



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT  
JUNE 3, 2015  
PLANNING AND LAND DEVELOPMENT REGULATION BOARD**

**OVERVIEW**

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Project Name: Shoppes of Palm Coast  
Application Number: 2875  
Applicant: PV-Palm Coast, LLC, 2901 Rigsby Lane, Safety Harbor, FL 34695  
Agent: Bohler Engineering, 3820 Northdale Blvd., Suite 300B, Tampa, FL 33624  
Property Description: Vacant Land/Mixed Use and COM-2  
Property Owner: PV-Palm Coast, LLC, 2901 Rigsby Lane, Safety Harbor, FL 34695  
Location: East side of Belle Terre Blvd. and south side of SR 100  
Real Estate ID #: 07-12-31-0650-000C0-0035  
Current FLUM designation: Mixed Use  
Current Zoning designation: COM-2  
Current Use: Vacant  
Size of subject property: 12.91 acres

**ANALYSIS**

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**REQUESTED ACTION**

To obtain Planning and Land Development Regulation Board (PLDRB) approval for Shoppes of Palm Coast, a Tier 2 Non-Residential Controlling Master Site Development application.

The applicant has submitted for a Tier 2 Non-Residential Controlling Master Site Development for five proposed commercial lots plus a stormwater tract, to be constructed on a 12.91-acre site in the southeast corner of Belle Terre Boulevard and State Road 100. The project is considered a "Moderate" (Tier 2) development, which requires approval by the PLDRB.

**SITE DEVELOPMENT PLAN SUMMARY:**

- TOTAL SITE ACREAGE: 12.91 acres
- TOTAL WETLANDS: 1.63 acres
- NUMBER OF BUILDINGS SITES: 5 (proposed)
- TOTAL GROSS FLOOR AREA: 60,922 sq. ft. (proposed)

- MAXIMUM FLOOR AREA RATIO            0.40 (0.11 proposed)
- MAXIMUM HEIGHT:                            100 ft. (28.5 ft. proposed)

## BACKGROUND

The subject property is a 12.91-acre site located at the southeast corner of Belle Terre Boulevard and SR 100. The site is undeveloped and vacant.

The applicant proposes to develop the site in a single-phase for five commercial lots plus a shared stormwater tract under a common architectural theme. The project would have a shared internal access road serving all of the lots plus provide future cross-access to the east and to the south. Lots 1 and 5 will be offered to future users while the other three lots are under contract to retailers. Lot 2 will be for a 6,000 square foot convenience store having 24 fueling stations, Lot 3 a 17,825 square foot grocery store, and Lot 4 a 19,097 square foot tractor supply company.

## LAND USE AND ZONING INFORMATION

The subject site is designated "Mixed Use" on the Future Land Use Map. A fundamental principle of a mixed use area is to ensure the compatibility between residential and non-residential land uses within close proximity of each other, thereby creating a more sustainable and self-supporting neighborhood. The following tables summarize the general existing and proposed land use and zoning information:

### USE SUMMARY TABLE

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use	Mixed Use
Zoning District	COM-2	COM-2
DRI/MPD Land Use Area	Not applicable	Not applicable
Overlay District	Not applicable	Not applicable
Use	Vacant land	5 commercial building sites under a common architectural theme
Acreage	12.91	12.91

### SURROUNDING ZONING AND FLUM CATEGORIES

Direction	FLUM Category	Zoning District
North	Mixed Use (north of SR 100)	COM-2/MPD (commercial)
South	Mixed Use	COM-2
East	Flagler County	Flagler County (commercial)
West	Mixed Use (west of Belle Terre)	COM-3

## SITE DEVELOPMENT REQUIREMENTS

Site development for the property must be in accordance with the requirements of the City of Palm Coast Land Development Code (including the COM-2 Zoning District) and must comply

with the city's Comprehensive Plan. The following tables summarize the basic development standard requirements and corresponding proposed development criteria, with which the application complies:

### SITE DEVELOPMENT REQUIREMENTS

Criteria ( <i>per COM-2 unless noted</i> )	Required	Provided
Minimum Lot Size	20,000 sq. ft. (0.46-acre)	Lot 1 = 1.71-acre Lot 2 = 2.23-acre Lot 3 = 1.72-acre Lot 4 = 3.23-acre Lot 5 = 1.55-acre
Maximum Impervious Surface Ratio	0.70	0.60
Maximum Floor Area Ratio	0.40	0.11
Maximum Building Height	100 ft.	28.5 ft.
Minimum Building Setbacks ( <i>Per Section 4.15.03.A.3. of the LDC these are based on the entire project not individual lots.</i> )	North: 35 ft. West: 35 ft. South: 10 ft. East: 10 ft.	North: 35 ft. West: 35 ft. South: 10 ft. East: 10 ft.
Minimum Landscape Buffers ( <i>Per Section 11.03 of LDC. However, per Section 4.15 of the LDC these are based on the entire project not individual lots.</i> )	North: 35 ft. West: 35 ft. South: 10 ft. East: 10 ft.	North: 35 ft. West: 35 ft. South: 10 ft. East: 10 ft.

### NONRESIDENTIAL CONTROLLING MASTER SITE DEVELOPMENT PROCESS

The Nonresidential Controlling Master Site Development application review process is specified in Section 4.15 of the Unified Land Development Code (LDC). This review process is intended to ensure internal consistency and compatibility with the character of the surrounding neighborhood. Elements of compatibility include: the fundamental development pattern of the surrounding neighborhood; common building type; and features of site design, scale and dimensions. Therefore, approval of a Development Order for a Nonresidential Controlling Master Site Development is the initial step in the site development process and authorizes an applicant to apply for a Preliminary Plat and for each lot a Technical Site Plan.

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, commercial projects with over 40,000 square feet and up to 100,000 square feet of building area are classified as Moderate projects, thus the scale of this development requires approval from the PLDRB.

### ANALYSIS OF LAND DEVELOPMENT CODE, SECTION 4.15 NONRESIDENTIAL CONTROLLING MASTER SITE DEVELOPMENT

***To be eligible for a Nonresidential Controlling Master Site Development, a project must planned as a unit and at a minimum, include the following: a) shared parking and driveways, b) master stormwater facilities, c) master drainage system, d) pedestrian and vehicular connectivity between sites, structures, and uses, e) owners association, and f) applicable to moderate or major development.***

Planning Staff Finding: The proposed project meets all of these criteria. (The owners association will be required to be setup during the platting process.)

Prior to approval of a Development Order for the Nonresidential Controlling Master Site Development, the proposed project must also be evaluated for compliance with the standards of LDC Section 4.15, which provides the following criteria that must be met.

**A. Building setbacks.**

- 1. Buildings and ancillary structures within a nonresidential controlling master site development are encouraged to be constructed up to the interior lot line provided a plat has been recorded.**
- 2. Setbacks shall be measured from project exterior boundary.**

Planning Staff Finding: The lots do not show the buildings being constructed at the suggested interior lot lines. However, the building setbacks are met from the required project exterior boundary with 35-foot minimum building setbacks from the north and west property lines and 10-foot minimum building setbacks from the south and east property lines.

**B. Parking lot orientation. No more than 60 percent of the off-street parking area for the entire property shall be located between the principal building(s) and the street unless the principal building(s) and/or parking lots are screened from view by abutting development (within outparcels) and additional tree plantings and/or berms.**

Planning Staff Finding: The Parking Table on Sheet C-4, shows the calculations for this item and shows it meeting the 60 percent.

**C. Pedestrian access.**

- 1. Continuous internal pedestrian walkways, no less than five feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, taxi stands, street crossings, building, and store entry points and shall feature adjoining landscaped areas that include trees, shrubs, benches, flowerbeds, groundcovers, or other such materials for no less than 50 percent of their length.**
- 2. Sidewalks, no less than five feet in width, shall be provided along the full length of each building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet from the facade of each building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.**
- 3. Internal pedestrian walkways shall provide weather protection features such as awnings or porticos within ten feet of all customer entrances, constructed parallel to the facade of the building. This is not intended to extend into the driving aisles or parking areas.**
- 4. All internal pedestrian walkways shall be distinguished from driving surfaces using durable, low-maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs shall be installed to designate pedestrian walkways.**

Planning Staff Finding: The site and landscape plans show these sidewalks have been provided with the required adjacent landscaping along at least half of the sidewalk's linear length. The conceptual building elevations setting the architectural theme (Lots 2 and 4) have been reviewed for the required 10' awnings or porticos at each building's entry for customers. These standards were determined to be in compliance.

**D. Public amenities. A nonresidential controlling master site development shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following. (Such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.)**

1. **Patio or seating area.**
2. **Pedestrian plaza with benches.**
3. **Transportation center.**
4. **Window shopping walkways.**
5. **Outdoor play area.**
6. **Kiosk area.**
7. **Water feature.**
8. **Clock tower.**
9. **Steeple.**
10. **Other such focal features or amenities that, in the judgment of the Land Use Administrator based on generally accepted planning principles adequately enhance such community and public spaces.**

Planning Staff Finding: Tract "A" shows a patio seating area plus a pedestrian plaza with benches so this standard is met.

**E. Outdoor storage, trash collection, and loading areas.**

1. **Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.**

Planning Staff Finding: The Landscape Plan shows these standards have been met via screening and buffering of these items.

**F. Architecture. All nonresidential controlling master site developments shall comply with the architectural standards established in [Chapter 13](#). In addition, the applicant shall provide, upon request, alternative designs or prototypes in addition to any typical corporate prototype. Alternative designs shall be provided to reflect the local character of the surrounding areas. Design templates may include, but not be limited to, Art Deco, Mediterranean, Main Street, and Green Design.**

Planning Staff Finding: The applicant has provided preliminary building elevation drawings for the buildings proposed for Lots 2 and 4. Staff has reviewed these and recommends that the building elevations for Lots 2 and 4 set the common architectural theme for the balance of the development.

**G. Wall signage. Signs shall be consistent and complementary in style, color, and materials to the style, color, and materials of the principal structure. Refer to [Chapter 12](#) for sign requirements.**

Planning Staff Finding: The conceptual wall signage has been shown on the preliminary building elevation drawings for Lots 2 and 4, which will set the conceptual standard for wall signs. The applicant has also submitted sample monument signs with their square footage for single tenant and shared tenant signs and has also shown where all of these monument signs will be located under a common sign plan.

## **ANALYSIS OF LAND DEVELOPMENT CODE, SECTION 2.10 MASTER PLANS**

A Nonresidential Controlling Master Site Development is also one of the three types of Master Plans described in Section 2.10.02 of the LDC. Approval of the Master Plan and the Nonresidential Master Site Development via a Development Order shall act as the controlling document for the location of primary buildings and outparcels, landscape buffers, master stormwater, drainage, access drives, parking and pedestrian facilities. However, site plans and preliminary plats can allow up to a 25 percent cumulative design change from the Approved Master Plan. The following criteria shall be considered when reviewing Master Plans.

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

Planning Staff Finding: The site plan has been conceptually reviewed and found to meet the standards of the LDC except those that will be addressed in more detail during the Preliminary Plat for the entire project and for Technical Site Plan review for each of the five lots.

### ***B. Internal consistency.***

Planning Staff Finding: The applicant has provided a common architectural theme for the building elevations and for signage.

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

Planning Staff Finding: With the proposed interconnectivity from the site to neighboring properties to the east and south, for both vehicles and pedestrians, and the proposed buffering and screening staff finds the site will not negatively impact neighboring properties. The common architectural theme will further minimize impact of the project beyond its boundaries.

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

Planning Staff Finding: The project has provided internal connections throughout the entire project.

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

Planning Staff Finding: These have all been addressed in the site plan and during the platting process the applicant will be required to setup a commercial property owners association for management and maintenance of these shared facilities.

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

Planning Staff Finding: Staff believes the common architectural theme, sign master plan, shared use of common facilities, and a landscaped pedestrian walkway system with two pedestrian seating areas outweighs the benefits the applicant will receive by applying for a Nonresidential Controlling Master Site Development. This process has allowed the applicant to eliminate internal landscape buffers and building setbacks plus have shared signage at each shared entrance so that all five of the lots will have signage along an arterial roadway. Otherwise Lot 5 would have no signage along an external roadway. Overall, Planning staff believes approving the project in this manner is a “win-win” scenario for both the public and the applicant.

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

Prior to approval of a Development Order for the Nonresidential Controlling Master Site Development, the proposed project must also be evaluated for conformance with the requirements of LDC Section 2.05.05, which provides criteria that must be met to issue approval. The proposed project has been evaluated against the review criteria as 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 use is consistent with the Mixed Use designation on the Future Land Use Map and property's zoning which is COM-2. Both allow commercial uses.

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

Planning Staff Finding: The request is consistent with the Comprehensive Plan. The following are a selection of goals, policies and objectives that the project supports:

- **Chapter 1, Future Land Use Element, Objective 1.1.4 - Discourage Urban Sprawl; Policy No. 1.1.4.1:**  
The Mixed Use land use designation is intended to provide opportunities for residents to work, shop, engage in recreational activities, and attend school and religious services in reasonably close proximity to residential buildings.
- **Chapter 2, Transportation Element, Goal 2.2 Increased Interconnectivity; Objective 2.2.1 – Vehicle Interconnectivity; Policy 2.2.1.1 –** The City shall enforce regulations in the LDC requiring commercial development to provide roadway connections to adjacent commercial development and to provide for future connections, where feasible.

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

Planning Staff Findings: The proposed development does not impose a significant financial liability or hardship for the City. The public infrastructure needed to support the project is already in place or will be constructed by the developer. Any potential liabilities associated with public improvements will be ensured via a Performance/Maintenance Bond.

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

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

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

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

**SUMMARY OF FINDINGS**

After review and evaluation of the proposed project for conformance with the requirements of the City of Palm Coast LDC and Comprehensive Plan, staff finds that the proposed Nonresidential Controlling Master Site Development master plan complies with all such requirements. Planning staff wants to emphasize that this is only a conceptual approval of the overall project and that details of the development will be reviewed and finalized during the platting process for the overall site and during Technical Site Plan review for each of the five commercial lots. For example, the building elevation drawings will be reviewed at the time of Technical Site Plan to ensure they meet the detailed standards of Chapter 13 – Architectural Design Regulations of the LDC. Parking layouts will also be reviewed and finalized at this time which may include the review and approval of parking flexibility studies or the modification of the number of parking spaces being provided in order to be in compliance with Section 5.04 Parking of the LDC.

### **RECOMMENDATION**

Staff recommends the PLDRB approve Shoppes of Palm Coast, a Nonresidential Controlling Master Site Development, Application No. 2875, subject to the conditions shown below.

1. A commercial property owners association shall be setup during the platting process.
2. During the Technical Site Plan review for each of the five lots and during the platting process for the entire site, staff shall review each of these to ensure that the standards of Section 4.15 are still being met.
3. During Technical Site Plan review for each of the five lots the plans shall be reviewed against the conceptual Nonresidential Controlling Master Site Development and the more detailed requirements of all other sections of the LDC, including: architectural design, parking, landscaping, the enclosed outdoor display area for Lot 4, etc. This will require the layouts of the individual lots to be modified to meet these more detailed standards.
4. Other permanent outdoor display of merchandise areas are not permitted except as permitted in the Land Development Code.