

Prepared by:

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Return to:

City of Palm Coast, City Clerk  
160 Lake Avenue  
Palm Coast, FL 32164

**LAKEVIEW ESTATES**  
**FIRST AMENDMENT TO THE**  
**MASTER PLANNED DEVELOPMENT AGREEMENT**

THIS, FIRST AMENDMENT TO THE MASTER PLANNED DEVELOPMENT AGREEMENT, (hereinafter referred to as the “Amendment”) is made and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by and between the **CITY OF PALM COAST**, a Florida municipal corporation (herein referred to as the “City”), whose address is 160 Lake Avenue, Palm Coast, Florida 32164 and **MATANZAS GC PALM COAST, LLC**, a Florida limited liability company (herein referred to from time-to-time as the “Owner” regardless of whether singular or plural ownership status) whose address is 200 Ocean Crest Drive, Unit 1111, Palm Coast, Florida 32137.

**RECITALS**

1. On or about January 19, 2023, the City approved the Lakeview Estates Master Planned Development Agreement (the “MPD”).
2. Pursuant to the citizen survey dated June 19 and 20, 2023, City desires to own, permit and develop a park for the residents of Palm Coast.
3. The Owner desires to convey to the City sufficient lands for purpose of a park and amend the PUD to allow for areas of the property to be developed consistent with the present densities and intensities.

4. The City and Owner enter into this Amendment to the MPD to achieve their respective goals and objectives.
5. The Planning and Land Development Regulation Board (“PLDRB”) and City staff of the City of Palm Coast have recommended approval of this Ordinance and the PLDRB has found this requested change consistent with the City of Palm Coast Comprehensive Plan;
6. The City of Palm Coast City Council (“City Council”) has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of City staff, and the recommendation of the PLDRB, which voted \_\_\_\_ to recommend approval at their regularly scheduled meeting conducted on \_\_\_\_\_, 2025; and
7. The City Council held duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Palm Coast Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and
8. The City Council hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

**NOW THEREFORE**, it is resolved and agreed by and between the City and the Owner that the Owner’s application for an Amendment to the MPD is approved, and the parties agree to the following:

**FINDINGS OF FACT:**

- (a) The aforementioned recitals are taken as true, incorporated herein by reference and made a material part of this Amendment.
- (b) This Amendment is consistent with (1) the State’s Comprehensive Plan as set forth in Chapter 187, Florida Statutes and (2) the City’s Comprehensive Plan.
- (c) The public hearing to consider this Amendment was properly noticed and held by the City Council pursuant Florida State law and the City’s Land Development Code.

**CITY COMMUNITY PARK:**

At no cost to the City and not subject to City Park Impact Free Credits, the Owner shall convey to the City approximately fifteen (15) acres on a tract of land (the "City Park Site") as generally depicted on Amended Conceptual Site Plan (Ex. "A") which replaces the Conceptual Site Plan in the MPD. Said conveyance shall take place within one hundred twenty (120) days of execution of this Amendment. The conveyances of lands pursuant to the Amendment shall be free from all encumbrances except easements, reservations, and restrictions acceptable to each other, together with all appurtenances pertaining to the conveyance. Owner will prepay taxes for the year of closing pursuant to Fla. Stat. 196.295. and all special assessments which may have been levied or certified prior to closing on the City Park Site. Sixty (60) days before Closing, the Owner will cause the title company of its choice to issue and deliver to City ALTA title commitments to issue a policy in the amount of the assessed value of the City Park Site, accompanied by one copy of each document supporting any exceptions to the title commitment. The Owner will execute a standard form owner's affidavit and such other affidavits as may be reasonably required by the City, the Title Company, or the Closing Agent. The Owner will also execute an Affidavit of interest in Real Property pursuant to Fla. Stat. 286.23. The Owner will execute affidavits declaring that City Park Site does not currently contain any Hazardous Substances in violation of any applicable environmental laws or regulations, including but not limited to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act. 42 U.S.C. Section 9601 et seq.. any "super lien" laws, any super fund laws, or similar federal or state laws, or any successor statutes ("Environmental Laws"), nor to Owner's knowledge has any clean-up of their properties occurred pursuant to the Environmental Laws which could give rise to liability to reimburse any governmental authority for the costs of such clean-up or result in a lien or encumbrance.

**SECTION 4 PROJECT DESCRIPTION.**

Section 4 “Project Description” of the MPD shall be deleted in its entirety and replaced with the following:

The Subject Property has three (3) Comprehensive Plan FLUM designations, Greenbelt on approximately 260 +/- acres Mixed Use (20 +/-acres) and Conservation on approximately .19 +/- acres. The current MPD zoning on the property will be maintained and this Development all development on the Subject Property as defined herein. Consistent with the Comprehensive Plan and the Greenbelt FLUM, residential units may be developed at one unit per acre. The project proposes 20 +/- acres of Mixed Use FLUM for commercial uses within the Tract 9 As a result, 260 residential units are permitted to be clustered within the remaining 260.0 +/- acres of Greenbelt FLUM at the Owner’s discretion. The Owner may develop a residential and commercial development as depicted on the Lakeview Estates Conceptual Master Plan, attached hereto as **Exhibit “B”** and as further defined herein (“Project”). **Exhibit “B-1”** through **Exhibit “B-8”** further define the project and illustrate allowable uses within each Tract. The uses on each Tract (shall be as follows which are consistent with the Conceptual Site Plan:

TRACT	USE	LDC Designation to be used for Development Standards purposes only
1	Uses on this tract will be single-family residential homes along with View Protection Zones (VPZ), wetland preservation, stormwater pond creation, and community amenities including exterior storage of boats and RVs exclusively for residents residing in the community that will be totally screened from view from off-site properties, Lakeview Boulevard and London Drive.	SFR-1
2	Uses on this tract primarily consist of View Protection Zones, wetlands, natural buffers, and stormwater ponds. In addition, the	SFR-2 and P&G

	property is limited to single family residential dwellings, view protection zones, natural buffers, and stormwater ponds.	
3	Uses on this tract primarily consist of single-family residential homes, View Protection Zones, wetlands, natural buffers, and stormwater ponds.	SFR-2 or P&G
4	Uses on this tract primarily consist of View Protection Zones/conservation, and wetlands. The property is limited to single family residential dwellings.	SFR-2 and P&G
5	This Tract is designated as a View Protection Zone/conservation.	P&G
6	Uses on this tract primarily consist of View Protection Zones, wetlands, natural buffers, and stormwater ponds.	P&G
7	Uses on this tract primarily consist of View Protection Zone, wetlands, natural buffers, stormwater retention, and an existing pond. In addition, the property is limited to single family residential dwellings, view protection zones, natural buffers, stormwater retention and the existing pond.	SFR-2 and P&G
8	Use of this Tract is limited to a City Park, View Protection Zones, and existing pond. FLUM areas designated Conservation shall be field verified prior to development and the boundaries between the Greenbelt and Conservation areas shall be modified accordingly on the FLUM.	P&G
9	Use of this Tract will be limited to 20 acres of commercial uses meeting the COM-2 zoning standards except the maximum building height shall be 35 feet and there shall be a minimum View Protection Zone of 100 feet in width along its eastern property line where it abuts the rear of all existing platted residential lots. All remaining areas include View Protection Zones, new and existing ponds, and natural buffers. This Tract shall also provide Emergency access to US Highway 1 from London Drive.	COM-2 & P&G
10	Use of this Tract is limited to single family residential units with View Protection Zones.	SFR-2

1. TRACT 1: Tract 1 shall be permitted to develop into a single family detached residential community consistent with the City's SFR-1 and SFR-2 zoning district standards and as depicted on the Conceptual Plan. This community will contain its own private amenities which may include a club house, pools, activities room, exercise trails and self-storage of boats and recreational vehicles limited to residents use only. It shall have two (2) entrances onto Lakeview Drive. Stormwater ponds will be developed on site to contain all runoff as required by Federal, State and City rules. In the areas that abut existing residential platted lots, a View Protection Zone ("VPZ") will be required (See Section 10.7). Prior to application for Subdivision Master Plan or Site Plan Approval, an applicant shall ensure that the VPZ is designed in such a fashion that it maintains the Lot Owners' view of the Subject Property consistent with the City's Land Development Code (LDC). Also prior to the above-mentioned application, an applicant shall demonstrate that Tract 1 is or shall be free from environmental hazards and safe for human occupation as regulated by Federal, State and local law including, but not limited to, the Florida Department of Environmental Protection ("FDEP"). The existing golf course maintenance building may be utilized during construction of the residential community on Tract 1 but shall be removed prior to completion of the infrastructure for the residential community.

2. TRACT 2: Tract 2 shall be maintained as a VPZ except for the area depicted on **Exhibit "B-2"** Tract Plan for single family residential lots. The single family residential area shall be developed consistent with the SFR-2 zoning district standards as provided herein. As a condition of approval of these lots, a VPZ shall be provided to specifically address the adjacent existing single-family platted lots. Stormwater retention is allowed.

3. TRACT 3: Tract 3 is designated as fifty (50) foot VPZ, [SFR-2], P&G, natural buffers, and stormwater retention. Moreover, development of Tract 3 shall be limited to include

two (2) access points and shared driveway to Lakeview Blvd. The VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee.

4. TRACT 4: Tract 4 shall be mostly preserved as a natural area through the use of VPZs and Conservation Easements over existing wetlands. The on-site wetlands are intended to be preserved and, if impacted, avoidance and minimization techniques will be required pursuant to Federal, State and local law. Consistent with **Exhibit “B-4”** Tract Plan, some single-family residential lots may be developed consistent with SFR-2 zoning designation standards or larger lots, however they will be required to provide a fifty (50) foot VPZ if behind existing platted residential lots.

5. TRACT 5: Tract 5 shall be a VPZ. No development shall be permitted on Tract.

6. TRACT 6: Tract 6 shall be a VPZ and stormwater.

7. TRACT 7: Tract 7 shall be maintained as a fifty (50) foot VPZ except for the areas depicted on **Exhibit “B-6”** Tract Plan for single family residential lots, or stormwater retention. The single family residential areas shall be developed consistent with the SFR-2 zoning district and shall provide a VPZ behind existing platted residential lots. The VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee.

8. TRACT 8: Tract 8 shall be permitted to be developed consistent with the City Park site described on Page 3, the development standard for the LDC zoning classification of PRS.

No development on this tract shall exceed thirty-five (35) feet in height. All development on Tract 8 shall be set back a minimum of 100 feet from any existing single-family platted lot. The existing pond shall be preserved for the benefit of adjacent property owners.

9. TRACT 9: The easterly 100 feet of Tract 9 that is located behind existing residential platted lots located along the westerly side of London Drive shall be maintained as a VPZ to ensure protection of natural areas. This VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee. Stormwater areas are also permitted on Tract 9. Commercial uses consistent with the COM-2 zoning designation with a height limit of 35 feet will be permitted on 20 acres of the remaining area. Special Exceptions for mini-warehouses, office warehouses, or self-storage shall not be authorized. Prior to making any application for development, the Owner shall prepare a conceptual site plan and hold a neighborhood meeting consistent with the requirements of the LDC. Any development application for Tract 9 shall require final action by the PLDRB. A stabilized emergency access from London Drive shall be provided through the tract to US Highway 1.

10. TRACT 10: Tract 10 shall be permitted to develop single family detached residential units consistent with the LDC SFR-2 zoning district standards. Additionally, a VPZ is required to be provided as shown on the **Exhibit "B-8"** Tract Plan.

11. All commons areas, VPZ, stormwater ponds and natural areas shall be maintained by a POA or third party determined acceptable to the City.

12. All lots greater than 10,000 square feet shall have the right to construct RV garages so long as such are ancillary to a residential dwelling unit and consistent with the LDC. Lot sizes that are at least 10,000 square feet in size shall be capable of accommodating RV garages. RV garage types are detached RV garages, regular garages with an attached bay, or garages that are part of the house's main structure.

Garages that are detached from the principal structure shall be designed and constructed so that the roof and exterior walls of the garage are of similar architecture, materials, and colors as the exterior of the principal structure. All garages types may exceed the height of the first story of the principal dwelling unit. RV garages may exceed the 30 foot depth and 500 square foot limitation in the LDC.

**GENERAL CONDITIONS OF THIS AMENDMENT.**

- (a) Except as provided herein, all other terms of the MPD DA shall remain in full force and effect. The provisions of this Amendment shall bind and inure to the benefits of the parties hereto, their heirs, executors, administrators, successors and assigns.
- (b) In the event of a conflict between the terms of this Amendment and the MPD DA, the terms of this Amendment shall govern.
- (c) The Owner hereby represents to the City that all required joinders and consents have been obtained and set forth in properly executed form on this Amendment. Unless otherwise agreed to by the City, all liens mortgages and encumbrances not satisfied or released of record must be subordinated to the terms of this Amendment. It is the responsibility of the Owner to ensure that said subordination occur in a form and

substance acceptable to the City Attorney prior to the City's execution of this Amendment.



**IN WITNESS, WHEREOF**, the City of Palm Coast and the Owners have caused this Amendment to be duly executed by its duly authorized representative(s) as the date first above written.

WITNESSES:

\_\_\_\_\_  
Print Name:

\_\_\_\_\_  
Print Name:

“OWNER”

MATANZAS GC PALM COAST, LLC, a  
Florida limited liability company

By: \_\_\_\_\_

Alexander Ustilovsky, Manager

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by Alexander Ustilovsky, as Manager of Matanzas GC Palm Coast, LLC, a Florida Limited Liability Company, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC

CITY OF PALM COAST, FLORIDA

\_\_\_\_\_  
Michael Norris, Mayor

ATTEST:

\_\_\_\_\_  
Kaley Cook, City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Marcus Duffy  
City Attorney

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by, Michael Norris, Mayor of the City of Palm Coast, who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC