

City of Palm Coast, Florida Agenda Item

Agenda Date: May 19, 2026

Agenda Item: I.1

Department COMMUNITY DEVELOPMENT Division PLANNING	Amount Org/Account #
Subject: ORDINANCE 2026-XX APPROVING FIRST AMENDMENT TO THE 5TH AMENDMENT OF THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) AGREEMENT APPLICATION # 6431	
Presenter: Estelle Lens, A.I.C.P, Senior Planner	
Attachments: <ol style="list-style-type: none">1. Presentation2. Ordinance3. Agreement - Palm Coast Park Amendment4. Staff Report5. Map Series6. Letter from the Applicant7. Conceptual Plan8. Typical Lot Layout9. Rendering-Elevations10. Letter- Summary of Neighborhood Meeting11. Affidavit & Picture of Sign Posting12. Business Impact Statement	
Background: <p><u>UPDATED BACKGROUND FROM THE APRIL 21, 2026, BUSINESS MEETING:</u></p> <p>At the April 21, 2026, Business Meeting Council approved this request by a four to one vote at the first reading of the ordinance. There was discussion regarding possible damages to the Hewitt Sawmill site from drainage from the adjacent development. The motion to approve included the two conditions recommended by the Planning and Land Development Regulation Board (PLDRB), as provided in the PLDRB summary below, and the following added current public benefit:</p> <ul style="list-style-type: none">• The applicant was to look at the Hewitt Sawmill site to see what could be done to mitigate damages. <p>On April 27, 2026, the representative for D.R. Horton provided the following via email:</p> <ul style="list-style-type: none">• “The response on the sawmill is that it was not damaged whatsoever by the adjacent development. I personally toured the entire site last Thursday to verify that. I also spoke this morning to a member of the board of the Ag Museum which owns the site and verified that we have not damaged it.”	

ORIGINAL BACKGROUND FROM APRIL 21, 2026, BUSINESS MEETING:

The applicant is proposing to amend the 5th Amendment to the Palm Coast Park Master Planned Development Agreement. This request is specific to Tracts 16 and 7A (Subject Tracts) of Palm Coast Park. The request proposes to:

- Allow single family residential development on Tract 16.
- Add development standards for single family residential development on Tracts 16 and 7A.

The Palm Coast Park Development of Regional Impact (DRI) was approved in December 2004. The Palm Coast Park Master Planned Development (MPD) Agreement was approved in October 2011. The Ninth Amendment to the DRI and Fifth Amendment to the MPD were approved by City Council in May 2023.

Tracts 16 and 7A of Palm Coast Park, known as Sawmill Branch Phase 6, received approval of a Subdivision Master Plan for 320 townhouse lots by the Planning and Land Development Regulation Board on June 18, 2024. The Preliminary Plat for the townhouse project is currently under review. The applicant is requesting to change the 320-lot townhouse development to a 244 (detached) single family residential lot development.

The proposed development standards include:

- Minimum lot width - 30 feet
- Minimum lot area - 2,550
- One car garage for units with less than 1,550 SF of living area and two car garages for units with 1,550 SF or more of living area.

Staff finds that this request meets the review criteria contained in Land Development Code (LDC) sections 2.05.05 and 2.09.04.

Public Participation:

The applicant hosted a neighborhood meeting as required by LDC Section 2.05.02 at 6:00 p.m. on Tuesday, February 17, 2026, in the cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast. No one from the public attended the meeting. Staff has not received any public correspondence regarding this request.

PLANNING AND LAND DEVELOPMENT BOARD (PLDRB) MEETING ON MARCH 18, 2026:

The Planning and Land Development Regulation Board reviewed this application at its regularly scheduled meeting on March 18, 2026, and found the request to be in compliance with the Comprehensive Plan and recommended that City Council approve this application subject to the following conditions:

1. Provide an additional 20ft wide landscaping break every twelve lots.
2. Provide a small amenity for the residents such as a playground.

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

Recommended Action:

THE PLANNING AND LANDING DEVELOPMENT REGULATION BOARD FINDS THIS REQUEST CONSISTENT WITH THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE AND RECOMMENDS THAT CITY COUNCIL APPROVE THE PROPOSED AMENDMENT APPLICATION NUMBER 6431 WITH THE CONDITIONS STATED ABOVE

Amendment to the Palm Coast Park Master Planned Development Agreement

City Council

Business Meeting May 19, 2026

Second Reading of the Ordinance

Staff Presentation:

Estelle Lens, AICP, Senior Planner



1st Reading of the Ordinance – April 21, 2026 Business Meeting

- Approved - four to one vote.
- The motion to approve included the two conditions recommended by the Planning and Land Development Regulation Board (PLDRB) with the following added current public benefit:
- The applicant was to look at the Hewitt Sawmill site to see what could be done to mitigate damages.

On April 27, 2026, the representative for D.R. Horton provided the following via email:

- “The response on the sawmill is that it was not damaged whatsoever by the adjacent development. I personally toured the entire site last Thursday to verify that. I also spoke this morning to a member of the board of the Ag Museum which owns the site and verified that we have not damaged it.”

The applicant has revised the proposed agreement and added sections 9 and 10 which address the conditions of the PLDRB:

1. Provide an additional 20ft wide landscaping break every twelve lots.
2. Provide a small amenity for the residents such as a playground.

The applicant amended the conceptual plan to demonstrate compliance with these conditions.

SITE STATISTICS

TOTAL SITE AREA: +/- 3.0 AC
STORMWATER POND: +/- 291,598 SF
TOTAL LOTS: +/- 243
BUILDING SETBACKS: FRONT: 20'
REAR: 10'
SIDE: 5'
STREET SIDE/REAR: 10'

*LS - LIFT STATION

HULETT BRANCH

Revised Conceptual Plan



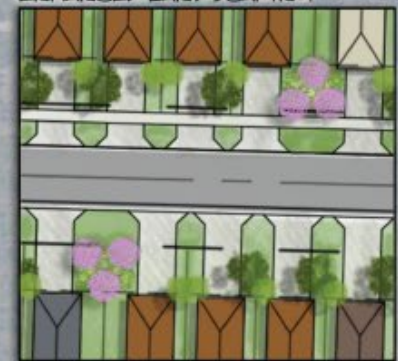
PARK/PLAYGROUND

UNPLATTED LAND

LS

POND

ENHANCED LANDSCAPING



TREES AND SHRUB SPECIES ARE CONCEPTUAL ONLY. SPECIES MAY VARY PER LOT. REFER TO LANDSCAPE PLANS.

FUTURE SCHOOL SITE

SAWMILL BRANCH BOULEVARD

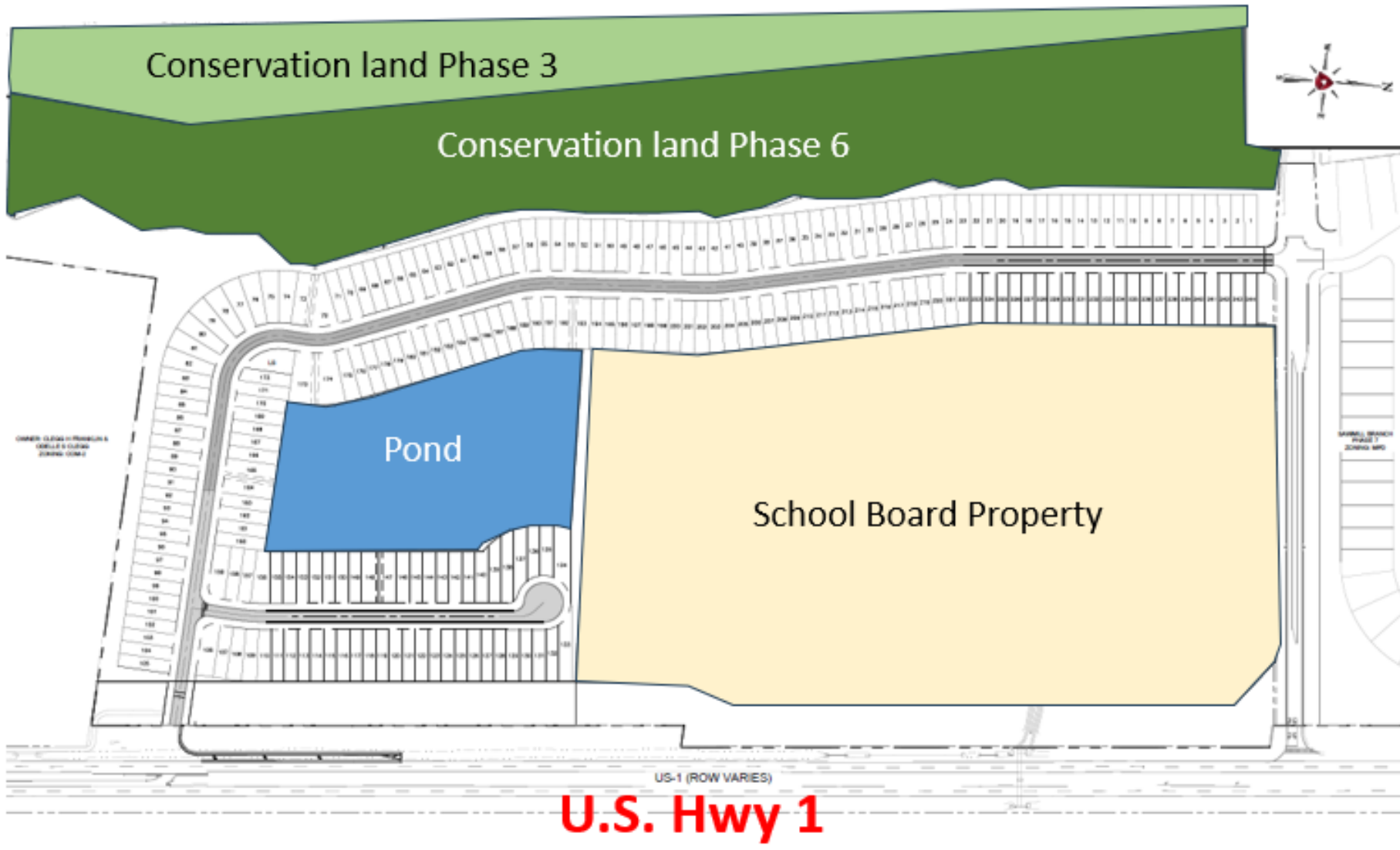
SAWMILL BRANCH PHASE 7

PARK

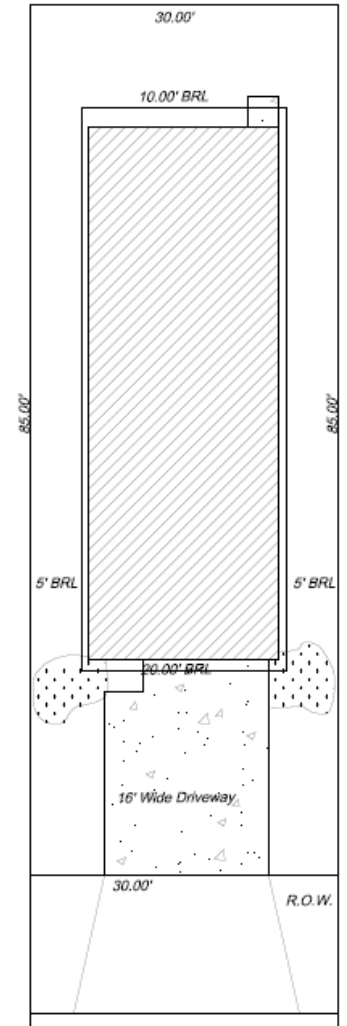
STATE HIGHWAY US 1

1

1



Typical Lot Layout



The applicant is available for questions



**ORDINANCE 2026-
FIRST AMENDMENT TO THE FIFTH AMENDMENT OF THE PALM COAST
PARK MASTER PLAN DEVELOPMENT (MPD) AGREEMENT
APPLICATION #6431**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE FIFTH AMENDMENT OF THE PALM COAST PARK MASTER PLAN DEVELOPMENT AGREEMENT, AS ESTABLISHED IN SECTION 2.09 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, FOR ±65.92 ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 06-10-30-0000-01010-00A1, GENERALLY LOCATED ON THE WEST SIDE OF U.S. HWY 1 APPROXIMATELY 0.8 MILES SOUTH OF OLD KINGS ROAD NORTH AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A; PERMITTING SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON TRACT 16 AND ADDING DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON TRACTS 16 AND 7A.; PROVIDING FOR SEVERABILITY, CONFLICTS; AND AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast (“City”), as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, BYRNDOG, PCP, LLC, a Florida limited liability company, is the Declarant of the Palm Coast Park Master Planned Development Agreement (5th Amended, Restated. & Reformatted), and has entered into the Development Agreement as recorded in Official Records Book 2898 Pages 224 through 280 of the public records of Flagler County, Florida (“Development Agreement”); and

WHEREAS, FORESTAR (USA) REAL ESTATE GROUP, Inc., a Delaware corporation (“Owner”) is the Owner of Tracts 16 and 7A of the Palm Coast Park Master Planned Development further described in “Attachment A”; and

WHEREAS, the Owner has requested to amend the Development Agreement in order to permit single family residential development on Tract 16 and add criteria for single family residential development on Tracts 16 and 7A; and

WHEREAS, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code (Ordinance No. 2008-23) have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast held duly noticed public hearings on the proposed amendment 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 has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB) at its regularly scheduled meeting conducted on March 18, 2026, and after complete deliberation, the City Council hereby finds the requested change consistent with the City of Palm Coast Comprehensive Plan, and that sufficient, competent and substantial evidence supports the proposed amendment set forth hereunder; and

WHEREAS, the City Council of the City of Palm Coast 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 HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

SECTION 2. MPD AMENDMENT. The Palm Coast City Council, pursuant to the Land Development Code of the City of Palm Coast hereby enacts this Ordinance amending the Fifth Amendment to the Palm Coast Park Master Planned Development agreement attached hereto as Exhibit “B” for the property generally located on the west side U.S. Hwy 1 approximately 0.8 miles south of Old Kings Road North, legally described in Exhibit “A” attached hereto.

SECTION 3. SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are

severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

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

APPROVED on first reading this 21st day of April 2026.

ADOPTED on second reading after due public notice and hearing this 19th day of May 2026.

ATTEST:

CITY OF PALM COAST

KALEY COOK, CITY CLERK

MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY

MARCUS DUFFY, CITY ATTORNEY

Attachments:

Exhibit "A" Legal Description

Exhibit "B" First Amendment to the Fifth Amendment to the Palm Coast Park Master
Planned Development Agreement

EXHIBIT "A"
LEGAL DESCRIPTION

A PARCEL OF LAND LYING WEST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5) IN GOVERNMENT SECTIONS 16 AND 21, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF GOVERNMENT SECTION 17, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA; THENCE SOUTH 89°28'57" WEST ALONG THE SOUTH LINE OF SAID SECTION 17 FOR A DISTANCE OF 1,667.92 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT OF WAY (A 150 FOOT RIGHT-OF-WAY); THENCE DEPARTING SAID SOUTH LINE OF SECTION 17, NORTH 09°09'13" WEST ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE FOR A DISTANCE OF 3898.15 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SECTION 17; THENCE ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, NORTH 54°24'01" EAST ALONG SAID NORTHERLY LINE OF SECTION 17 FOR A DISTANCE OF 139.61 FEET; THENCE NORTH 09°09'13" WEST FOR A DISTANCE OF 326.06 FEET; THENCE DEPARTING SAID RAILROAD RIGHT OF WAY, NORTH 62°02'35" EAST FOR A DISTANCE OF 465.68 FEET; THENCE NORTH 90°00'00" EAST FOR A DISTANCE OF 391.61 FEET; THENCE NORTH 43°07'13" EAST FOR A DISTANCE OF 725.79 FEET; THENCE SOUTH 89°50'08" EAST FOR A DISTANCE OF 783.66 FEET; THENCE NORTH 06°27'35" WEST FOR A DISTANCE OF 663.74 FEET; THENCE NORTH 89°59'00" EAST FOR A DISTANCE OF 221.02 FEET; THENCE NORTH 27°37'20" EAST FOR A DISTANCE OF 46.78 FEET; THENCE NORTH 10°56'45" WEST FOR A DISTANCE OF 229.07 FEET; THENCE NORTH 16°43'09" EAST FOR A DISTANCE OF 521.68 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF THOSE LANDS THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) AS DESCRIBED IN OFFICIAL RECORDS BOOK 546, PAGES 1197 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE SOUTH 74°10'00" EAST ALONG SAID SOUTHERLY BOUNDARY LINE OF SJRWMD LANDS FOR A DISTANCE OF 1,368.66 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD 5); THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE SOUTH 08°29'47" EAST ALONG SAID WESTERLY RIGHT-OF-WAY FOR A DISTANCE OF 448.18 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY SOUTH 20°57'74" WEST FOR A DISTANCE OF 150.02 FEET; THENCE SOUTH 08°29'45" EAST FOR A DISTANCE OF 88.69 FEET TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 9, TOWNSHIP 10 SOUTH, RANGE 30 EAST THENCE NORTH 89°54'17" EAST ALONG SAID SOUTH LINE FOR A DISTANCE OF 74.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY

LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD 5); THENCE DEPARTING SAID SOUTH LINE OF SECTION 9, SOUTH 08°29'47" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 424.83 FEET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 08°29'47" EAST FOR A DISTANCE OF 2,269.81 FEET TO THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 08°29'47" EAST FOR A DISTANCE OF 5.10 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, NORTH 89°37'47" EAST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 50.51 FEET; THENCE SOUTH 08°29'47" EAST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, FOR A DISTANCE OF 1,352.36 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SOUTH 89°35'12" WEST, FOR A DISTANCE OF 50.50 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 08°29'47" EAST, FOR A DISTANCE OF 1,361.03 FEET; THENCE SOUTH 89°44'24" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 1,036.84 FEET; THENCE SOUTH 00°30'10" EAST, A DISTANCE OF 605.63 FEET; THENCE SOUTH 89°31'04" WEST, A DISTANCE OF 365.16 FEET; THENCE NORTH 00°16'23" WEST, A DISTANCE OF 607.04 FEET; THENCE NORTH 13°27'02" WEST, A DISTANCE OF 2,474.78 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 94.88 FEET; THENCE NORTH 8°29'47" WEST, A DISTANCE OF 52.00 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 214.92 FEET; THENCE NORTH 8°29'47" WEST, A DISTANCE OF 10.47 FEET; THENCE NORTH 84°21'57" EAST, A DISTANCE OF 167.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 87°08'15", AN ARC LENGTH OF 38.02 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 52°03'55" EAST, 34.46 FEET TO A POINT; THENCE SOUTH 08°29'47" EAST, A DISTANCE OF 1.63 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 90°00'00", AN ARC LENGTH OF 39.27 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 36°30'13" EAST, 35.36 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81°47'47" EAST, A DISTANCE OF 95.30 FEET; THENCE SOUTH 08°29'47" EAST; A DISTANCE OF 714.44 FEET; THENCE SOUTH 14°56'37" EAST, A DISTANCE OF 848.88 FEET; THENCE NORTH 85°21'59" EAST, A DISTANCE OF 723.99 FEET; THENCE NORTH 08°29'47" WEST, A DISTANCE OF 249.22 FEET; THENCE NORTH 15°23'17" EAST, A DISTANCE OF 123.49 FEET; THENCE NORTH 08°29'47" WEST, A DISTANCE

OF 1,150.40 FEET; THENCE NORTH 54°35'43" WEST, A DISTANCE OF 135.83 FEET; THENCE NORTH 81°18'52" EAST, A DISTANCE OF 147.56 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"
FIRST AMENDMENT TO FIFTH AMENDMENT TO THE PALM COAST PARK
MPD AGEEMENT

Prepared by and Return to:
Michael D. Chiumento III, Esq.
CHIUMENTO LAW, PLLC
145 City Place, Suite 301
Palm Coast, FL 32164
Attn: Caroline McNeil

**FIRST AMENDMENT TO THE
FIFTH AMENDED, RESTATED & REFORMATTED
PALM COAST PARK MASTER PLAN DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO THE FIFTH AMENDED, RESTATED & REFORMATTED PALM COAST PARK MASTER PLAN DEVELOPMENT AGREEMENT (the "2026 MPD Amendment") is effective this ____ day of _____, 2026, by and between **Byrndog PCP, LLC** a Florida limited liability company (the "Declarant") and **the City of Palm Coast, a Florida municipal corporation (the "City")**.

WHEREAS, on May 16, 2023 (1st Reading) and November 7, 2023 (2nd Reading) the City Council approved Ordinance #2023-17, Palm Coast Park Master Plan Development Agreement (5th Amended, Restated, & Reformatted) (the "MPD Agreement"), being duly recorded September 4, 2024, in Official Records Book 2898, Page 219, of the Public Records of Flagler County, Florida; and

WHEREAS, on May 7, 2021, the Declarant sold to Forestar (USA) Real Estate Group, Inc. parcels of land (the "Owner Lands") subject to the MPD Agreement with the intent to develop residential property, and

WHEREAS, the Declarant desires to amend the MPD Agreement to add residential dimensional standards for single family residential development on Tracts 16 and 7A.

WHEREAS, the Declarant has prepared a conceptual site plan for Tracts 16 and 7A (the "Concept Plan"), attached hereto as Exhibit "A, to illustrate the anticipated layout, access and development pattern in support of this 2026 MPD Amendment; and

NOW, THEREFORE, BE IT HEREBY ORDERED AND RESOLVED by the City Council, that based upon the following Findings of Fact and Conclusions of Law, and the consent and agreement of the Declarant, and subject to the following terms and conditions, the City Council hereby approves this 2026 MPD Amendment, pursuant to the provisions of Section 380.06, *Florida Statutes*, and other applicable State laws, and the codes and ordinances of the City:

FINDING OF FACTS

1. The above Recitals/Whereas clauses are hereby adopted and incorporated into this 2026 MPD Amendment.
2. The MPD Agreement and this 2026 MPD Amendment are consistent with the State's Comprehensive Plan as set forth at Chapter 187, *Florida Statutes*.
3. The MPD Agreement and this 2026 MPD Amendment are consistent with the City's Comprehensive Plan.
4. The public hearing to consider this 2026 MPD Amendment was properly noticed and held by the City Council pursuant to Section 380.06, *Florida Statutes*.
5. The Concept Plan attached as Exhibit "A" is consistent with the intent of the MPD Agreement, as amended, and demonstrates compatibility with surrounding development patterns and applicable planning policies.

MODIFIED TERMS

6. Table 4-1 shall allow SFR in the Zoning Category for Tract 16.
7. On Tracts 16 and 7A, the MPD Agreement shall allow for single family residential detached units as follows:

Standard	Single Family Residential on Tracts 7A and 16
Minimum Lot Size	2,550 sq. ft.
Development Site Size	N/A

Minimum Lot Width	30'
Maximum Density (units per acre)	7.0
Minimum Living Area (square feet)	1,000
Minimum Front Setback	20'
Minimum Rear Setback	10'
Minimum Rear Street Setback	15'
Minimum Interior Side Setback	5'
Minimum Street Side Setback	15'
Maximum Impervious Surface Ratio (ISR)	0.75
Maximum Building Height	35'

MISCELLANEOUS PROVISIONS

8. **Parking:** Parking for Tracts 16 and 7A shall be as follows. Residences with less than 1,550 square feet of living area shall have at least one-car garage and a permanent surface for two exterior parking spaces. A two-car garage is required for residences with 1,550 or more square feet of living area. Two exterior parking spaces as required herein shall have a minimum driveway of at least sixteen (16) feet in width and at least twenty (20) feet in length measured from the structure to the property line.

9. **Landscaping:** To enhance the visual character of the community and provide additional open space, the development shall incorporate a minimum twenty (20) foot wide landscaped break at intervals of every twelve (12) lots. These landscaped breaks are intended to reduce continuous streetscape monotony, improve neighborhood aesthetics, and create opportunities for enhanced tree canopy, buffering and passive green space. The design, planting, and maintenance of these areas shall be consistent with the overall landscape plan

and applicable local regulations, ensuring cohesive integration with the community's design standards.

10. **Amenity**: To further support neighborhood livability and consistent with the intent of the City of Palm Coast Land Development Code regarding recreation and open space, the development shall include a centrally accessible neighborhood park or playground amenity for the use of residents. The amenity shall be designed to provide passive and active recreational opportunities and may include features such as play equipment, seating areas, shade structures, and open lawn space. The park shall be integrated into the overall site design, connected via pedestrian pathways where feasible, and maintained by the property owner or homeowner's association in accordance with approved development plans.

11. **Concept Plan**: Development of Tracts 16 and 7A shall be generally consistent with the Concept Plan attached hereto as Exhibit "A". The Concept Plan is conceptual in nature and is intended to illustrate the overall development framework, including lot layout, access, open space areas, and general site organization. The Subdivision Master Plan and subsequent plat submittals shall demonstrate compliance with Sections 9 and 10 of this agreement.

12. Except as modified or clarified herein, the MPD Agreement remains in full force and effect in accordance with its original terms.

13. This 2026 MPD Amendment may be executed in a number of identical counterparts, each of which for all purposes shall be deemed an original, and all of which constitute collectively one (1) agreement, but in making proof of this 2026 MPD Amendment.

14. The MPD Agreement is in good standing with neither party in default.

15. Except as modified by this 2026 MPD Amendment, the terms and conditions of the MPD Agreement are hereby ratified, confirmed and shall remain unchanged and in full

force and effect. In the event of a conflict between the terms of this 2026 MPD Amendment and the terms of the MPD Agreement the terms of this 2026 MPD Amendment shall govern.

COMES NOW, the undersigned, and covenant and agree to the foregoing.

WITNESS my hand and official seal this ___ day of _____, 2026.

WITNESSES:

Byrndog PCP, LLC, a Florida
limited liability company

By: Douglas Property & Development, Inc.,
Manager

By: _____
Jeffrey R. Douglas, President

STATE OF FLORIDA)
COUNTY OF FLAGLER)

The foregoing instrument was acknowledged before me this ___ day of _____, 2026,
by **Jeffrey R. Douglas**, for and on behalf of **Byrndog PCP, LLC**, a Florida limited liability
company, (check one) who is personally known to me or who produced _____
_____ as identification.

Signature

(Seal)

Printed Name

ATTEST:

CITY OF PALM COAST, FLORIDA

By: _____

Kaley Cook, City Clerk

Dated: _____

By: _____

Michael Norris, Mayor

For use and reliance of the Palm Coast

City Council only.

Approved as to form and legality.

Marcus Duffy, City Attorney

SITE STATISTICS

TOTAL SITE AREA: +/- 3.0 AC
 STORMWATER POND: +/- 291,598 SF
 TOTAL LOTS: +/- 243
 BUILDING SETBACKS: FRONT: 20'
 REAR: 10'
 SIDE: 5'
 STREET SIDE/REAR: 10'

*LS - LIFT STATION





**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
FIRST AMENDMENT TO THE FIFTH AMENDMENT
OF THE PALM COAST PARK MASTER PLANNED DEVELOPMENT AGREEMENT
CITY COUNCIL
PUBLIC HEARING ON MAY 19, 2026**

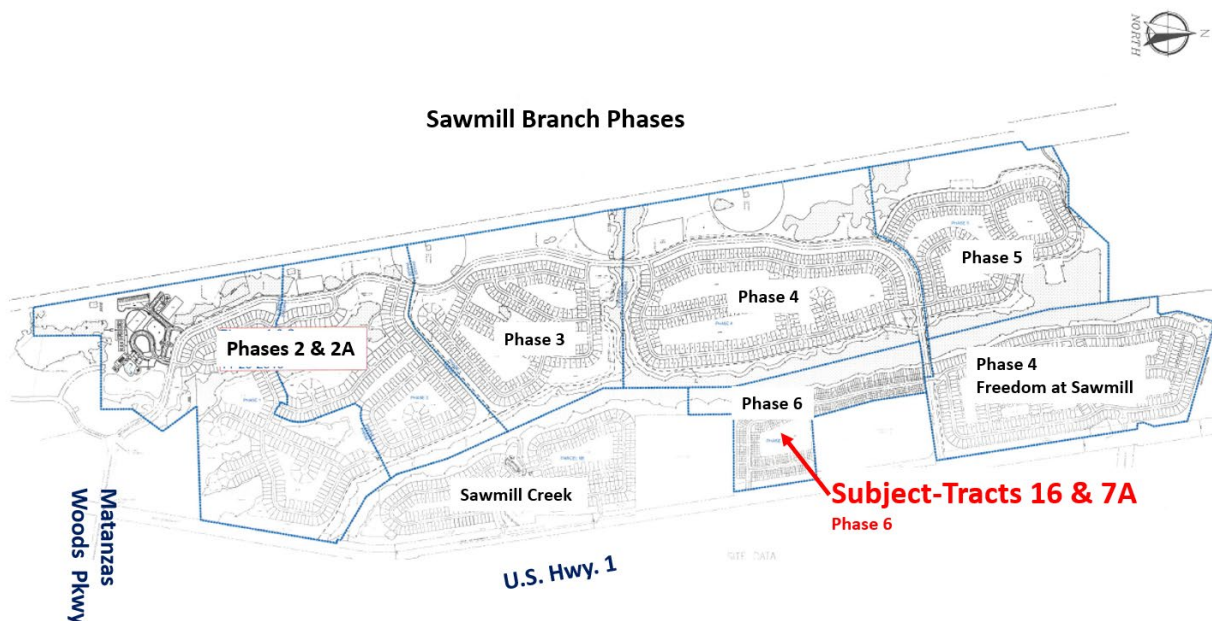
OVERVIEW

Application Number: 6431
Applicant: Michael D. Chiumento III
Property Location: West side of U.S. Hwy 1 approximately 0.8 miles south of Old Kings Road N.
Property Owner: Forestar (USA) Real Estate Group
Parcel ID #: 16-10-30-0000-01010-00A1
Current FLUM: Development of Regional Impact (DRI) - Mixed Use
Current Zoning: Master Planned Development (MPD) – Palm Coast Park
Current Use: Vacant
Size of Property: ±65.92 acres
Requested Action: Request to amend the Fifth Amendment to the Palm Coast Park Master Planned Development Agreement (Agreement) to allow single family residential development on Tract 16 and to add development standards for single family residential development on Tracts 16 and 7A.

ANALYSIS

REQUESTED ACTION

This request is specific to Tracts 16 and 7A (Subject Tracts) of the Palm Coast Park Master Planned Development (MPD). Tracts 16 and 7A are known as Sawmill Branch Phase 6.



Tract 16 of the MPD is designated MFR-1 in the LDC Zoning Category column in Table 4-1 of the 5th Amendment to the Palm Coast Park MPD Agreement. This amendment proposes to add SFR to this column for Tract 16.

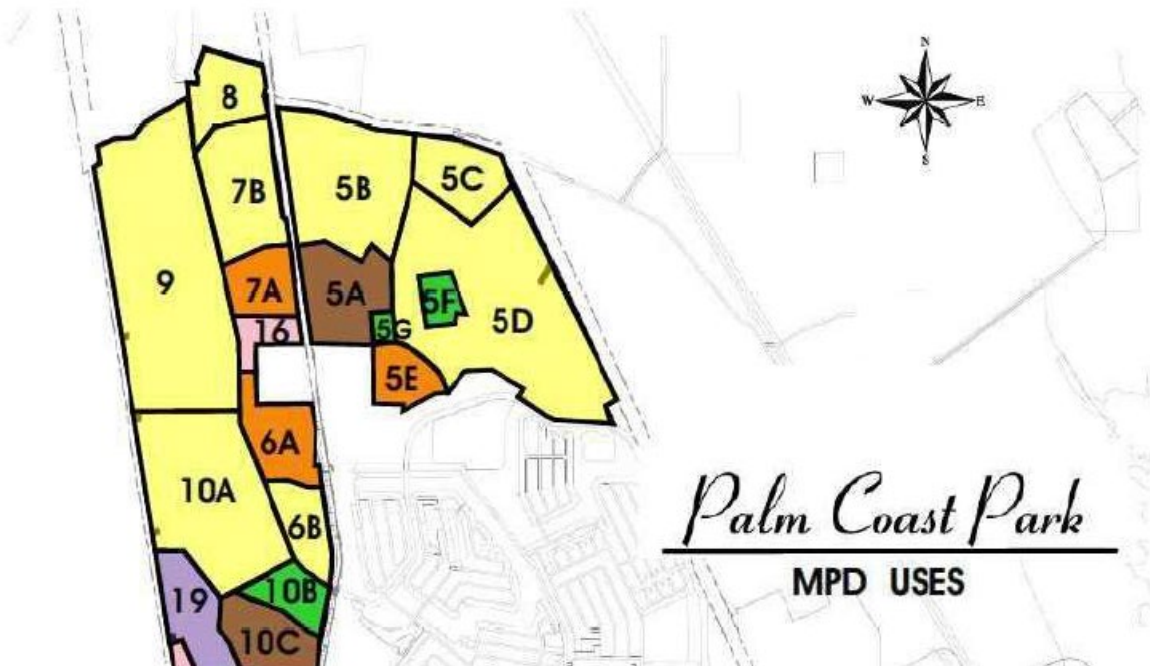
Additionally, the request is to provide Development Standards for (detached) single family residential on tracts 16 and 7A which include the following development standards:

- Minimum lot width - 30 feet
- Minimum lot area - 2,550
- One car garage for units with less than 1,550 SF of living area and two car garages for units with 1,550 SF or more of living area.

BACKGROUND/SITE HISTORY

The Palm Coast Park Development of Regional Impact (DRI) was approved in December 2004. The Palm Coast Park Master Planned Development (MPD) Agreement was approved in October 2011. The Ninth Amendment to the DRI and Fifth Amendment to the MPD were approved by City Council in May 2023.

This image is the northern portion of the Palm Coast Park Tract Map:



A portion (30+ acres) of Tract 7A was conveyed to the School Board of Flagler County in September of 2020.

Tract 16 and the remainder of Tract 7A of the MPD, known as Sawmill Branch Phase 6, received approval of a Subdivision Master Plan for 320 townhouse lots by the Planning and Land Development Regulation Board on June 18, 2024. The Preliminary Plat for the townhouse project is currently under review. The most recent comment letter to the applicant is dated May 29, 2025. The applicant is requesting to change the proposed development from a townhouse development to a (detached) single family residential development.

PROJECT DESCRIPTION

The applicant is proposing to construct 244 (detached) single family residential homes on 30-foot-wide lots on the Subject Tracts of the Palm Coast Park MPD. These Tracts are currently approved for 320 townhouse lots.

This will reduce the density/number of units on these tracts by 76 lots. In addition to decreasing the approved, and potential density, on these tracts, there will be less traffic generated by the fewer units and less demand for water and sewer services.

Criteria-Palm Coast Park MPD	Low Density Residential (SFR)	Medium Density Residential (MFR)	Approved Sawmill Branch Ph. 6 Townhouse development	Proposed Standards for Tract 16 and 7A
Minimum Lot Size	4,000 s.f.	2,000 s.f.	2,000 s.f.	2,550 s.f.
Minimum Lot With	40'	18'	18'	30'
Maximum Density (units per acre) ⁷	6	10 DU/Acre max	10 Max 6.69 net	7 DU/Acre 5.10 net
Minimum Living Area (square feet)	1,000 s.f.	650 s.f.	650 s.f.	1,000 s.f.
Minimum Front Setback	10' (20' to garage)	10' (20' to garage)	10' (20' to garage)	20'
Minimum Rear Setback	10'	10'	10'	15'
Minimum Street Rear Setback	10'	10'	10'	15'
Minimum Side Setback	5'	10'	10'	5'
Minimum Street Side Setback	20'	10'	10'	15'
Maximum Impervious Surface Ratio (ISR) ¹⁰	75%	80% MFR 26.63% (TH)	80% max	75%
Maximum Building Height ¹¹	35' SFR	45' Max.	27'	35' Max

- **Chapter 3 Housing Element**

Goal 3.4 Diversity in Housing. Allow a variety of lot sizes and housing types to meet the needs of the citizenry through all stages of life.

The City has an over abundance of ¼-acre platted single-family lots. There is a need for different sized lots and different types of housing...to meet the needs of the expanding and diversifying population.

The City wants to emphasize the importance of a housing supply that recognizes the “life stage” of its current and future residents. “Life Stage” housing recognizes that housing availability encompasses a spectrum of residential options tailored to meet the diverse needs and circumstances of individuals and families across various stages of life. These stages may range from young families starting out on their own, couples with no children, all the way to “empty nesters” or couples whose children have moved out on their own. Beyond particular housing types, the concept of “life stage” recognizes the need for the availability and affordability of housing as determined by the “life stage” of a household/family. Provide a diverse range of housing options that accommodate the evolving needs and preferences of residents throughout all stages of life.

Staff findings: The proposed lot size has not been previously provided in the City.

- **Chapter 1 Future Land Use Element:**

-Policy 1.1.1.3 – Measured on a citywide, or cumulative basis, the following density and intensity limitations shall be placed on the FLUM designations: Development of Regional Impact, as discussed in Policy 1.1.1.1.

-Policy 1.1.1.1. DRI (Mixed Use) allowable uses and density: As vested in the approved DRI documents and/or issued development orders.

Staff Findings: The proposed development standards are consistent with the DRI and MPD documents and are less intensive than what is currently allowed on the Subject Tracts. A single-family residential development is consistent with the surrounding existing and proposed development projects.

-Objective 1.1.4 – Discourage Urban Sprawl – Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.

Staff Findings: The project site is proposed on tracts within the Palm Coast Park MPD and are surrounded by other single family residential development.

-Policy 1.3.1.3 – The City shall encourage development to locate in the areas where public facilities, infrastructure, and services are available. Where there are deficiencies and where appropriate, the City shall require the developer to provide or extend the facilities as necessary to accommodate development. Applicable impact fees shall be used by the City consistent with State law to offset the costs of the City providing facilities.

Staff Findings: Public facilities have been previously evaluated for the townhome project and service is currently available. This change will be less burdensome on the City with regards to usage of water and sewer, given the reduced number of units.

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

Staff Finding: City utilities are currently available for this project. Any extensions of City services will be installed at the cost of the developer. The developer will be required to pay applicable impact fees to ensure that the City does not have financial liability for the project.

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

Staff Finding: The changes proposed will allow for a development which is less intensive than what is currently allowed. Development of the proposed single family residential neighborhood will not create a threat to the general health, welfare or safety of the City's inhabitants.

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

Staff Finding: The subject property will be required to comply with the requirements of all other applicable local, state and federal agencies throughout the development process.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.09.04

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.09.04 states: "*The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a master planned development application*":

A. Consistency with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan.

Staff Finding: As previously stated, the proposed application is consistent with the Comprehensive Plan.

B. Consistency with the general intent of the LDC.

Staff Finding: The standards established in the Palm Coast Park MPD were found to be consistent with the general intent of the LDC when approved. This request reduces the minimum lot width and area of a (detached) single-family residential lot in the MPD. However, the proposed minimums are greater than what is currently allowed on the Subject Tracts for townhouse lots. This may be considered consistent with the intent of the MPD.

C. Degree of departure of the proposed development from surrounding areas in terms of character and density/intensity.

Staff Finding: The request reduces the minimum width of a single-family residential lot in Palm Coast Park by 10 feet and the minimum lot area by 1,450 s.f. This will allow for a new housing type which is being proposed by the developer.

D. Compatibility within the development and relationship with surrounding neighborhoods.

Staff Finding: This request will be compatible with the surrounding single family residential neighborhoods and the Sawmill Branch projects which are currently under review and/or have been approved and are under construction.

E. Adequate provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the development plan.

Staff Finding: The applicant has applied for School Concurrency with Flagler County Schools and shall be required to mitigate school concurrency during the platting process. The recreational amenities are being provided for these tracts at a neighboring project and will be shared with the Sawmill Branch community. As mentioned, public facilities have been evaluated and service is currently available.

F. The feasibility and compatibility of development phases to stand as independent developments.

Staff Finding: The developer proposes to build the entirety of the project in one phase.

G. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed development.

Staff Finding: The access and roads within the tracts have been approved with the current townhouse development. The applicant is proposing to keep the revised development plan consistent with what has been approved.

H. The benefits within the proposed development and to the general public to justify the requested departure from standard development requirements inherent in a Master Planned Development District classification.

Staff Finding: The public benefit requirements of the Palm Coast Park DRI and MPD have been met. Over the course of the DRI's implementation and amendment history, the developer has contributed:

- Preservation of over 1,845 acres of wetlands and nearly 116 acres of gopher tortoise habitat.
- Donation of the Hewlett's Mill historic site to the Florida Agricultural Museum.
- A \$7.5 million payment to the City for roadway construction, without receiving impact fee credits.
- Donation of land for key public infrastructure: 30 acres for a school site and 30 acres for our WWTP2 and well access easements.
- Donation of up to 74 acres, a linear park on the west side of US-1, and an east-west trail system connecting the DRI with nearby schools and the Sports Complex.

I. The conformity and compatibility of the development with any adopted development plan of the City of Palm Coast.

Staff Finding: The request is limited to Tracts 16 and 7A of the Palm Coast Park MPD. This will be a first-time request for 30' foot wide lots for (detached) single family homes with a one car garage. However, this will be compatible with the surrounding Palm Coast Park residential developments.

J. Impact upon the environment or natural resources.

Staff Finding: The project meets the LDC in compliance for protecting natural resources.

K. Impact on the economy of any affected area.

Staff Finding: The proposed project will provide jobs during construction of the project and provide a new housing type for residents.

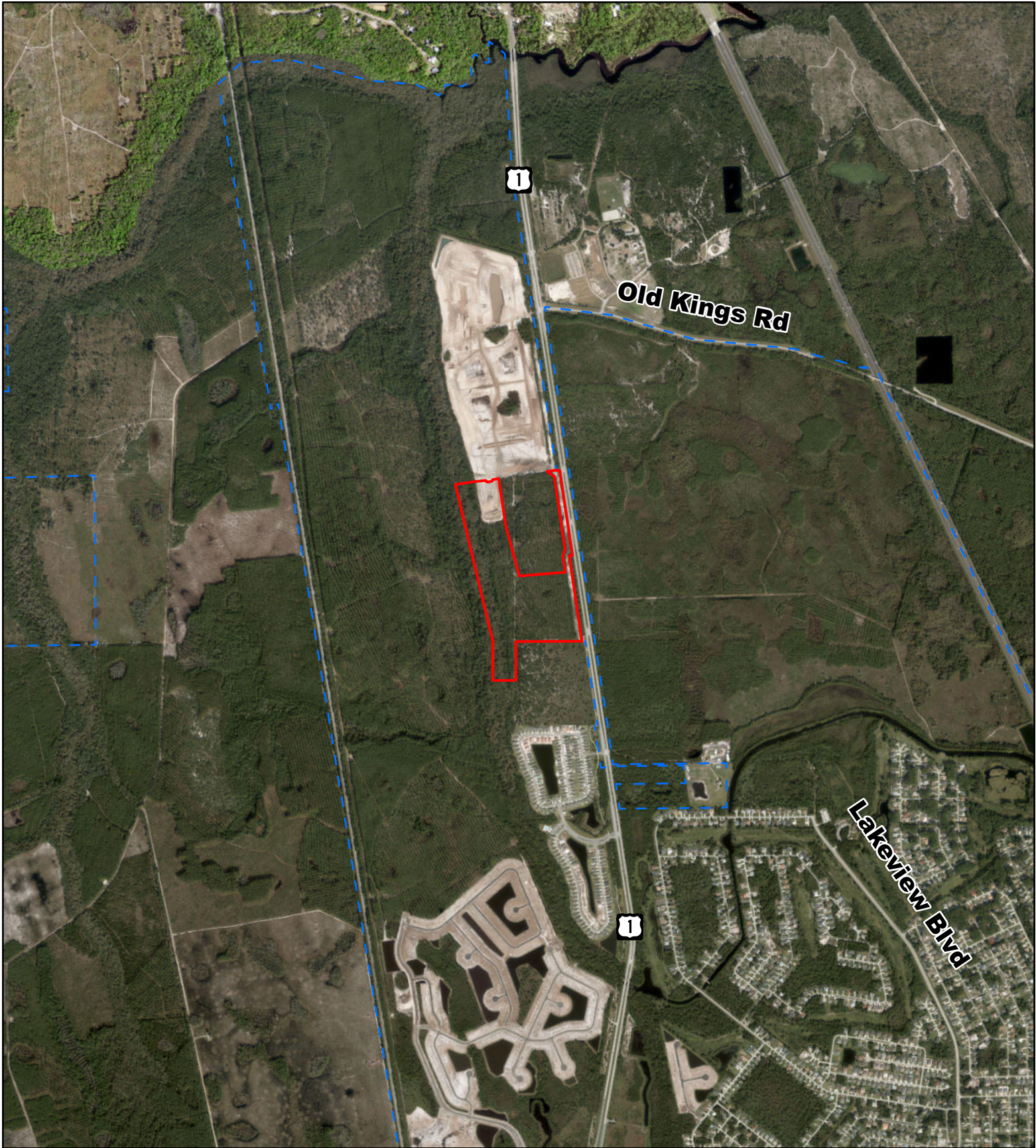
PUBLIC PARTICIPATION

The applicant hosted a neighborhood meeting as required by LDC Section 2.05.02 at 6:00 p.m. on Tuesday, February 17, 2026, in the cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast. No one from the public attended the meeting.

RECOMMENDATION

The Planning and Land Development Regulation Board reviewed this application at its regularly scheduled meeting on March 18, 2026 and found the request to be in compliance with the Comprehensive Plan and recommended that City Council approve this application subject to the following conditions:

1. Provide an additional 20ft wide landscaping break every twelve lots.
2. Provide a small amenity for the residents such as a playground.



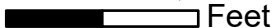
Distant Aerial

 Palm Coast City Limits

 Subject Property

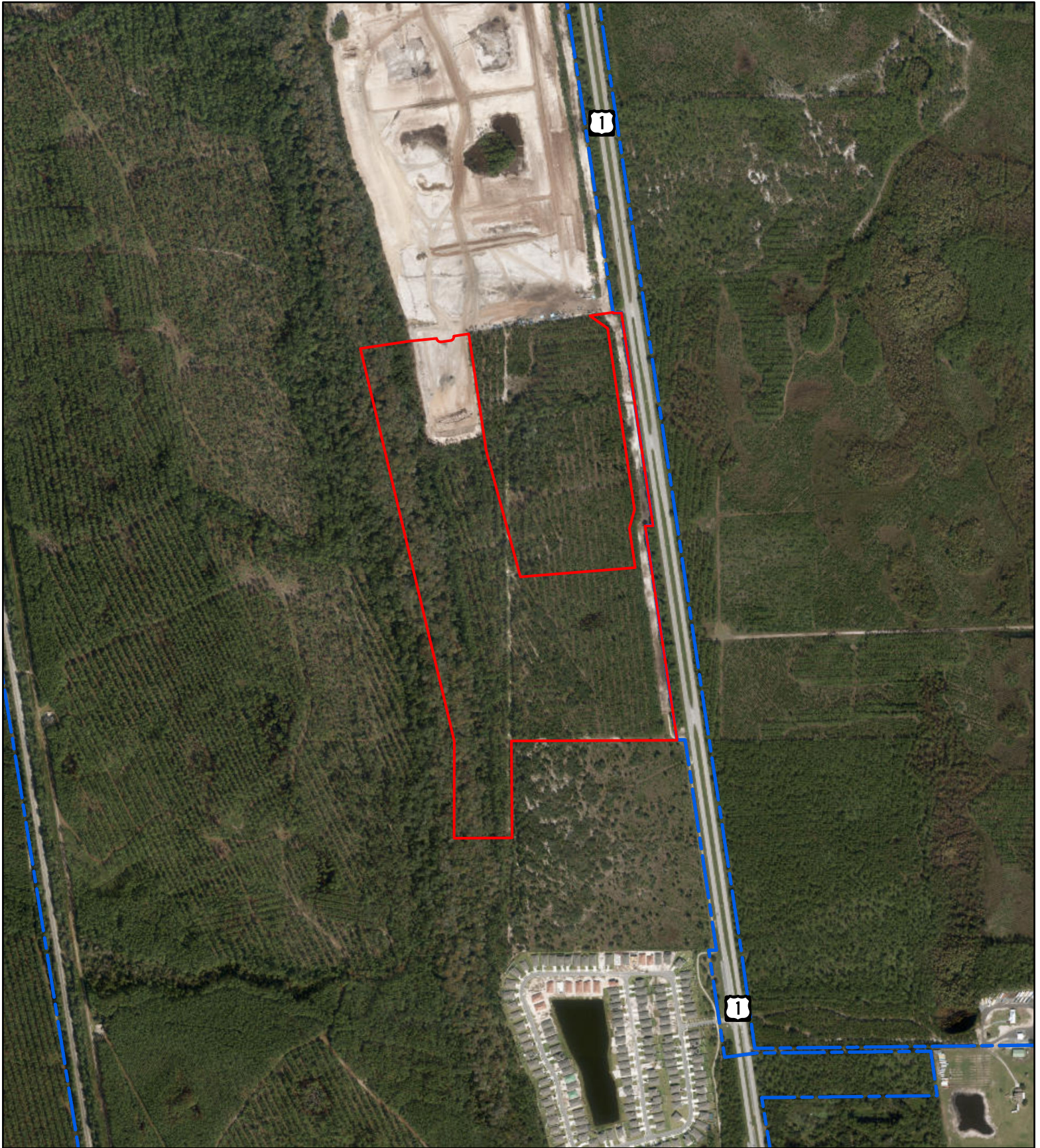


0 2,000
Feet





Map Provided by the Planning Division

Date: 4/26/2024



Close Up Aerial

-  Palm Coast City Limits
-  Subject Property

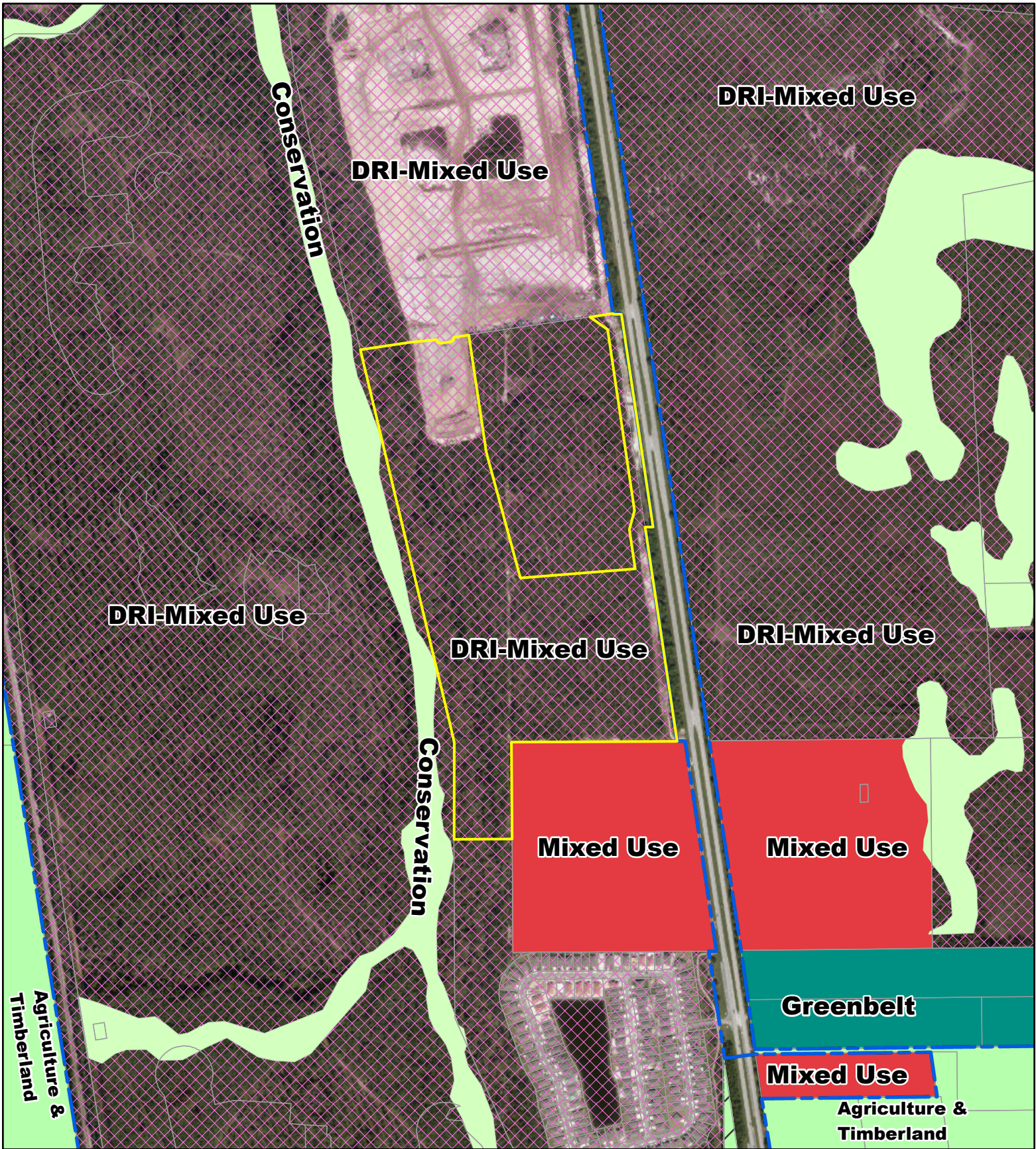


0 800
Feet



Map Provided by the Planning Division

Date: 4/26/2024



Future Land Use Map

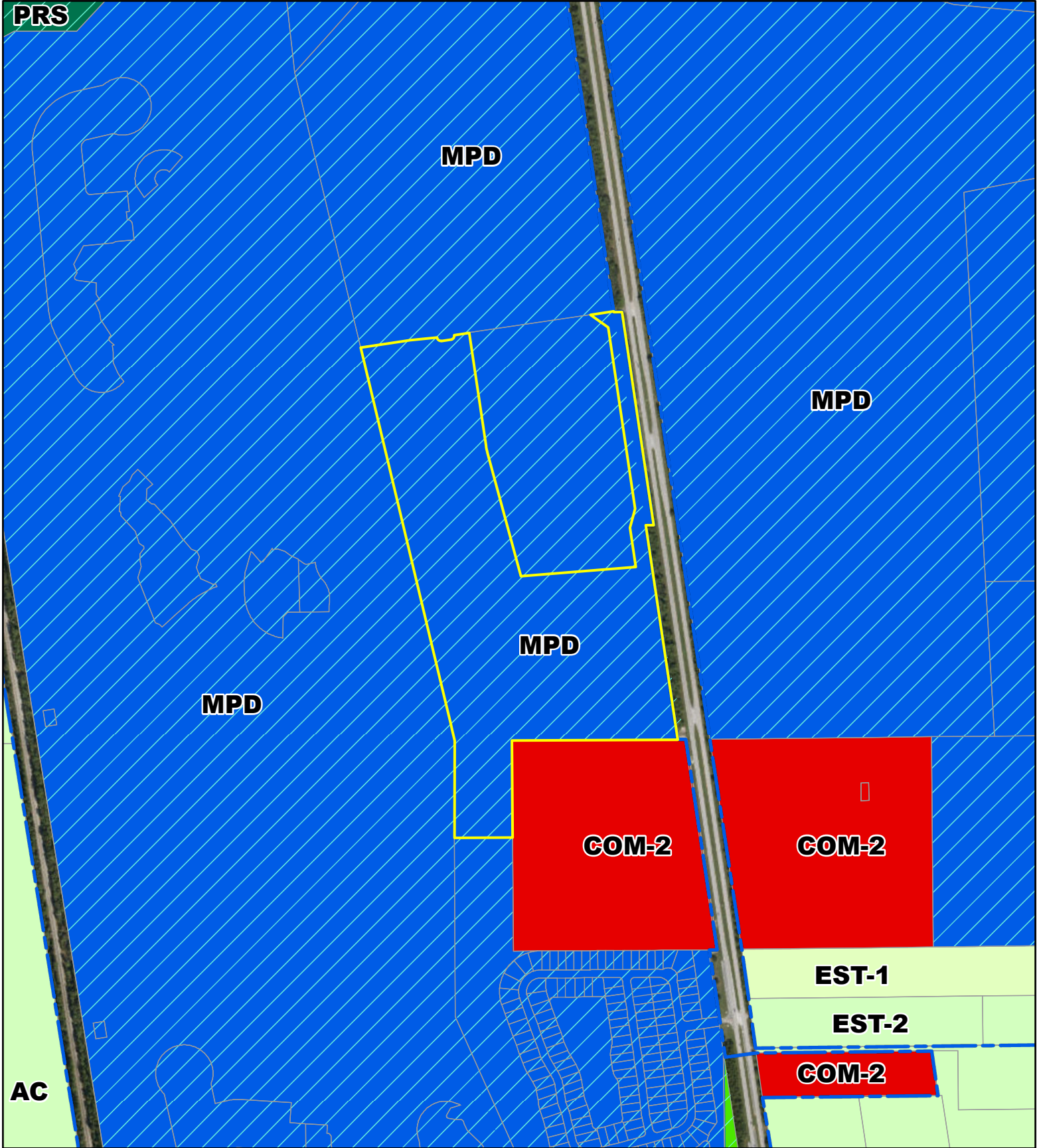
- Palm Coast City Limits
- Subject Property
- Palm Coast FLUM**
- Conservation
- DRI-Mixed Use
- Greenbelt
- Mixed Use
- AGRICULTURE & TIMBERLANDS, Annexed Area, Flagler County FLUM adopted
- Coastal High Hazard Area
- Unincorporated Flagler Future Land Use**
- AGRICULTURE & TIMBERLANDS



Map Provided by the Planning Division

Date: 4/26/2024

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.



Zoning Map

- Palm Coast City Limits
- Subject Property
- COM-2
- EST-1
- EST-2
- PRS
- MPD, MPD post 11-16-08 designation
- Unincorporated Flagler Zoning
- AC
- AGR



Map Provided by the Planning Division

Date: 4/26/2024

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
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57 W. Granada Blvd.
Ormond Beach, FL 32174

November 7, 2025

City of Palm Coast
Via City Portal & E-Mail

**RE: Palm Coast Park Master Plan Development MPD Amendment
Application #6431**

Dear Sir or Madam:

In response to the City's comment letter dated September 29, 2025 please find applicant's responses below:

PLC – PLANNING PROJECT MANAGER - COMMENTS:

1. **Application – Need to submit new application including the following:
Application item C. Parcel numbers – has five parcel numbers. This application is only affecting the Sawmill Branch Phase 6 Parcel: 16-10-30-0000-01010-00A1. Need to remove the other four.**

This has been amended, please see attached.

Application item D. Legal Description says to See attached Exhibit "A". There is no Exhibit A. Need to provide the legal description

This has been updated, please see attached.

Application item E. Need to provide the correct acreage.

This has been updated

Application item L – Need to revise the request. A request for a new zoning category would be a change to the LDC (not an MPD Amendment). This request should be changed to "Request to add criteria for single family residential development on Tracts 16 & 7A of Palm Coast Park.

This has been updated.

Need to provide a written statement demonstrating the reasons the revisions are necessary or desirable. (LDC 2.09.05.1)

In accordance with Section 2.09.05.1 of the City of Palm Coast's Unified Land Development Code (LDC), the applicant provides the following statement of justification for the proposed amendment to the Master Planned Development (MPD) Agreement for Tracts 16 & 7A of Palm Coast Park:

Consistency with the Comprehensive Plan and LDC Intent

The LDC is intended to guide land use and development practices in a manner that promotes the public health, safety, welfare, and orderly growth of the City. The proposed amendment adds clearly defined criteria for single-family residential development on Tracts 16 & 7A, thereby aligning the MPD Agreement with the broader objectives of the City's comprehensive plan and the LDC.

Moreover, the City's Comprehensive Plan supports innovative MPDs and allows deviations from typical density and intensity standards when it advances creative planning, unique environmental/geographic circumstances or exceptional public benefits.

By formalizing the criteria for single-family residential use, the amendment strengthens consistency with these planning policies and ensures that the use of the land is transparent, predictable, and aligned with the City's vision for development.

Necessity of Amendment

The original MPD Agreement for Palm Coast Park may not have explicitly included or envisioned single-family residential development on these specific tracts, or may have lacked detailed criteria for such development. In order to ensure clarity and manageability of future development on Tracts 16 & 7A, the addition of criteria is necessary.

Without the amendment, there would be potential ambiguity in terms of permitted single-family residential development, which could lead to inconsistent outcomes, potential conflicts with infrastructure, environmental, or aesthetic requirements or reduced oversight.

The addition of criteria will help protect adjacent properties, preserve infrastructure capabilities, ensure compliance with zoning and development standards, and reduce risk of inappropriate uses that could undermine the project's integrity or the City's expectations.

Desirability of Amendment

Introducing single-family residential development on these tracts helps diversify housing opportunities within the MPD and within Palm Coast Park, which is desirable to meet market demand for single-family homes and to expand the housing supply in a controlled, well-planned manner.

By establishing detailed criteria (for example lot sizes, setbacks, architecture standards, open space, connectivity, access to amenities, landscaping buffers), the amendment ensures that single-family development will occur in a manner compatible with the surrounding uses in the MPD and

with the City's design and land-use standards.

The criterion-based approach allows the City and applicant to commit to high quality and well-integrated residential neighborhoods, minimizing potential negative impacts – such as traffic, stormwater runoff, noise, or conflicts with non-residential uses – while maximizing benefits such as housing value, community appeal, and enhanced infrastructure utilization.

From a public perspective, the amendment provides greater certainty for City planners, adjacent landowners and future residents. It embodies the “desirable” standard of the LDC by promoting planned, well-designed residential development that contributes positively to the community.

Relation to LDC Section 2.09.05.1 Criteria

- The proposed criteria align with the LDC and Comprehensive Plan as described above.
- They serve the public interest by providing regulated opportunities for single-family homes, thereby supporting housing diversity and community building.
- They protect surrounding properties by setting criteria that manage compatibility (i.e. setbacks, buffers, densities).
- They preserve the integrity of the MPD by ensuring that single-family development either complements or enhances the broad MPD vision, rather than undermines it.

2. Forestar USA Real Estate Group, Inc., as the property owner needs to provide a letter of authorization for this request.

Please see attached

3. Need to provide current Boundary survey.

Attached

4. Need to provide Analysis based on LDC subsection 2.05.05 and 2.09.04.

The proposed amendment to the Palm Coast Park MPD Amendment to add criteria for single-family residential development on Tracts 16 & 7A remains consistent with the City of Palm Coast Land Development Code (LDC).

Pursuant to LDC subsection 2.05.05, this amendment provides sufficient factual data to support the City's review and demonstrates that the proposed single-family residential use is not contrary to the public interest. The amendment ensures the development is consistent with the Comprehensive Plan by maintaining compatible residential densities, adequate infrastructure capacity, and adherence to applicable design and environmental standards established in the LDC and the existing MPD framework.

In accordance with LDC subsection 2.09.04, this modification follows the established procedures for amendments to a Master Planned Development. The amendment does not alter the overall intent or character of the approved MPD, but rather refines the development criteria to allow single-family residential uses that are compatible with surrounding development and consistent

with the City's development policies.

Therefore, the amendment complies with the procedural and substantive requirements of LDC 2.05.05 and 2.09.04 by providing a clear, consistent, and orderly approach to the continued implementation of the Palm Coast Park MPD.

5. Neighborhood meeting is required for this project. If applicant wishes to waive this requirement, please submit a request addressed to the Land Use Administrator to waive this requirement with reasons justifying the request. Otherwise, need to provide a list of the names, mailing addresses and parcel numbers of all property owners within 500 feet of the subject property.

We will hold the neighborhood meeting a minimum of 14 days prior to the Planning Board Meeting. We will work with City Staff to get a date scheduled that is mutually convenient.

6. Need to provide school capacity availability Letter of Determination.

We have submitted the application for this.

7. Suggest providing graphics with the request showing the proposed product as provided during the meeting with City Staff.

See attached proposed graphics.

Sincerely,

A handwritten signature in black ink, appearing to read 'MDC', with a long horizontal stroke extending to the right.

Michael D. Chiumento III
Attorney
MDC/cm

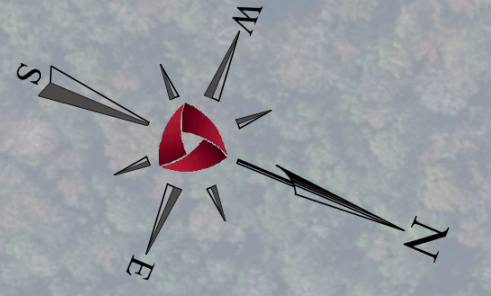
Enclosure

SITE STATISTICS

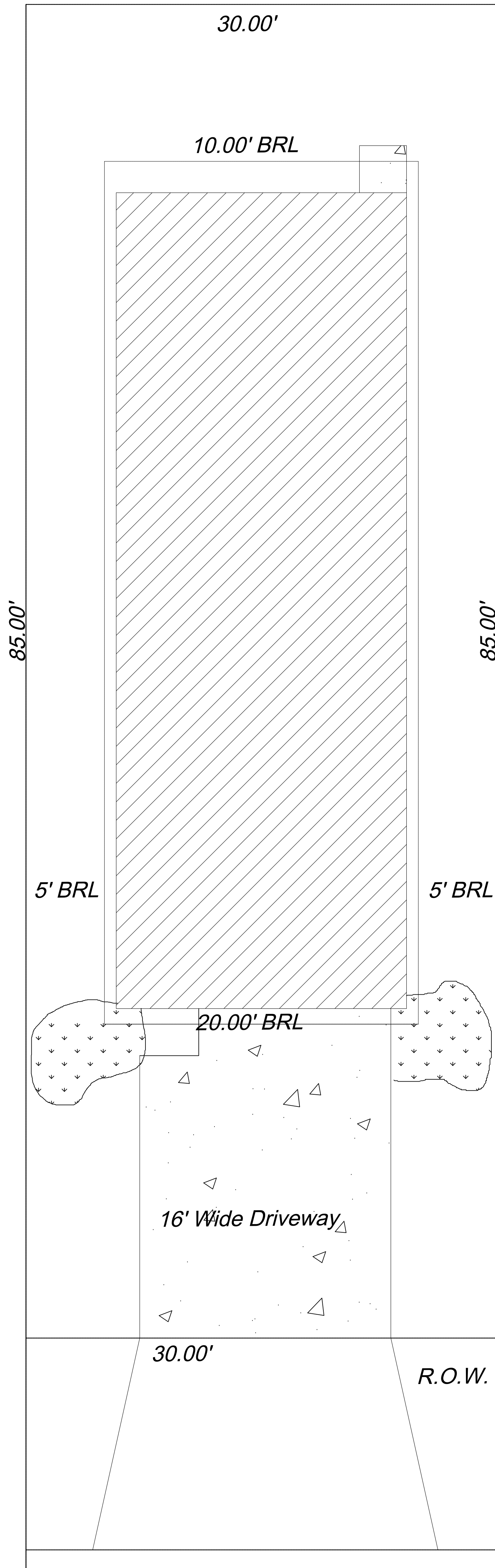
TOTAL SITE AREA: +/- 3.0 AC
 STORMWATER POND: +/- 291,598 SF
 TOTAL LOTS: +/- 243
 BUILDING SETBACKS: FRONT: 20'
 REAR: 10'
 SIDE: 5'
 STREET SIDE/REAR: 10'

*LS - LIFT STATION

HULETT BRANCH



SAWMILL 6 TYPICAL SITE PLAN



LOT AREA- 2550 SQ. FT.
IMPERVIOUS BLDG AREA-962
IMPERVIOUS CONCRETE=327
TOTAL IMPERVIOUS = 1289=51%
25% FRONT PLANTING AREA= 80 SQ FT



STREET VIEW

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Meredith Wearsch
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By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174



February 3, 2026

**RE: Parcel Identification Number 16-10-30-0000-01010-00A1
Forestar USA Real Estate Group, Inc.**

To Whom It May Concern:

Forestar USA Real Estate Group, Inc. a Florida corporation is the owner of approximately 65.924 acres located on the west side of U.S. Hwy 1 approximately 0.8 miles south of Old Kings Road N. (Parcel identification number: 16-10-30-0000-01010-00A1) as further described on the attached **Exhibit "A"**.

Currently, the owner has an application into the City of Palm Coast for an Amendment to the Fifth Amended Restated & Reformatted Palm Coast Park Master Plan Development Agreement. The intent of the application is to allow for single family residential detached units on Tracts 7A and 16. This request is consistent with the City's comprehensive plan.

As required by City Code, we will be having a neighborhood meeting on **Tuesday, February 17, 2026 at 6:00 p.m. at the Cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast, Florida 32137** (see attached **Exhibit "B"** with directions on how to enter the school) to answer any of your questions. It is open to the public.

Sincerely yours,

Michael D. Chiumento III

EXHIBIT "A"

LEGAL DESCRIPTION: REVISED SAWMILL BRANCH AT PALM COAST PHASE 6

A PARCEL OF LAND LYING WEST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5) IN GOVERNMENT SECTIONS 9, 16 AND 47, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, ALSO BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2248, PAGES 203 THROUGH 207, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF GOVERNMENT SECTION 17, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA; THENCE SOUTH 89°28'57" WEST ALONG THE SOUTH LINE OF SAID SECTION 17 FOR A DISTANCE OF 1,667.92 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT OF WAY (A 150 FOOT RIGHT-OF-WAY): THENCE DEPARTING SAID SOUTH LINE OF SECTION 17, NORTH 09°09'13" WEST ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE FOR A DISTANCE OF 3898.15 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SECTION 17; THENCE ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY LINE, NORTH 54°24'01" EAST ALONG SAID NORTHERLY LINE OF SECTION 17 FOR A DISTANCE OF 139.61 FEET; THENCE NORTH 09°09'13" WEST FOR A DISTANCE OF 326.06 FEET; THENCE DEPARTING SAID RAILROAD RIGHT OF WAY, NORTH 62°02'35" EAST FOR A DISTANCE OF 465.68 FEET; THENCE NORTH 90°00'00" EAST FOR A DISTANCE OF 391.61 FEET; THENCE NORTH 43°07'13" EAST FOR A DISTANCE OF 725.79 FEET; THENCE SOUTH 89°50'08" EAST FOR A DISTANCE OF 783.66 FEET; THENCE NORTH 06°27'35" WEST FOR A DISTANCE OF 663.74 FEET; THENCE NORTH 89°59'00" EAST FOR A DISTANCE OF 221.02 FEET; THENCE NORTH 27°37'20" EAST FOR A DISTANCE OF 46.78 FEET; THENCE NORTH 10°56'45" WEST FOR A DISTANCE OF 229.07 FEET; THENCE NORTH 16°43'09" EAST FOR A DISTANCE OF 521.68 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF THOSE LANDS THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) AS DESCRIBED IN OFFICIAL RECORDS BOOK 546, PAGES 1197 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE SOUTH 74°10'00" EAST ALONG SAID SOUTHERLY BOUNDARY LINE OF SJRWMD LANDS FOR A DISTANCE OF 1,368.66 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD 5); THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE SOUTH 08°29'47" EAST ALONG SAID WESTERLY RIGHT-OF-WAY FOR A DISTANCE OF 448.18 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY SOUTH 20°57'14" WEST FOR A DISTANCE OF 150.02 FEET; THENCE SOUTH 08°29'45" EAST FOR A DISTANCE OF 88.69 FEET TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 9, TOWNSHIP 10 SOUTH, RANGE 30 EAST; THENCE NORTH 89°54'17" EAST ALONG SAID SOUTH LINE FOR A DISTANCE OF 74.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 (STATE ROAD 5); THENCE DEPARTING SAID SOUTH LINE OF SECTION 9, SOUTH 08°29'47" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 424.83 FEET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 08°29'47" EAST FOR A DISTANCE OF 2,269.81 FEET TO THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 08°29'47" EAST FOR A DISTANCE OF 5.10 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY-LINE OF U.S. HIGHWAY NO. 1, NORTH 89°37'47" EAST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 50.51 FEET; THENCE SOUTH 08°29'47" EAST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, FOR A DISTANCE OF 1,352.36 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SOUTH 89°35'12" WEST, FOR A DISTANCE OF 50.50 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 08°29'47" EAST, FOR A DISTANCE OF 1,361.03 FEET; THENCE SOUTH 89°44'24" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 1,036.84 FEET; THENCE SOUTH 00°30'10" EAST, A DISTANCE OF 605.63 FEET; THENCE SOUTH 89°31'04" WEST, A DISTANCE OF 365.16 FEET; THENCE NORTH 00°16'23" WEST, A DISTANCE OF 607.04 FEET; THENCE NORTH 13°27'02" WEST, A DISTANCE OF 2,474.78 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 94.88 FEET; THENCE NORTH 8°29'47" WEST, A DISTANCE OF 52.00 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 214.92 FEET; THENCE NORTH 8°29'47" WEST, A DISTANCE OF 10.47 FEET; THENCE NORTH 84°21'57" EAST, A DISTANCE OF 167.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.00

FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 87°08'15", AN ARC LENGTH OF 38.02 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 52°03'55" EAST, 34.46 FEET TO A POINT; THENCE SOUTH 08°29'47" EAST, A DISTANCE OF 1.63 FEET; THENCE NORTH 81°30'13" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 90°00'00", AN ARC LENGTH OF 39.27 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 36°30'13" EAST, 35.36 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81°47'47" EAST, A DISTANCE OF 95.30 FEET; THENCE SOUTH 08°29'47" EAST, A DISTANCE OF 714.44 FEET; THENCE SOUTH 14°56'37" EAST, A DISTANCE OF 848.88 FEET; THENCE NORTH 85°21'59" EAST, A DISTANCE OF 723.99 FEET; THENCE NORTH 08°29'47" WEST, A DISTANCE OF 249.22 FEET; THENCE NORTH 15°23'17" EAST, A DISTANCE OF 123.49 FEET; THENCE NORTH 08°29'47" WEST, A DISTANCE OF 1,150.40 FEET; THENCE NORTH 54°35'43" WEST, A DISTANCE OF 135.83 FEET; THENCE NORTH 81°18'52" EAST, A DISTANCE OF 147.56 FEET TO THE POINT OF BEGINNING.
SAID PARCEL OF LAND CONTAINING 2,871,647.98 SQUARE FEET OR 65.924 ACRES MORE OR LESS.

EXHIBIT "B"

Enter at northern gate of Indian Trails and park in the Sigma Parking lot.



CLEGG H FRANKLIN & ODELLE S
CLEGG TRUSTEE
BOX 233
PIERSON, FL 32180

DEAL DONALD L JR TRUSTEE &
& SHYLA D MEECE TRUSTEE
1102 NORTH DAYTONA AVENUE
FLAGLER BEACH, FL 32136

DR HORTON INC - JACKSONVILLE
4220 RACE TRACK RD STE 100
SAINT JOHNS, FL 32259

DR HORTON INC - JACKSONVILLE
4220 RACE TRACK RD SUITE 100
ST JOHNS, FL 32259

FORESTAR (USA) REAL ESTATE GROUP
2221 E LAMAR BLVD STE 790
ARLINGTON, TX 76006

FORESTAR USA REAL ESTATE GROUP
2221 E LAMAR BLVD STE 790
ARLINGTON, TX 76006

OPTIMUM GLOBAL PROPERTIES LLC
6996 PIAZZA GRANDE AVE SUITE 202
ORLANDO, FL 32835

PALM COAST COMMUNITY DEVELOPMENT
219 EAST LIVINGSTON ST
ORLANDO, FL 32801

PALM COAST PARK COMMUNITY
DEVELOPMENT DISTRICT
210 N UNIVERSITY DR SUITE 702
CORAL SPRINGS, FL 33071

SCHOOL BOARD OF FLAGLER
COUNTY, FLORIDA
1769 EAST MOODY BLDG #2 P O BOX 71
BUNNELL, FL 32110

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
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Diane A. Vidal, P.A.*
Kareen Movsesyan
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2 Camino Del Mar
Palm Coast, FL 32137

57 W. Granada Blvd.
Ormond Beach, FL 32174

Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com

Proudly serving Flagler and Volusia Counties for over 50 years

March 3, 2026

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
Via E-Mail Only

**RE: Parcel Identification Number 16-10-30-0000-01010-00A1
Forestar USA Real Estate Group, Inc.
Application Number 6431**

Dear Sir or Madam:

On Tuesday, February 17, 2026 at 6:00 p.m., the Applicant on Application Number 6431 conducted a neighborhood information meeting held at the Cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast, Florida 32137. As noted by the attached sign-in sheet, no one from the public attended. Present at the meeting were myself, Robert Porter, applicant representative, and Estelle Lens, City Planner.

Sincerely,

Michael D. Chiumento III
Attorney
MDC/cm

Enclosures



NOTIFICATION AFFIDAVIT FOR OFFICIAL ZONING MAP AMENDMENT (REZONING)

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this 3 day of March, 2026 personally appeared
Thomas Davidson who after providing personally known as
identification and who did, did not take an oath, and who being duly sworn, deposes
and says as follows: "I have read and fully understand the provisions of this instrument".

1 signs have been posted on the subject property subject to a rezoning as described
(# of signs) with Application # 6431

At least fourteen (14) calendar days before the hearing date advertising the date, time, and
location of the Planning & Land Development Regulation Board (PLDRB)

AND/OR

At least fourteen (14) calendar days before the hearing date advertising the date, time, and
location of the City Council 1st public hearing.

AND/OR

At least ten (10) calendar days before the hearing date advertising the date, time, and location of
the City Council 2nd public hearing.

Signature of Responsible Party

Thomas Davidson, 145 City Pl., Ste 301
Print Name & Mailing Address Palm Coast, FL 32164

Signature of Person Taking Acknowledgement

Caroline McNeil

Name of Acknowledger (Typed, Printed or Stamped)



This document, once executed, must be returned to a Land Development Technician in the City
of Palm Coast Community Development Department prior to the hearing date. Failure to
provide document by that time will result in the application not being placed on the agenda for
a public hearing.

Please attach a photo of posted sign(s).

City of Palm Coast NOTICE OF PUBLIC HEARING

Application Number: 6431

The City of Palm Coast Planning Board will hold a public hearing on the application at 5:30, P.M. on MARCH 18, 2026.

The City of Palm Coast City Council will hold a public hearing on this application at 9:00, A.M. on April 21, 2026 for the 1st Hearing

6:00, P.M. on MAY 5, 2026 for the 2nd Hearing

City Council public hearing not required.

Description of Request

Special Exception

Special Use

Rezoning

Public Use

Future Land Use Amendment

Semi Public Use

REQUEST AMENDMENT TO THE PALM COAST PARK

MPD FOR TRACTS 16 AND 7A TO ALLOW

STANDARDS

Property Size: 65.92 SQ.FT./Acres

Current Zoning: MPD

Applicant: MICHAEL D. CHIUMENTO III

Public Hearing to be held at

Council Chambers in the Community Wing of City Hall
305 Palmetto Lake Avenue

PLANNING 386-984-3736

For more information please call City of Palm Coast,
Do not remove poster prior to the completion of public hearings



**BUSINESS IMPACT ESTIMATE
PURSUANT TO F.S. 166.041(4)**

Meeting Date: May 19, 2026
Ordinance Number: 2026-XX
Posted To Webpage: February 27, 2026

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE FIFTH AMENDMENT OF THE PALM COAST PARK MASTER PLAN DEVELOPMENT AGREEMENT, AS ESTABLISHED IN SECTION 2.09 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, FOR ±65.92 ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 06-10-30-0000-01010-00A1, GENERALLY LOCATED ON THE WEST SIDE OF U.S. HWY 1 APPROXIMATELY 0.8 MILES SOUTH OF OLD KINGS ROAD NORTH AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A; PERMITTING SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON TRACT 16 AND ADDING DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON TRACTS 16 AND 7A.; PROVIDING FOR SEVERABILITY, CONFLICTS; AND AN EFFECTIVE DATE

The sections below are not required to be completed if the ordinance involves any one of the following types of regulations. Please check if applicable:

- 1. Ordinances required for compliance with federal or state law or regulation;
- 2. Ordinances relating to the issuance or refinancing of debt;
- 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- 4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
- 5. Emergency ordinances;
- 6. Ordinances relating to procurement; or

__ 7. Ordinances enacted to implement the following:

__ a. Development orders, and development agreements, and development permits, as those terms are defined in S 163.3164, and development agreements, as authorized by the Florida Local Government Development Acts SS. 163.3220-163.3243;

X b. Comprehensive Plan amendments and land development regulation amendments initiated by an application by a private party other than the county;

__ c. Sections 190.005 and 190.046;

__ d. Section 553.73, relating to the Florida Building Code; or

__ e. Section 633.202, relating to the Florida Fire Prevention Code.

Part I. Summary of the proposed ordinance and statement of public purpose:

This is an application to amend the Ordinance for the Fifth Amendment to the Palm Coast Park Master Plan Development Agreement in the City of Palm Coast, Florida, for Tracts 16 and 7A which are approximately ±65.92 acres of land located on the west side of U.S. Hwy. 1 approximately 0.8 miles south of Old Kings Road North. The amendment proposes to permit Single Family Residential Development on Tract 16 and add criteria for single family residential development of Tracts 16 and 7A of the Palm Coast Park MPD.

Part II. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Palm Coast:

(fill out subsections a-d as applicable, if not applicable write “not applicable”)

(a) Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted: N/A

(b) Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible: N/A

(c) An estimate of the City of Palm Coast’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs. N/A

(d) Does this proposed ordinance have a direct impact on affordable housing? If so, explain.

Part III. Good faith estimates the number of businesses likely to be impacted by the ordinance. N/A

Part IV. Additional Information (if any): The Owner has requested to amend the Development Agreement in order to permit single family residential development on Tract 16 and add development standards for single family residential development on Tracts 16 and 7A.