

City of Palm Coast, Florida Agenda Item

Agenda Date: August 3, 2021

Department	PLANNING	Amount
Item Key	11251	Account #
Subject	ORDINANCE 2021-XX APPROVING REZONING OF 10.85 +/- ACRES FROM HIGH INTENSITY COMMERCIAL (COM-3) TO MULTI-FAMILY RESIDENTIAL-2 (MFR-2) FOR PROPERTY KNOWN AS THE TRIBUTE - APPLICATION # 4738	
Presenter:	BILL HOOVER, SENIOR PLANNER	
Background:	<p>Flagler Pioneer Group, LLC (as property owner) is proposing to rezone 10.85 +/- acres of vacant land located about 450 east of Old Kings Road and about one-third mile north of SR 100 (E. Moody Boulevard) from the High Intensity Commercial (COM-3) Zoning District to the Multi-Family Residential-2 (MFR-2) Zoning District. The westerly 10.00 +/- acres of this 20.85 +/- acre parcel would remain as High Intensity Commercial (COM-3).</p> <p>The current property owner purchased the 20.85 +/- acre parcel (Parcel 4) and the adjoining 11.33 +/- acre Parcel 2 to the south in 2007.</p> <p>In 2017, Parcel 2 (the property to the south of the property proposed for rezoning) was rezoned by the City Council from COM-3 to MFR-2. In 2018, Parcel 2 was put under purchase contract with a developer who wanted to develop it as an affordable housing rental project using tax credit financing through the Florida Housing Finance Corporation. The intended purchaser was unsuccessful over the last few years in obtaining the very competitive tax financing credit funding. In February 2021, Neel Stacy representing Ravenshill Holdings, LLC put the 11.33 +/- acre Parcel 2 and the east 10.85 +/- acres of Parcel 4 under purchase contract contingent upon the rezoning of the easterly 10.85 +/- acres of Parcel 4 from COM-3 to MFR-2.</p> <p>Ravenshill Holdings, LLC intends to combine the two parcels they are purchasing for a total of 22.18 +/- acres in order to develop a higher end market rate apartment community for 246 homes with 240 units being within typical multi-family buildings and 6 units being carriage homes (similar to townhomes). A sister company to Ravenshill Holdings, LLC purchased the unfinished Tuscan Reserve multi-family project that is located NW of Tom Gibbs Chevrolet in 2019, and completed the construction of those buildings and recently had all of those higher end apartment units leased. They currently have a waiting list of ten qualified leases with no scheduled vacancies before August 2021. Ravenshill Holdings, LLC intends to develop a similar type of community but with a different architectural style on these 22.18 +/- acres.</p> <p>The project's traffic impact statement shows the subject 10.85 +/- acres with MFR-2 zoning will generate 669 weekday daily trips, 44 weekday AM peak hour trips and 54 PM peak hour trips. The traffic impact statement advises that Old Kings Road, between SR 100 and Town Center Boulevard, will easily be at LOS C with the subject parcel's and Parcel 2's traffic included.</p> <p><u>Public Participation:</u> The developer notified all neighboring property owners within 300 feet of the subject property via standard USPS mail on May 1st, of a neighborhood meeting that was</p>	

held on May 11, 2021 at 5:30 P.M at the Hilton Garden Inn located NW of the intersection of Town Center Boulevard and SR 100. No one from the public attended this neighborhood meeting but two persons representing the applicant did as well as two City staff members. The developer erected two City provided signs on the subject property by July 20th, notifying the general public of the upcoming City Council public hearings. Newspaper ads will be run approximately two weeks before each of the public hearings.

Planning and Land Development Regulation Board: The Planning and Land Development Regulation Board (PLDRB) meeting was held at 5:30 PM on May 19, 2021. This was a hybrid meeting. No one from the public attended specifically for this project. The PLDRB found this project in compliance with the Comprehensive Plan and Land Development Code and recommended approval to City Council by a 6 – 0 vote.

Recommended Action:

The Planning and Land Development Regulation Board determined the proposed rezoning (Application No. 4738) was consistent with the Comprehensive Plan and recommended approval to City Council to rezone 10.85 +/- acres from High Intensity Commercial (COM-3) to Multi-Family Residential-2 (MFR-2).

ORDINANCE 2021-_____
REZONING APPLICATION NO. 4738
THE TRIBUTE REZONING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP FOR ABOUT 10.85 +/- ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS PART OF TAX PARCEL IDENTIFICATION NUMBER 39-12-31-0000-01010-0056, GENERALLY LOCATED ABOUT 450 FEET EAST OF OLD KINGS ROAD AND ABOUT ONE-THIRD MILE NORTH OF SR 100 (MOODY BLVD.), AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, FROM THE HIGH INTENSITY COMMERCIAL (COM-3) ZONING DISTRICT TO THE MULTI-FAMILY RESIDENTIAL-2 (MFR-2) ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast, 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, 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 have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast 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); and

WHEREAS, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely and orderly development pattern;

4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

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. Official Zoning Map Amended. The approximately 10.85 +/- acres of land, identified as part of tax parcel identification number 39-12-31-0000-01010-0056, generally located about 450 feet east of Old Kings Road and about one-third mile north of SR 100 (Moody Blvd.), legally described in “Exhibit A” and as depicted in “Exhibit B”, attached hereto, is hereby amended from the High Intensity Commercial (COM-3) Zoning District to the Multi-Family Residential-2 (MFR-2) Zoning District.

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 3rd day of August 2021.

Adopted on the second reading after due public notice and hearing City of Palm Coast this _____ day of _____, 2021.

CITY OF PALM COAST, FLORIDA

ATTEST:

DAVID ALFIN, MAYOR

VIRGINIA SMITH, CITY CLERK

Attachments:

Exhibit “A” – Legal Description of property subject to Official Zoning Map amendment
Exhibit “B” – Revised Official Zoning Map

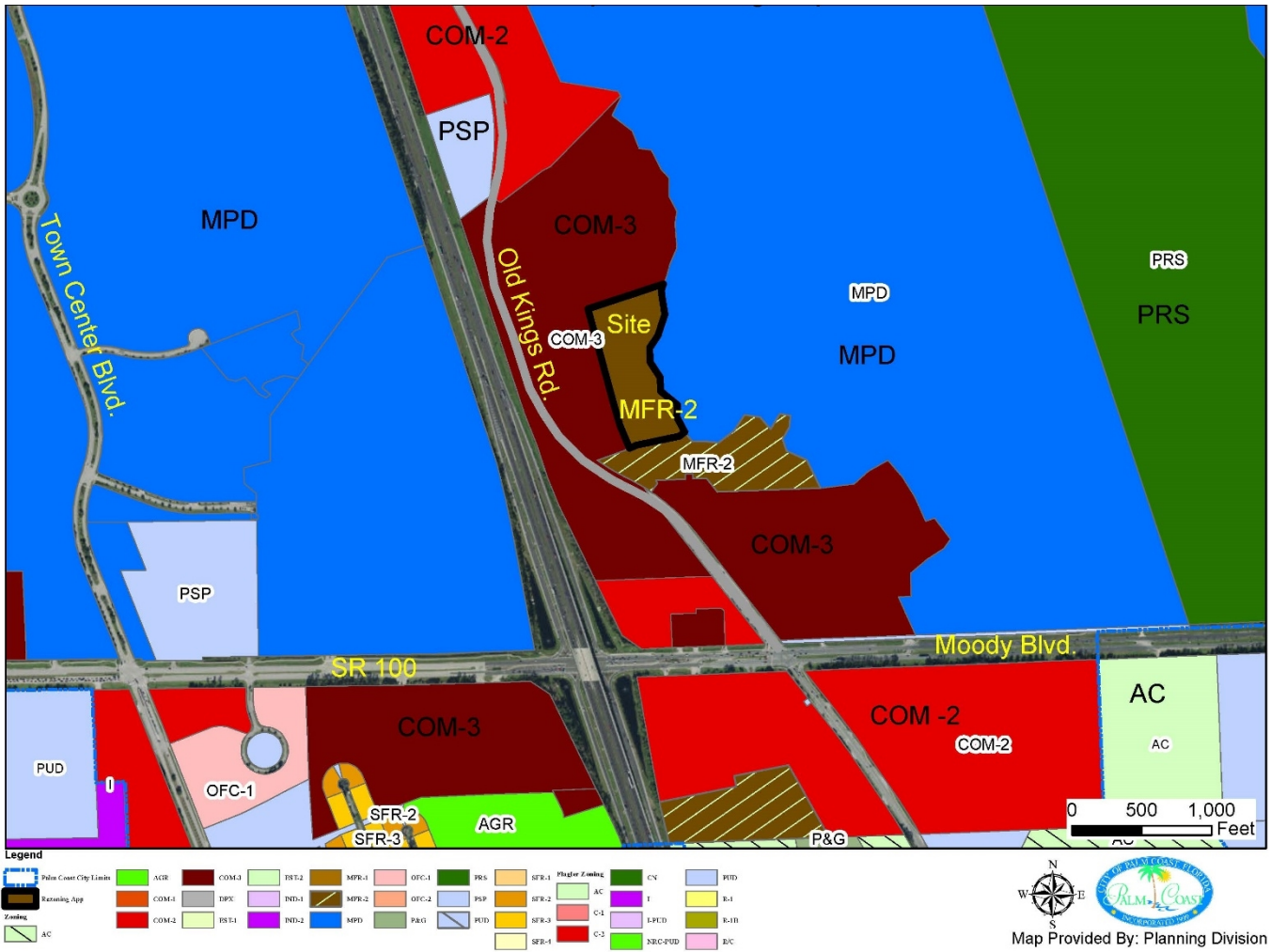
EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF SECTION 39, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF TRACT B, KINGS POINT COMMERCIAL SUBDIVISION, AS RECORDED IN MAP BOOK 36, PAGE 59 AND 60, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND A POINT ON A CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY AND TO THE LEFT, HAVING A CENTRAL ANGLE OF 00°43'43" AND A RADIUS OF 1830.93 FEET, HAVING A CHORD BEARING OF S33°44'33"E AND A CHORD LENGTH OF 23.28 FEET, THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 23.28 FEET; THENCE S34°25'10"W FOR A DISTANCE OF 79.46 FEET TO A POINT ON A CURVE, SAID CURVE BEING SOUTHWESTERLY AND TO THE LEFT, HAVING A CENTRAL ANGLE OF 07°12'55" AND A RADIUS OF 1449.94 FEET, HAVING A CHORD BEARING OF N59°46'00"W AND A CHORD LENGTH OF 182.47 FEET, THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 182.59 FEET; THENCE N63°22'28"W FOR A DISTANCE OF 46.15 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY AND TO THE RIGHT, HAVING A CENTRAL ANGLE OF 09°32'49" AND A RADIUS OF 1350.00 FEET, HAVING A CHORD BEARING OF N58°36'03"W AND A CHORD LENGTH OF 224.69 FEET. THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 224.95 FEET; THENCE N70°25'14"E FOR A DISTANCE OF 220.09 FEET FOR A POINT OF BEGINNING, SAID POINT BEING A POINT ON A CURVE, SAID CURVE BEING CONCAVE NORTHEASTERLY AND TO THE RIGHT, HAVING A CENTRAL ANGLE 09°40'35" AND A RADIUS OF 1943.11 FEET, HAVING A CHORD BEARING OF N19°38'25"W AND A CHORD LENGTH OF 327.77 FEET, THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 328.16 FEET; THENCE N14°48'08"W FOR A DISTANCE OF 510.59 FEET TO A POINT OF CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY AND TO THE LEFT, HAVING A CENTRAL ANGLE OF 00°54'06" AND A RADIUS OF 13221.36 FEET, HAVING A CHORD BEARING OF N15°15'11"W AND A CHORD LENGTH OF 208.06 FEET, THENCE ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 208.06 FEET; THENCE N71°57'23"E FOR A DISTANCE OF 593.84 FEET; THENCE S18°32'08"W FOR A DISTANCE OF 50.58 FEET; THENCE S08°59'48"E FOR A DISTANCE OF 171.58 FEET; THENCE S18°43'17"W FOR A DISTANCE OF 160.81 FEET; THENCE S33°50'27"W FOR A DISTANCE OF 103.26 FEET; THENCE S02°23'08"E FOR A DISTANCE OF 103.98 FEET; THENCE S32°50'53"E FOR A DISTANCE OF 129.71 FEET; THENCE S01°39'23"E FOR A DISTANCE OF 98.02 FEET; THENCE S50°42'03"E FOR A DISTANCE OF 157.13 FEET; THENCE S04°07'27"W FOR A DISTANCE OF 81.48 FEET; THENCE S27°25'56"E FOR A DISTANCE OF 126.47 FEET; THENCE S53°46'22"W FOR A DISTANCE OF 50.05 FEET; THENCE S78°01'53"E FOR A DISTANCE OF 330.19 FEET; THENCE S63°23'04"W FOR A DISTANCE OF 66.05 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL CONTAINS 10.85 ACRES MORE OR LESS.

EXHIBIT "B" REVISED OFFICIAL ZONING MAP





**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT FOR THE TRIBUTE REZONING
CITY COUNCIL PUBLIC HEARING
AUGUST 3, 2021**

OVERVIEW

Application Number: 4738

Applicant: Charlie Faulkner, Crescent City, FL 32112

Property Description: 10.85 +/- acres generally located 450 feet east of Old Kings Road and about one-third mile north of SR 100 (E. Moody Blvd.)

Property Owners: Flagler Pioneer Group, LLC
Parcel ID #: eastern portion of 39-12-31-0000-01010-0056
Parcel Address: Not yet established
Current FLUM: Primarily Mixed Use with a little Conservation
Current Zoning: High Intensity Commercial (COM-3)
Current Use: Vacant
Property Size: 10.85 +/- acres

Requested Action: Rezoning from the High Intensity Commercial (COM-3) Zoning District to the Multi-Family Residential-2 (MFR-2) Zoning District

ANALYSIS

REQUESTED ACTION

Flagler Pioneer Group, LLC (as property owner) is proposing to rezone 10.85 +/- acres of vacant land located about 450 east of Old Kings Road and about one-third mile north of SR 100 (E. Moody Boulevard) from the High Intensity Commercial (COM-3) Zoning District to the Multi-Family Residential-2 (MFR-2) Zoning District. The westerly 10.00 +/- acres of this 20.85 +/- acre parcel would remain as High Intensity Commercial (COM-3).

BACKGROUND/SITE HISTORY

The current property owner purchased the 20.85 +/- acre parcel (Parcel 4) and the adjoining 11.33 +/- acre Parcel 2 to the south in 2007.

In 2017, Parcel 2 (the property to the south of the property proposed for rezoning) was rezoned by the City Council from COM-3 to MFR-2. In 2018, Parcel 2 was put under purchase contract with a developer who wanted to develop it as an affordable housing rental project using tax credit financing through the Florida Housing Finance Corporation. The intended purchaser was unsuccessful over the last few years in obtaining the tax financing credit funding which is very competitive. In February 2021, Neel Stacy representing Ravenshill Holdings, LLC put the 11.33

+/- acre Parcel 2 and the east 10.85 +/- acres of Parcel 4 under purchase contract contingent upon the rezoning of the easterly 10.85 +/- acres of Parcel 4 from COM-3 to MFR-2.

PROJECT DESCRIPTION

Ravenshill Holdings, LLC intends to combine the two parcels they are purchasing for a total of 22.18 +/- acres in order to develop a higher end market rate apartment community for 246 homes with 240 units being within typical multi-family buildings and 6 units being carriage homes (similar to townhomes). A sister company to Ravenshill Holdings, LLC purchased the unfinished Tuscan Reserve multi-family project that is located NW of Tom Gibbs Chevrolet in 2019, and completed the construction of those buildings and recently had all of those higher end apartment units leased. They recently had a waiting list of ten qualified leases with no scheduled vacancies before August 2021. Ravenshill Holdings, LLC intends to develop a similar type of community but with a different architectural style on these 22.18 +/- acres.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use/Conservation	Mixed Use/Conservation
Zoning District	High Intensity Commercial (COM-3)	Multi-Family Residential-2 (MFR-2)
Use	Vacant land	Multi-family residential community
Acreage	10.85 +/- acres	10.85 +/- acres

SURROUNDING LANDS:

NORTH:	FLUM:	Mixed Use
	Zoning:	High Intensity Commercial (COM-3)
SOUTH:	FLUM:	Mixed Use
	Zoning:	Multi-Family Residential – 2 (MFR-2)
EAST:	FLUM:	Conservation/Mixed Use
	Zoning:	Master Planned Development (MPD)
WEST:	FLUM:	Mixed Use
	Zoning:	High Intensity Commercial (COM-3)

SITE DEVELOPMENT REQUIREMENTS

Criteria	(Proposed Standards with MFR-2)
Min. Development Size	4 acres
Min. Unit Size	650 sq. ft.
Max. Impervious Surface Ratio	0.70

Min. Front Setback	25 ft.
Min. Rear Setback	20 ft.
Min. Interior Side Setback	10 ft.
Max. Building Height	60 ft.
Max. Density*	up to 12 units/per acre*

*Density in the Multi-Family Residential - 2 (MFR-2) Zoning District is calculated based on Table 3-3 and Section 3.05.03.A of the Land Development Code, which allow up to 12 units/per acre on upland areas and up to 3 units/per acre on wetland areas that are preserved. Wetland areas located in the northeast corner of the site that is designated Conservation on the FLUM will not receive density credits. The lines delineating between Conservation and Mixed Use lands are only estimated lines based on aerial photography and these lines are then set in the field by a qualified environmental professional and field verified with St. Johns River Water Management District and/or the Army Corps of Engineers. Once those wetland lines have been field verified the lines on the Conservation FLUM are modified.

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

The Unified Land Development Code, Chapter 2, Part II, Section 2.05.05 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;

Staff Finding: The proposed project with MFR-2 zoning is an allowed zoning district in areas designated *Mixed Use* on the Future Land Use Map (FLUM) and will be compatible with the variety of other uses currently allowed within close proximity to the site.

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

Staff Finding: The request is consistent with the following goals, policies and objectives of the Comprehensive Plan:

- **Chapter 1 – Land Use Element: Goal 1.1 - *Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.*** Allowing multi-family uses on this site will preserve the character of suburban residential communities as the closest existing residential community is over one mile away. The project will also combat urban sprawl by utilizing land at a density of up to 12 units/per acre that is located east of Interstate 95 and close to existing and future commercial services. Additionally, these multi-family homes will allow a broader mix of housing types in Palm Coast where a preponderance of available homes are single-family detached homes. Multi-family land uses compared to single-family home sites, also allow a significantly better opportunity for preserving open space and protecting environmentally sensitive areas.
- **Chapter 1 – Land Use Element: Policy 1.1.4.5 – *Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining***

public facilities, as well as providing housing and transportation strategies that will foster energy conservation. All public services are already available to serve the site and have adequate capacity for doing so. Additionally, multi-family homes with fewer exterior walls than detached single-family homes will be significantly more energy efficient. The project's traffic impact statement shows the subject 10.85 +/- acres with MFR-2 zoning will generate 669 weekday daily trips, 44 weekday AM peak hour trips and 54 PM peak hour trips. The traffic impact statement advises that Old Kings Road, between SR 100 and Town Center Boulevard, will easily be at LOS C with the subject parcel's and Parcel 2's traffic included.

- **Chapter 3 - Housing Element: Objective 3.3.5 Protect Residential Areas from Inappropriate Land Uses** – *Protect predominantly residential areas from the intrusion of incompatible or more intensive land uses.* The closest single-family residential neighborhoods to the proposed multi-family rezoning are the Hidden Lakes Subdivision a little over one mile to the north and the recently approved Colbert Landings Subdivision a little under one mile to the east. Significant portions of Graham Swamp will also separate the multi-family project from those two residential subdivisions.
- **Chapter 3 - Housing Element: Objective 3.4.1 Diversity in Housing Opportunities; Policy 3.4.1.1** – *Through the FLUM and zoning district regulations of the LDC, the City shall make provisions to supply land that can be developed with various types of residential uses, including single-family homes of various sizes, duplexes, multi-family dwellings, and residential units in mixed use developments.* Approval of this multi-family residential rezoning will allow the developer to move forward with developing multi-family homes in an area of predominantly vacant commercially zoned properties on three sides and Graham Swamp on the east. This will allow this more intense type of residential use to be developed where it will not have any negative impacts on single-family detached homes. Not all residents desire or can afford to live in single-family detached homes all of their adult lives and by having apartment communities that have on-site management facilities it is better for Palm Coast to have one large rental community of 240 homes than 240 single-family rental homes dispersed throughout Palm Coast that may or may not be well maintained. Many newcomers to Palm Coast rent for a period of time before purchasing an existing home or having a new home constructed.

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

Staff Finding: Water and sewer services are available to serve the project. Old Kings Road between SR 100 and Town Center Boulevard will easily be at LOS C with the project's traffic included.

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 proposed rezoning will be compatible with the overall neighborhood as it is located between an area of preserved lands and undeveloped High Intensity Commercial (COM-3) lands. These residential uses will also provide demand for existing and future commercial land uses in nearby Mixed Use areas.

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 City's Land Development Code, Comprehensive Plan, and the requirements of all other applicable state and federal agencies throughout the development process.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.06.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.06.03 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 rezoning application*":

A. *Whether it is consistent with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan;*

Staff Finding: As noted previously in the analysis prepared for LDC Chapter 2, Part II, Section 2.05.05 of this staff report, the requested zoning district is in conformance with the Comprehensive Plan elements, and their goals, objectives and policies.

B. *Its impact upon the environment and natural resources;*

Staff Finding: The wetland lines have been recently set in the field by a qualified environmental professional and the results indicate there are only 0.84 +/- acre of wetlands located along the eastern property line. Since these are not isolated wetlands they will need to be preserved by the project. Upon submittal of a Master Site Plan or Technical Site Plan a more thorough environmental analysis will be provided by the applicant and reviewed by applicable City staff and other governmental review agencies.

C. *Its impact on the economy of any affected area;*

Staff Finding: Impacts to the Palm Coast economy are anticipated to be positive since the project will provide numerous construction jobs over the first few years and will provide additional tax revenues to the City. Additionally, the residences will increase demand for future single-family homes as many newcomers to Palm Coast want to rent a year or so, especially at this time where there is a very limited supply of homes to choose from, to ensure they want to live in Palm Coast or sell an existing out-of-town home and to determine which neighborhood in Palm Coast they want to permanently reside in. If the project is denied then potential Palm Coast residents may rent in another community and then end up purchasing a home in that community.

D. *Its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation;*

Staff Finding: The impact on the necessary governmental services including: wastewater, potable water, drainage, fire and police protection, solid waste and transportation systems will be covered by concurrency regulations and impact fees paid by the developer during the site plan process.

E. *Any changes in circumstances or conditions affecting the area;*

Staff Finding: The market for brick and mortar retail and office uses has substantially declined over the last 10 – 15 years and this has become more relevant on secondary arterial roadways as most of the remaining commercial uses desire to be located along the three major east-west

corridors in the City that have I-95 interchanges or nearby activity centers where north-south arterial roadways intersect with these east-west corridors. This reduced demand for commercial services along this area of Old Kings Road makes residential uses more logical for the subject property and having higher density residences located between Graham Swamp on the east and undeveloped High Intensity Commercial (COM-3) on the other three sides is an appropriate location for a MFR-2 project.

F. Compatibility with proximate uses and development patterns, including impacts to the health, safety, and welfare of surrounding residents;

Staff Finding: As previously described the proposed rezoning will be easily compatible with the existing preserve lands to the east and future commercial uses in the overall neighborhood. The nearest residential single-family homes are located over one mile away to the north.

G. Whether it accomplishes a legitimate public purpose:

Staff Finding: The subject property is located almost entirely within the Mixed Use designation on the FLUM and the proposed zoning district of MFR-2 is an allowable zoning district within that FLUM designation. Staff believes the site is very appropriate for the proposed higher density residential community.

PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers or property owners who are requesting to rezone property within the City to notify neighboring property owners within 300 feet of the subject property boundaries and hold a neighborhood meeting.

To comply with this standard, the developer notified the neighboring property owners via standard USPS mail on May 1st, of a neighborhood meeting that was held on May 11, 2021 at 5:30 P.M at the Hilton Garden Inn NW of the intersection of Town Center Boulevard and SR 100. No one from the public attended this neighborhood meeting but two persons representing the applicant did as well as two City staff members.

The developer erected two City provided signs along the east side of Old Kings Road located about 400 to 500 feet west of the subject property by July 20th, notifying the general public of the upcoming public hearings for the City Council on August 3 and August 17. (Note the subject property currently has no frontage on any public street.) City staff has received no correspondence from the public supporting or objecting to this rezoning application.

PLANNING AND LAND DEVELOPMENT REGULATION BOARD

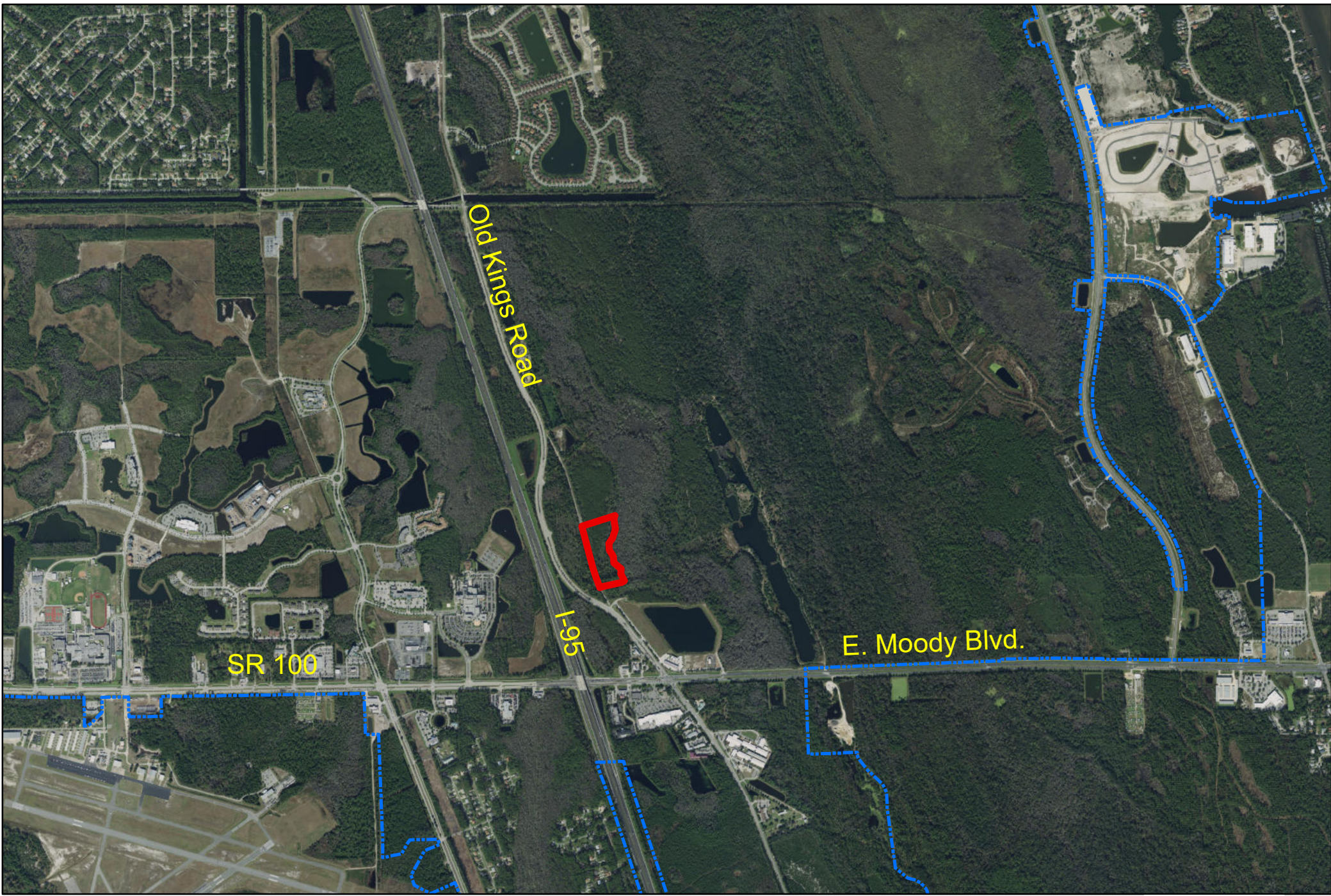
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RECOMMENDATION

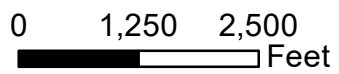
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approval to City Council to rezone 10.85 +/- acres from High Intensity Commercial (COM-3) to Multi-Family Residential-2 (MFR-2).

The Tribute - Distant Aerial



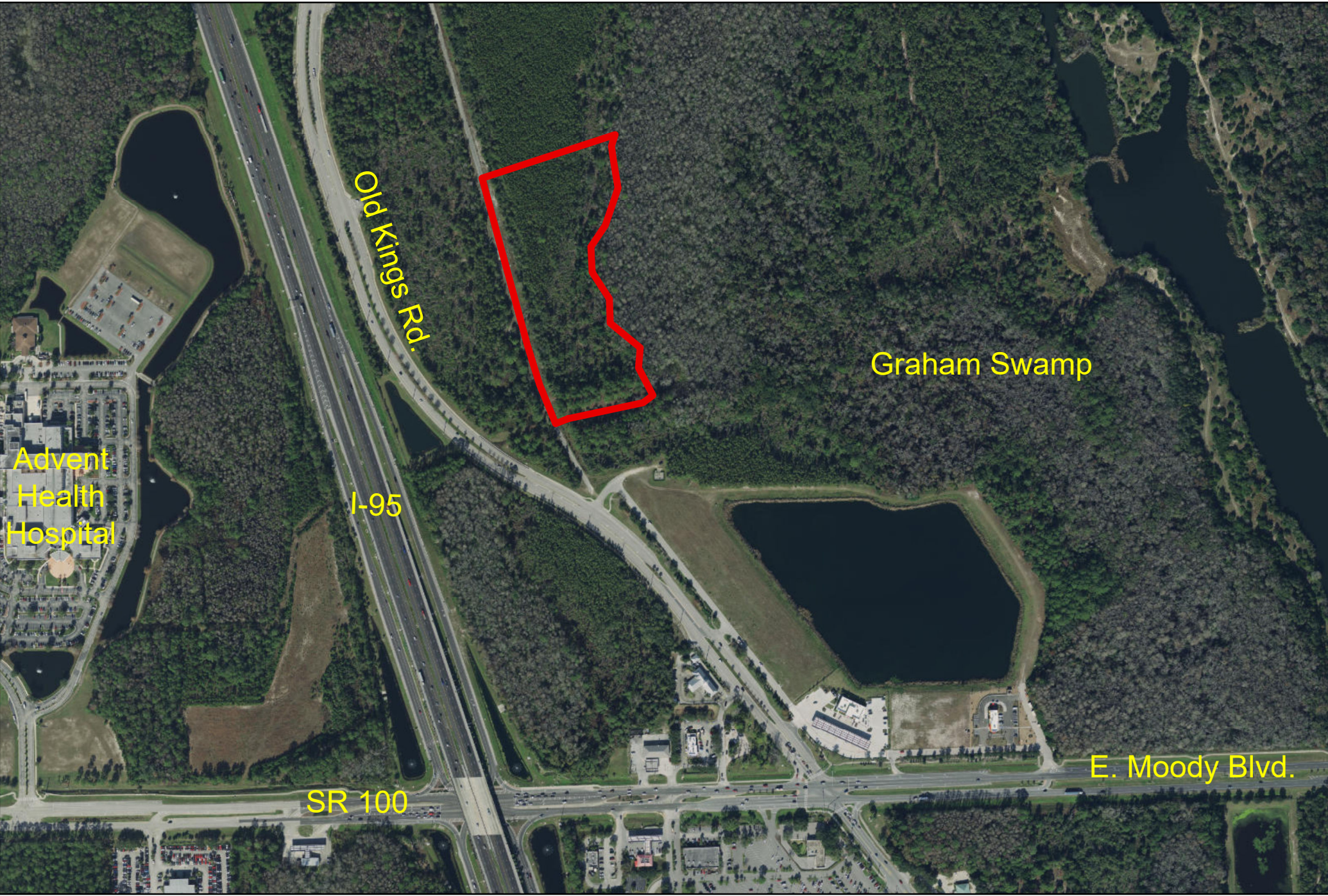
- Legend**
-  Palm Coast City Limits
 -  Rezoning App





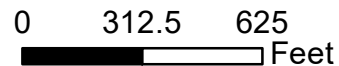
Map Provided By: Planning Division



The Tribute - Close-up Aerial



- Legend**
-  Palm Coast City Limits
 -  Rezoning App



Map Provided By: Planning Division



The Tribute - FLUM

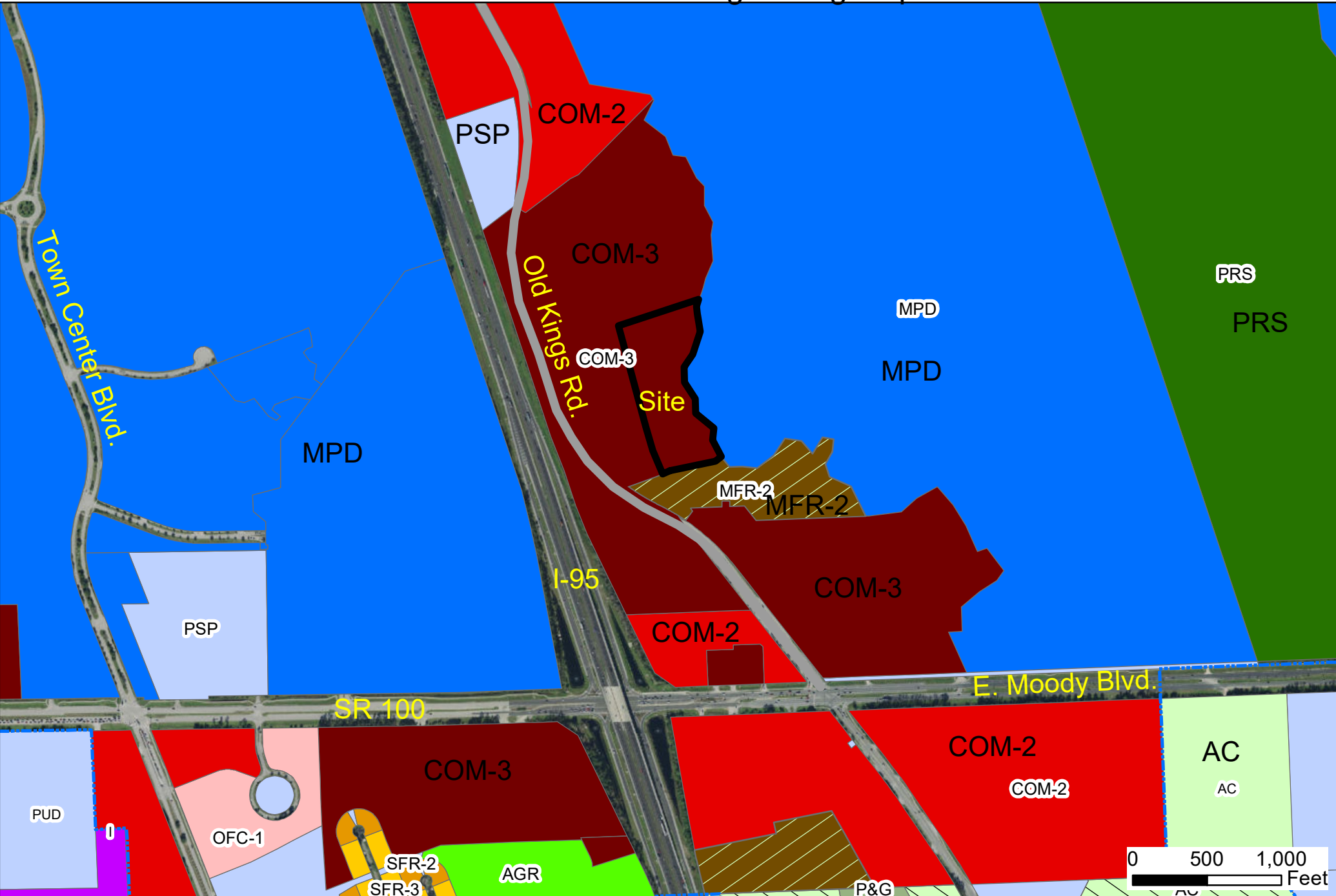


Legend

- Palm Coast City Limits
- Rezoning App
- FLUM CATEGORY**
- AGRICULTURE & TIMBERLANDS
- DRI-Urban Core
- Mixed Use
- Canals
- Greenbelt
- Residential
- Conservation
- Industrial
- AGRICULTURE & TIMBERLANDS
- Institutional
- COMMERCIAL: HIGH INTENSITY
- MIXED USE: LOW INTENSITY
- DRI-Mixed Use
- COMMERCIAL: LOW INTENSITY
- MIXED USE: HIGH INTENSITY
- AGRICULTURE & TIMBERLANDS
- INDUSTRIAL
- RESIDENTIAL: LOW DENSITY / RURAL ESTATE



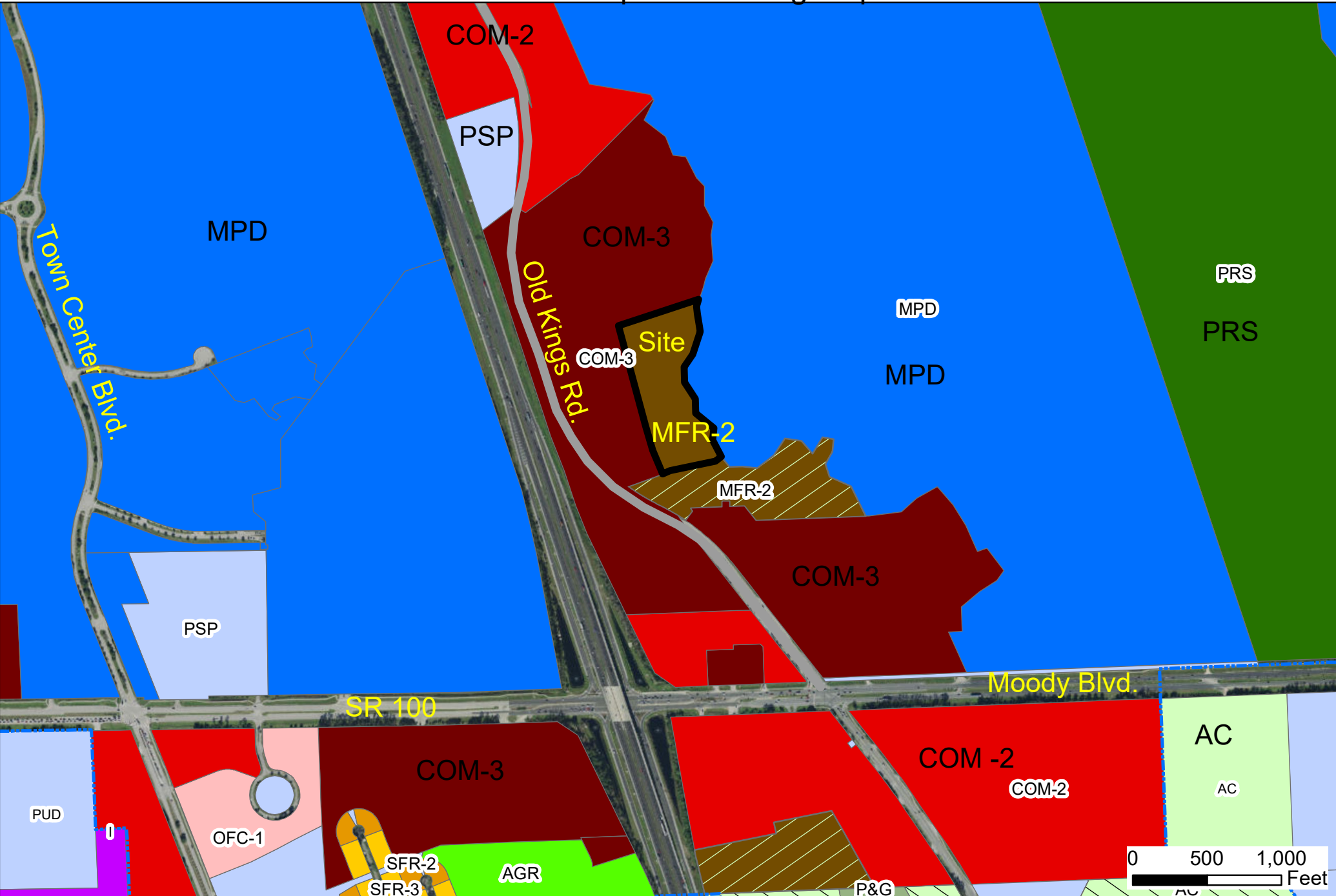
The Tribute - Existing Zoning Map



Legend	
	Palm Coast City Limits
	Rezoning App
	Zoning AC
	AGR
	COM-1
	COM-2
	COM-3
	COM-4
	EST-1
	EST-2
	IND-1
	IND-2
	MPD
	P&G
	PSP
	PUD
	MFR-1
	MFR-2
	OFC-1
	OFC-2
	OFC-3
	PRS
	SFR-1
	SFR-2
	SFR-3
	SFR-4
	AC
	C-1
	C-2
	CN
	I
	I-PUD
	NRC-PUD
	PUD
	R-1
	R-1B
	R/C

Map Provided By: Planning Division

The Tribute - Proposed Zoning Map



Legend

Palm Coast City Limits	AGR	COM-3	EST-2	MFR-1	OFC-1	PRS	SFR-1	CN	PUD
Rezoning App	COM-1	DPX	IND-1	MFR-2	OFC-2	PSP	SFR-2	AC	R-1
Zoning	COM-2	EST-1	IND-2	MPD	P&G	PUD	SFR-3	C-1	R-1B
AC							SFR-4	C-2	R/C
								NRC-PUD	

Map Provided By: Planning Division



Legend

Site Acreage: +/- 22.85 Acres

246 Total Units Provided:

- (4) Three Story - 36 Unit Buildings = 144 Units
- (2) Four Story - 48 Unit Buildings = 96 Units
- (3) Two Unit Carriage Homes = 6 Units
- (7) Ten Space - Private Detached Garage Buildings

Each Carriage Home Building Has 10 Private Garages = 30 spaces
 Each Detached Garage Building Has 10 Spaces = 10 Spaces
 Provided Surface Parking = 372 Spaces

Total Parking provided = 472 (1.9 Per Unit)



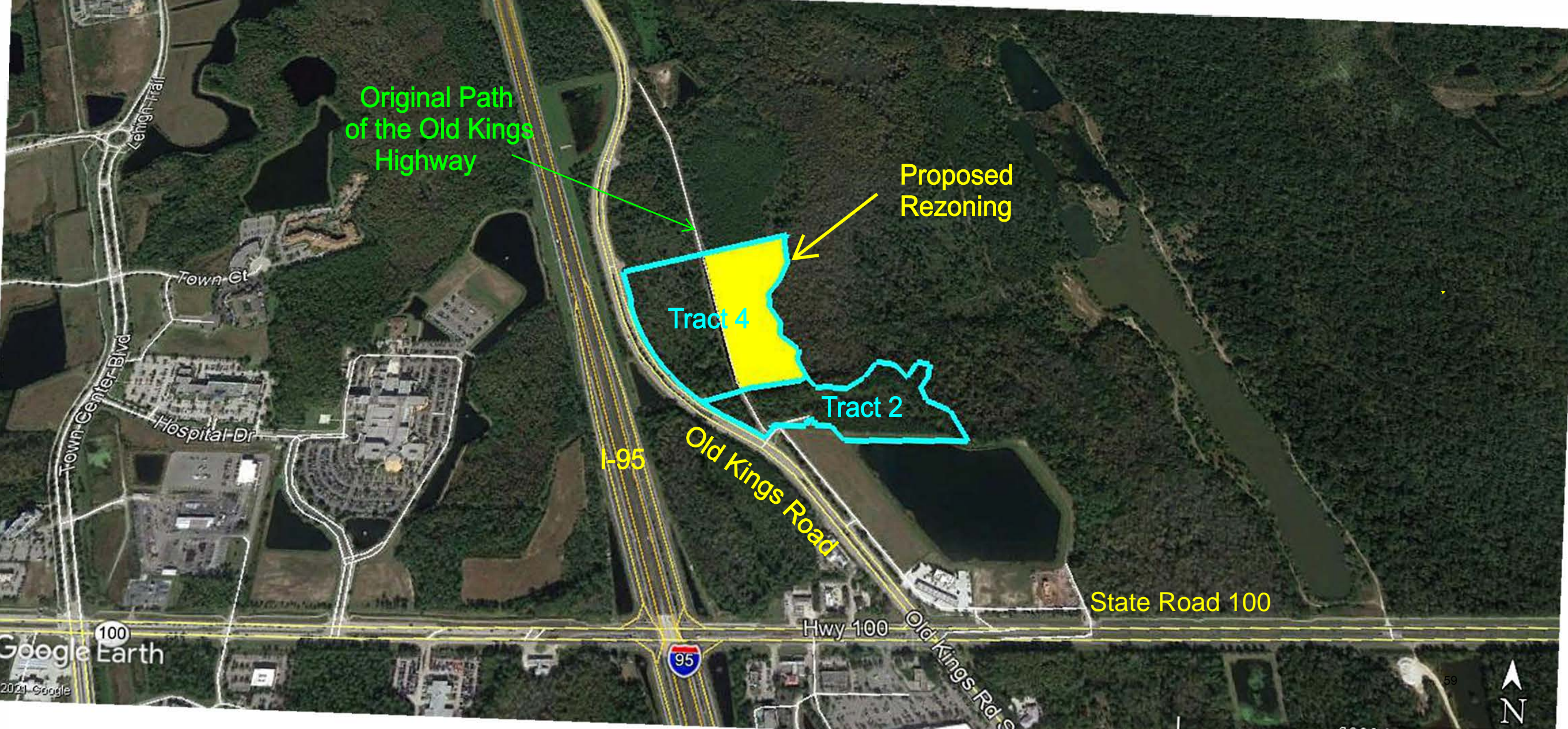
The Tribute
Ravenshill Holdings

Scale 1:150
North



02

site plan
05.06.21



Original Path
of the Old Kings
Highway

Proposed
Rezoning

Tract 4

Tract 2

I-95

Old Kings Road

State Road 100

Hwy 100

Old Kings Rd S

Google Earth

2021 Google

59



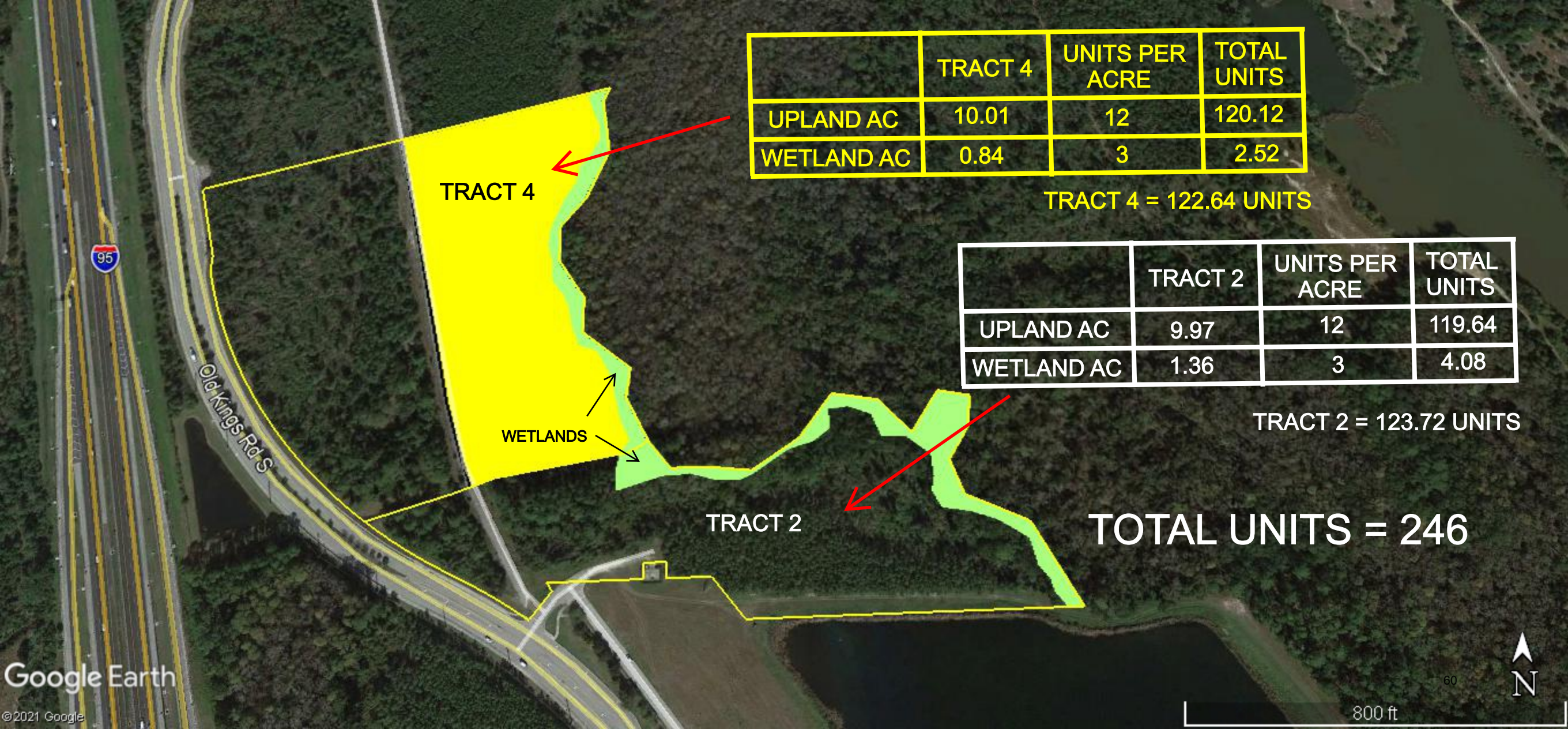
	TRACT 4	UNITS PER ACRE	TOTAL UNITS
UPLAND AC	10.01	12	120.12
WETLAND AC	0.84	3	2.52

TRACT 4 = 122.64 UNITS

	TRACT 2	UNITS PER ACRE	TOTAL UNITS
UPLAND AC	9.97	12	119.64
WETLAND AC	1.36	3	4.08

TRACT 2 = 123.72 UNITS

TOTAL UNITS = 246



Via email: cfaulkner8@cfl.rr.com

Ref: 5321.01

TECHNICAL MEMORANDUM

To: Thomas L. Gibbs c/o Charlie Faulkner
From: Matthew West, AICP
Subject: The Tribute Multifamily Rezoning Traffic Impact Analysis (RTIA), Palm Coast, FL
Date: May 11, 2021

INTRODUCTION

LTG, Inc. (LTG) has been retained by Flagler Pioneer Group, LLC., to prepare a traffic analysis in support of a rezoning for Tract 4 (10.85 acres), also known as The Tribute. The application proposes to change the zoning designation from High Intensity Commercial (COM-3) to Multifamily Residential (MFR-2) in the City of Palm Coast, Florida. The subject site is east of Old Kings Road and north of SR 100.

The methodology and procedures used in this analysis are consistent with the guidelines for the CITY and the River to Sea Transportation Planning Organization (R2CTPO).

TRIP GENERATION FOR THE EXISTING VS. PROPOSED ZONING DESIGNATION

The site has a City zoning of High Intensity Commercial (COM-3). The trip generation was determined using the Institute of Transportation Engineers (ITE) document, *Trip Generation Manual*, 10th Edition. Shopping Center, land use code 820, was used as the most accurate use category for the existing zoning designation of COM-3, which permits a floor area ratio (FAR) of 0.50. Per a Recorded Development Agreement, for vesting purposes the FAR has been limited to 0.20. An FAR of 0.2 results in 94,525 square-feet (sq. ft.), while an FAR of 0.50 results in 236,313 sq. ft of non-residential building area. The gross average daily trips, a.m., and p.m. peak hour two-way trips for the current zoning with the 0.20 FAR and 0.50 FAR is shown in Table 1.

A certain portion of the shopping center trips generated are expected to be attracted from existing traffic on the adjacent roadway (Old Kings Road). Consistent with methodology outlined in the ITE, *Trip Generation Handbook*, 3rd Edition, a 34% pass-by reduction is applicable for the Shopping Center use to account for trips that are already on the roadway. However, in accordance with the R2CTPO Guidelines, the pass-by trips have been limited to 14% of the adjacent roadway traffic. The net average daily, a.m., and p.m. peak-hour two-way trips, for the 0.20 FAR and 0.50 FAR are shown in Table 2.

The applicant is requesting Multifamily Residential (MFR-2) zoning. The trip generation was determined using the ITE, *Trip Generation*, 10th Edition. As proposed, the MFR-2 proposed development will consist of 123 mid-rise multifamily residential dwelling units (DUs). The land use multifamily residential (ITE LUC 221) was used as the highest trip generating use for the requested zoning and was used to calculate the proposed development trip generation. As indicated in Table 3, the proposed maximum buildout development program produces 669 gross daily trips, 44 gross a.m. peak-hour, and 54 gross p.m. peak-hour trips.

TECHNICAL MEMORANDUM

Charlie Faulkner
 May 11, 2021
 Page 2

**Table 1
 Existing Zoning Gross Trip Generation
 The Tribute RTIA**

Existing Zoning	Time Period	FAR	Land Use	ITE LUC	Trip Rate Equation	Size	Units	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
COM-3	Daily	0.2	Shopping Center	820	$\text{Ln}(T)=0.68\text{Ln}(X)+5.57$	94.5	KSF	50%	50%	2,893	2,893	5,786
	AM Peak-Hour				$T=0.94(X)$			62%	38%	55	34	89
	PM Peak-Hour				$\text{Ln}(T)=0.74\text{Ln}(X)+2.89$			48%	52%	250	271	521
COM-3	Daily	0.5	Shopping Center	820	$\text{Ln}(T)=0.68\text{Ln}(X)+5.57$	236.3	KSF	50%	50%	5,395	5,395	10,789
	AM Peak-Hour				$T=0.94(X)$			62%	38%	138	84	222
	PM Peak-Hour				$\text{Ln}(T)=0.74\text{Ln}(X)+2.89$			48%	52%	493	534	1,027

TECHNICAL MEMORANDUM

Charlie Faulkner
 May 11, 2021
 Page 3

**Table 2
 Existing Zoning Net Trip Generation
 The Tribute RTIA**

Time Period	FAR	Land Use	Total Trips			Pass-by Trips			New External Trips		
			Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Daily	0.20	Shopping Center	2,893	2,893	5,786	595	595	1,190	2,298	2,298	4,596
AM Peak-Hour			55	34	89	0	0	0	55	34	89
PM Peak-Hour			250	271	521	51	56	107	199	215	414
Time Period	FAR	Land Use	Total Trips			Pass-by Trips			New External Trips		
Time Period	FAR	Land Use	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Daily	0.50	Shopping Center	5,395	5,395	10,789	595	595	1,190	4,800	4,800	9,600
AM Peak-Hour			138	84	222	0	0	0	138	84	222
PM Peak-Hour			493	534	1,027	51	56	107	442	478	920

**Table 3
 Proposed Zoning Trip Generation
 The Tribute RTIA**

Time Period	Land Use	ITE LUC	Trip Rate Equation	Size	Units	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Daily	Multifamily Housing (Mid-Rise)	221	$T=5.45(X)-1.75$	123	DU	50%	50%	334	334	669
AM Peak-Hour			$T=0.36(X)$			26%	74%	12	33	44
PM Peak-Hour			$T=0.44(X)$			61%	39%	33	21	54

CHANGE IN TRIP GENERATION BETWEEN PROPOSED AND EXISTING ZONING DESIGNATIONS

Table 4 shows the results of existing and proposed trip generations. When an FAR of 0.20 is applied, the proposed zoning change from COM-3 to MFR-2 would potentially result in a decrease of 3,927 average daily trips, 45 a.m. peak-hour two-way trips, and 360 p.m. peak hour two-way trips. When an FAR of 0.50 is applied, the proposed zoning change from COM-3 to MFR-2 would potentially result in a decrease of 8,931 average daily trips, 178 a.m. peak-hour two-way trips, and 866 p.m. peak hour two-way trips.

**Table 5
Difference Between Existing & Proposed Zoning
The Tribute RTIA**

0.2 FAR	Existing Zoning	Proposed Zoning	Difference	
Daily	4,596	669	3,927	Reduction
A.M. Peak-Hour	89	44	45	Reduction
P.M. Peak-Hour	414	54	360	Reduction
0.5 FAR	Existing Zoning	Proposed Zoning	Difference	
Daily	9,600	669	8,931	Reduction
A.M. Peak-Hour	222	44	178	Reduction
P.M. Peak-Hour	920	54	866	Reduction

IMPACT OF TRIP GENERATION ON NEARBY INTERSECTION

At the request of the City of Palm Coast, the impact of the proposed rezoning analysis for Tract 4, and additionally the traffic from Tract 2 (246 DUs) on the intersection of Town Center Boulevard at Old Kings Road was estimated. The 2019 AADT collected and reported by the City of Palm Coast is 8,500 for the segment of Old Kings Road between Town Center Boulevard and SR 100. A 5% growth was applied to estimate the 2021 AADT at 8,925. FDOT's Quality Level of Service tables estimate the daily LOS "C" volume for Old Kings Road is 37,900. Using previous turning movement counts collected at Town Center Boulevard and Old Kings Road at SR 100, it is estimated that 48% of the proposed traffic could impact the intersection of Town Center Boulevard at Old Kings Road, resulting in approximately 643 daily trips. When the additional daily trips for Tract 2 and Tract 4 are added to the estimated 2021 daily volume, the project is expected to consume 1.6% of the daily LOS (total estimated volume of 9,568). Additional analysis will be provided in greater detail during the site plan review phase.

CONCLUSION

This study was conducted to evaluate the impact that a change in zoning designations would have on area roadways in the City of Palm Coast. When evaluating the difference between the existing and proposed potential maximum development scenarios for the zoning change, the development could potentially result in a reduction of trips on the surrounding roadway network. Concurrency and any required mitigation to support a proposed development plan will be assessed in greater detail during the final development permitting process as well.

I affirm, by affixing my signature below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name : Matthew West

Signature: _____

Date: May 11, 2021



- GENERAL APPLICATION:** Rezoning Special Exception
 Nonstatutory Land Division/Parcel Reconfiguration Vacating Plat
 Subdivision Master Plan Preliminary Plat Final Plat
 Master Site Plan Nonresidential Controlling Master Site Plan
 Technical Site Plan Site Plan Addition Development Order Modification
 Variance Parking Flexibility
 Wireless Communication Facility (new structure)

CD Plus Application #: _____ Application Submittal Date: _____
Fee Paid: \$ _____ Date of Acceptance: _____
Employee Name Accepting Application (print name): _____
Rejected on _____ Rejected by: _____
Reason for Rejection: _____

- A. PROJECT NAME: The Tribute
- B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): None
East of Old Kings Road & north of Kings Pointe Subdivision
- C. PROPERTY APPRAISER'S PARCEL NUMBER(s): 39-12-31-0000-01010-0056 (Portion of)
- D. LEGAL DESCRIPTION: See Exhibit A2 Subdivision Name; _____ Section; _____ Block; _____ Lot
- E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 10.85 Acres
- F. FUTURE LAND USE MAP DESIGNATION: Mixed Use EXISTING ZONING DISTRICT: COM-3
OVERLAY DISTRICT: None
- G. FLOOD ZONE: X COMMUNITY PANEL NUMBER: 0231E DATE: 6/6/2018
- H. PRESENT USE OF PROPERTY: Undeveloped
- I. DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS):
Rezone a portion of Tract 4 from COM-3 to MFR-2
- J. PROPOSED NUMBER OF LOTS: None
- K. CHECK APPROPRIATE BOX FOR SITE PLAN:
 Tier 1 (up to 40,000 sq. ft. / 40 units)
 Tier 2 (up to 100,000 sq. ft. / 100 units)
 Tier 3 (exceeding 100,000 sq. ft. / 100 units)
- L. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION: None
- M. WATER/SEWER PROVIDER: City of Palm Coast
- N. IS THERE AN EXISTING MORTGAGE? Yes No



OWNER:

APPLICANT / AGENT:

Name: FLAGLER PIONEER GROUP LLC	Name: CHARLIE FAULKNER
Mailing Address: C/O TOM GIBBS, 2 LAMBERT COVE FLAGLER BEACH, FL 32136	Mailing Address: 291 BYRD ROAD CRESCENT CITY, FL 32112
Phone Number: 386-437-9363	Phone Number: 386-931-9147
E-mail Address: TGIBBS13@AOL.COM	E-mail Address: CFAULKNER8@CFL.RR.COM

MORTGAGE HOLDER:

ENGINEER OR PROFESSIONAL:

Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

PLANNER:

TRAFFIC ENGINEER:

Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

SURVEYOR:

LANDSCAPE ARCHITECT:

Name: Upham, Inc.	Name:
Mailing Address: 265 Kenilworth Ave. Ormond Beach, FL 32174	Mailing Address:
Phone Number: 386.672.9515	Phone Number:
E-mail Address: rwstrcula@uphaminc.com	E-mail Address:

ATTORNEY:

DEVELOPER OR DOCKMASTER:

Name: Jay W. Livingston, Esq.	Name:
Mailing Address: Livingston & Sword, P.A., 391 Palm Coast Pky SW #1 Palm Coast, Florida 32137	Mailing Address:
Phone Number: 386-627-0772	Phone Number:
E-mail Address: JAY.LIVINGSTON314@GMAIL.COM	E-mail Address:

I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT:

Signature of owner OR person authorized to represent this application

Signature(s) *Charlie Faulkner*

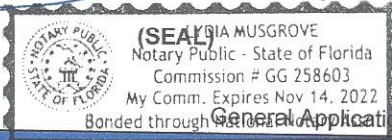
Printed or typed name(s): **CHARLIE FAULKNER**

NOTARY: This instrument was acknowledged before me on this 20 day of April, 2021 by

Charlie Faulkner who is/are personally known to me, or who has/have produced

_____ as identification.

[Signature]
Signature of Notary Public, State of Florida



Bonded through General Application (sheet 2 of 2)



NOTIFICATION AFFIDAVIT FOR OFFICIAL ZONING MAP AMENDMENT (REZONING)

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this _____ day of _____, 20____ personally appeared
Charlie Faulkner who after providing Drivers License 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".

Two (2) signs have been posted on the subject property subject to a rezoning as described with
Application # 4738

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

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

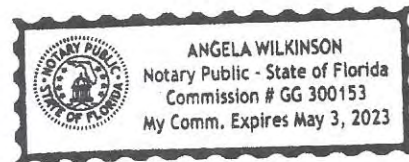
Charlie Faulkner
Signature of Responsible Party

Charlie Faulkner
Printed Name

291 Byrd Road, Crescent City, FL 32112
Mailing Address

Angela Wilkins
Signature of Person Taking Acknowledgement

Angela Wilkins
Name of Acknowledger (Typed, Printed or Stamped)



SEAL

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.

April 30, 2021

**RE: Proposed Rezoning - Parcel ID 39-12-31-0000-01010-0056
Adjacent Property Owner Notification of Neighborhood Meeting**

Dear Neighboring Property Owner:

A Neighborhood Meeting to discuss the rezoning of **Parcel ID 39-12-31-0000-01010-0056** is scheduled for May 11, 2021 at 5:30 pm at the Hilton Garden Inn Board Room; 55 Town Center Blvd, Palm Coast, FL 32164.

The proposal is to rezone the property from High Intensity Commercial (COM-3) to Multi-Family Residential-2 (MFR-2) for a residential community called **"THE TRIBUTE"**. A map of the subject property is attached for your use and reference.

If you have any questions, please contact me at 386-931-9147. We look forward to seeing you at the above referenced meeting.

Sincerely,

Charlie Faulkner

Charlie Faulkner,
Project Manager,
Faulkner & Associates



04-12-31-0000-04030-0011
CITY OF PALM COAST
160 LAKE AVENUE
PALM COAST, FL 32164

39-12-31-0000-01010-0051
WAL-MART STORES EAST LP
PROPERTY TAX DEPT 8013
1301 SE 10TH STREET STORE #4212-00
BENTONVILLE, AR 72716

39-12-31-0000-01010-0058
FLAGLER PIONEER GROUP LLC
C/O TOM GIBBS
2 LAMBERT COVE
FLAGLER BEACH, FL 32136

09-12-31-0000-02010-0014
FLAGLER PIONEER GROUP LLC
C/O TOM GIBBS
2 LAMBERT COVE
FLAGLER BEACH, FL 32136

39-12-31-0000-01010-0056
FLAGLER PIONEER GROUP LLC
C/O TOM GIBBS
2 LAMBERT COVE
FLAGLER BEACH, FL 32136

39-12-31-3380-00000-00B0
KINGS POINTE COMMERCIAL CENTER
OWNERS ASSOCIATION INC C/O TOM GI
2 LAMBERT COVE
FLAGLER BEACH, FL 32136

39-12-31-0000-01010-0050
HEARTWOOD 4 LLC
401 EAST LAS OLAS BLVD STE 800
FORT LAUDERDALE, FL 33301

39-12-31-0000-01010-0057
KINGS POINTE COMMERCIAL
CENTER OWNERS ASSOCIATION INC C/O
2 LAMBERT COVE
FLAGLER BEACH, FL 32136

39-12-31-3380-00000-00C0
CITY OF PALM COAST
160 LAKE AVENUE
PALM COAST, FL 32164

THE TRIBUTE REZONING

City Council Public Hearing
August 3, 2021

Location Map

The Tribute is 10.85 +/- acres and is located about 450 feet east of Old Kings Road and one-third mile north of SR 100.



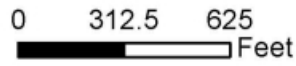
Close-up Aerial

Property owner wants to rezone the property from High Intensity Commercial (COM-3) to Multi-Family Residential – 2 (MFR-2).



Legend

-  Palm Coast City Limits
-  Rezoning App



Map Provided By: Planning Division



Project Description

Ravenshill Holdings, LLC is the contracted purchaser of the east 10.85 +/- acres of Tract 4 and the 11.33 +/- acres of Tract 2 with the purpose of developing a higher end multi-family rental community.



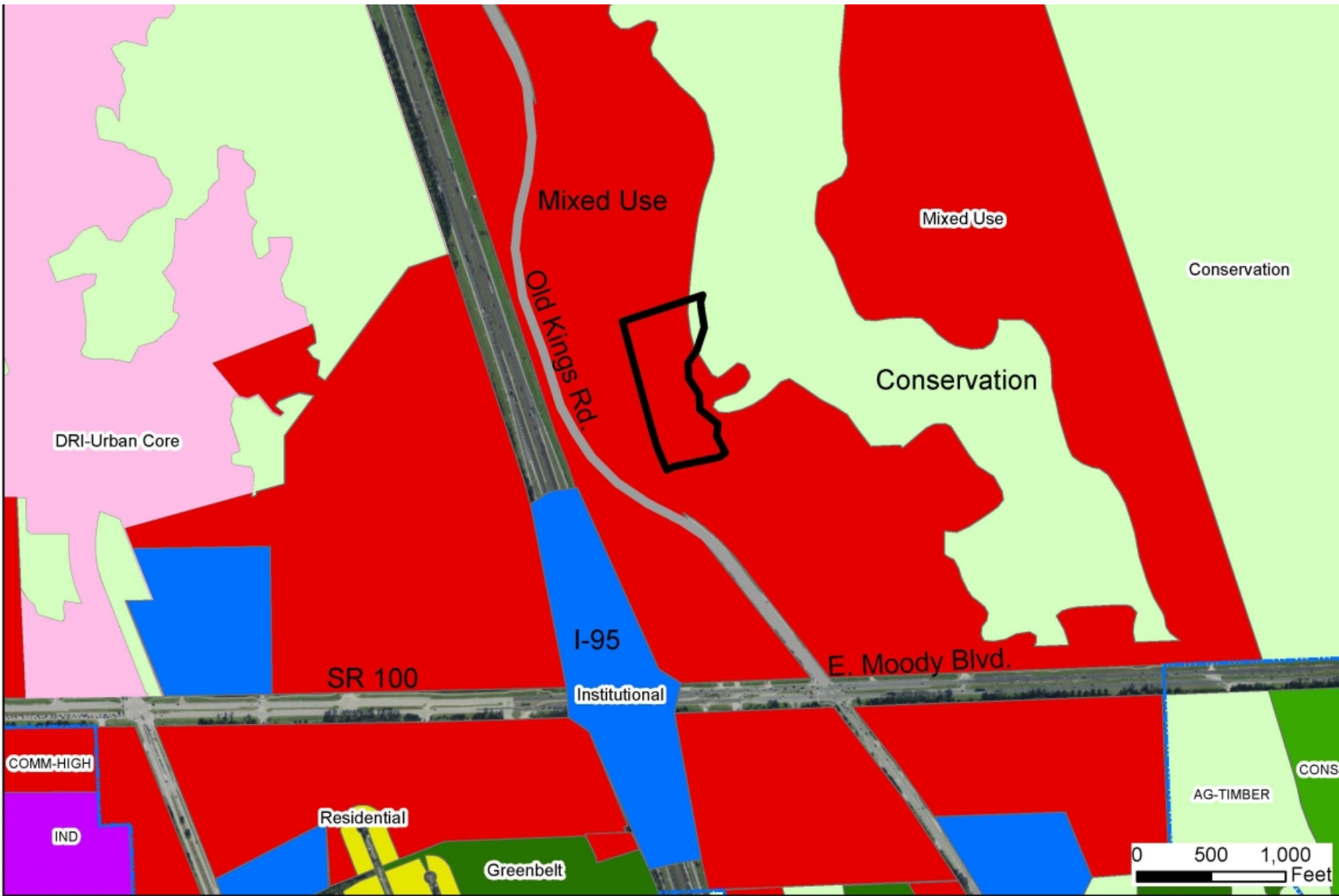
Conceptual Layout



Project would have 246 homes with 6 as carriage homes and 240 homes as 3-story buildings (in yellow) and 4-story buildings (in orange). Clubhouse is at NW part of lake.

FLUM

Subject property and all nearby lands to the north, west, south and SE are all Mixed Use. Lands to the east and NE are Conservation.



Legend

Palm Coast City Limits	CONSERVATION	DRI-Urban Core	Mixed Use	COMMERCIAL: HIGH INTENSITY	MIXED USE: LOW INTENSITY
Rezoning App	Canals	Greenbelt	Residential	COMMERCIAL: LOW INTENSITY	MIXED USE: HIGH INTENSITY
FLUM CATEGORY	Conservation	Industrial	Flagler County FLUM	CONSERVATION	RESIDENTIAL: LOW DENSITY / RURAL ESTATE
AGRICULTURE & TIMBERLANDS	DRI-Mixed Use	Institutional	AGRICULTURE & TIMBERLANDS	INDUSTRIAL	

Map Provided By: Planning Division




The Tribute - Existing Zoning Map



Site and lands to the north and west are COM-3.

South is MFR-2.

East is MPD.

Legend

Palm Coast City Limits	AGR	COM-3	EST-2	MFR-1	OFC-1	PRS	SFR-1	Flagler Zoning	CN	PUD
Rezoning App	COM-2	DPX	IND-1	MFR-2	OFC-2	PSP	SFR-2	AC	I	R-1
AC	COM-1	EST-1	IND-2	MPD	P&G	PUD	SFR-3	C-1	LPUD	R-1B
							SFR-4	C-2	NRC-PUD	B/C

The Tribute - Proposed Zoning Map



Site is proposed for MFR-2 and would be developed with MFR-2 site to the south.

Legend

Palm Coast City Limits	AGR	COM-1	EST-1	MFR-1	OFC-1	PRS	SFR-1	Flagler Zoning	CN	PUD
Rezoning App	COM-2	DPX	EST-2	MFR-2	OFC-2	PSP	SFR-2	AC	I	R-1
Zoning	COM-3	IND-1	IND-2	MFR-3	MPD	PUD	SFR-3	C-1	LPUD	R-1B
AC	COM-2	IND-2	IND-3	MFR-4	P&G	PUD	SFR-4	C-2	NRC-PUD	R-1C

Map Provided By: Planning Division

Five Review Criteria from Sec. 2.05.05 of LDC

A. Must not be in conflict with public interest.

Findings: MFR-2 is an allowed zoning district in Mixed Use areas on the Comprehensive Plan and will be compatible with other uses allowed on neighboring lands.

B. Must be consistent with LDC and Comprehensive Plan.

Findings: Project meets four goals, policies or objectives of the Comprehensive Plan and will need to meet the LDC.

Five Review Criteria from Sec. 2.05.05 of LDC

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

Findings: Public facilities such as water and sewer are available to serve the site and Old Kings Road with the project's traffic included will easily be at LOS C.

D. Must not create an unreasonable hazard or nuisance.

Findings: This rezoning will be compatible with the overall neighborhood as it is located between an area of preserved lands and undeveloped High Intensity Commercial (COM-3) lands.

Five Review Criteria from Sec. 2.05.05 of LDC

E. Must comply with all applicable government standards.

Findings: Project will need to meet all local, state and federal development requirements.

Public Participation

- Applicants notified, via U.S. First Class mail, all property owners within 300 feet of the rezoning of the neighborhood meeting.
- Meeting was held at 5:30 PM on May 11 at the Hilton Garden Inn.
- The applicant had two representatives there, City had two staff members there but no one from the public attended.
- Two signs were erected and news ads run about two weeks prior to each public hearing.
- Staff has not received any communication from the public on the rezoning.

Planning and Land Development Regulation Board

- This hybrid meeting was held at 5:30 PM on May 19th.
- No one from the public attended specifically for this project.
- The PLDRB found this project in compliance with the Comprehensive Plan and recommended approval to City Council by a 6 – 0 vote.

Next Steps

- Second City Council Public Hearing for Rezoning
- Applicant's engineer would submit a Tier 3 Master Site Plan or Tier 3 Technical Site Plan.
- Staff would review this first, followed by the PLDRB and then City Council.

Recommendation

The Planning and Land Development Regulation Board determined the proposed rezoning (Application No. 4738) was consistent with the Comprehensive Plan and recommended approval to City Council to rezone 10.85 +/- acres from High Intensity Commercial (COM-3) to Multi-Family Residential-2 (MFR-2).