.H. AND ASSOCIATES	Name: MIKE MILLER
Mailing Address: N/A N/A, FL N/A	Mailing Address: 14775 OLD ST. AUGUSTINE ROAD JACKSONVILLE, FL 32258
Phone Number: (904) 703-8799	Phone Number: (904) 265-3156
E-mail Address: BHANNON.BHASURVEYING@COMCAST.NET	E-mail Address: MILLERM@ETMINC.COM
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 <u>2016 Florida Statutes Title XXXIX Chapter 668 Section 50</u>

## Signature of Property Owner or Applicant