

**FLAGLER COUNTY
PLANNING AND DEVELOPMENT BOARD
REGULAR MEETING
Flagler County Government Services Building
Board Chambers
1769 East Moody Blvd., Bunnell, FL
MEETING MINUTES
Tuesday, October 8, 2019 at 6:00 PM**

Adopted December 10, 2019

1 **MEMBERS PRESENT:** Chair Michael Boyd, Timothy Conner, Michael Goodman, Lauren
2 Kornel, Mark Langelo, and Anthony Lombardo.

3
4 **MEMBERS EXCUSED:** Jack Corbett

5
6 **STAFF PRESENT:** Adam Mengel, Growth Management Director; Gina Lemon, Development
7 Review Planner III; and Wendy Hickey, Planner

8
9 **BOARD COUNSEL:** Albert Hadeed, County Attorney.

10
11 **Chair Boyd** called the meeting to order.

12
13 1. **Roll Call.**

14
15 Attendance was confirmed by Ms. Lemon and a quorum was present.

16
17 2. **Pledge of Allegiance.**

18
19 **Chair Boyd** led the Pledge of Allegiance to the Flag.

20
21 3. Quasi-judicial requiring disclosure of ex parte communication:

22 Application #3195 – APPLICATION FOR SITE DEVELOPMENT PLAN IN A PUD
23 **(PLANNED UNIT DEVELOPMENT)** – request for review of a Site Development Plan in a PUD
24 for Plantation Bay Section 2-A-F Unit 13; Parcel Number: 03-13-31-0000-01010- 0020; 69.19
25 acres. Owner: WL Residential Land, LLC/Applicant: Jerry K. Finley, P.E., Finley Engineering
26 Solutions, Inc.

27
28 **Chair Boyd** asked for ex-parte disclosures; none were provided.

29
30 **Mr. Mengel, Growth Management Director**, presented the staff report describing the request,
31 the specific location and a brief history of the Plantation Bay Development of Regional Impact.
32 He noted that this request is specifically for section is known as Section 2 A-F Unit 13 of Westlake
33 at Plantation Bay. He then proceeded to give staff's recommendation that the Planning and
34 Development Board recommend approval of the PUD Site Plan for Plantation Bay, Section 2 A-
35 F Unit 13 and the amendment to the Specific Development Standards for Plantation Bay Section
36 2 A-F to include standards for Unit 13 as adopted through Ordinance.

37
38 **Jerry K. Finley P.E., Finley Engineering Group, 3569 S. Nova Road, Port Orange,**
39 **Applicant/Agent;** stated he was available for questions.

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1
2 **Chair Boyd** opened the public hearing
3
4 **Christine Kucma, 625 South Lake Drive**, asked for clarification of the location of Unit 13.
5
6 **Elnora Wheeler, 22 Winchester Road**, asked for clarification of the location of Unit 13.
7
8 **David Haas, ICI Homes, 2379 Beville Road Daytona Beach, Applicant**, discussed the proposed
9 location of Unit 13 noting it was not near Eagle Rock Ranch.
10
11 **Marlene Morton, 6650 US Highway 1 South**, asked for clarification of the location of Unit 13
12 and asked about areas close to US Highway 1.
13
14 **Mr. Mengel** explained this request is only for Unit 13 and there are no other units under
15 consideration at this time.
16
17 **Chair Boyd** closed public comments and opened up to the Board
18
19 **Mr. Langello** asked if there were any issues with providing water and sewer to this development.
20
21 **Mr. Mengel** responded water improvements are in the planning and design stage, no construction
22 has begun and sewer improvements are underway now.
23
24 **Mr. Langello** asked about the developer's contribution to the utility
25
26 **Mr. Mengel** stated the Plantation Bay Utility does have impact fees associated with connections.
27 He also noted that at the time of the transfer of the plant there were some credits available but
28 was not aware of their current status.
29
30 **Mr. Haas** stated that there is adequate capacity at the water and wastewater facilities. The issues
31 with the water is the quality not the quantity and that monitoring is underway. He also reported
32 that the impact fee credits that were part of the Utility sale have all been exhausted. The impact
33 fee collected for each new connection is about \$5,500.00, that fee goes directly to the utility.
34
35 **Mr. Langello** asked if the road to be connected to US Highway 1 was a contingency such as no
36 CO's (Certificate of Occupancy) issued until the road is complete; or is it something you are
37 planning to do and not tied into something else.
38

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1 **Mr. Haas** stated that the road is actually a condition of the Development Agreement, the
2 completion has to be in place by January 2021. Plans have already have been provided to the
3 county for review and we expect to begin construction by the end of this year.

4
5 **Mr. Langello** asked why the density had been cut in half since the original plan.

6
7 **Mr. Finley** stated that he has been a part of the project with the DRI (Development of Regional
8 Impact) since 1983 and back then the wetlands were have the size we have today and we lost a
9 lot of land and we will never achieve the original DRI density numbers.

10
11 *Motion to approve with staff's conditions made by Mr. Langello, seconded by Mr. Conner.*
12 *Motion carried unanimously.*

13
14 4. Quasi-judicial requiring disclosure of ex parte communication:
15 Application #3196 – **APPLICATION FOR PRELIMINARY PLAT IN A PUD**
16 **(PLANNEDUNIT DEVELOPMENT)** – request for review of a Preliminary Plat in a PUD for
17 Plantation Bay Section 2A-F Unit 13; Parcel Number: 03-13-31-0000-01010-020; 69.19
18 acres. Owner: WL Residential Land, LLC; Agent: Jerry K. Finley, P.E., Finley Engineering
19 Group.

20
21 **Chair Boyd** asked for ex-parte disclosures; none were provided.

22
23 **Mr. Mengel** presented the staff report, describing the Preliminary Plat request, noting this is also
24 for Plantation Bay Section 2AF Unit 13. He continued noting specific items about the Preliminary
25 Plat and advising the Board there are scriveners errors that had been acknowledged by the
26 applicant and will be resolved prior to the Board of County Commissioners Meeting on November
27 4. He then gave the recommendation for the Planning & Development Board recommend the
28 Board of County Commissioners approve the preliminary plat and the construction plans for
29 Plantation Bay Section 2A-F Unit 13 subdivision, subject to:

- 30 1. No construction to commence prior to issuance of a County land development permit;
31 2. No final plat approval to occur until extension of potable water and sanitary sewer is installed
32 and approved by the County as the utility provider; and
33 3. Any subdivision improvements not completed by the developer be bonded or other surety
34 provided consistent with the requirements of the Land Development Code.

35
36 **Chair Boyd** opened the public hearing.

37
38 **Joseph Brown, 618 Elk River Drive,** asked about Unit 14, and height limits on Unit 13.

39

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1 **Mr. Haas** noted that the product the will be built in Unit 13 is the same product that has been
2 built in Unit 7.

3
4 **Chair Boyd** closed public comments and opened up to the Board.

5
6 *Motion to approve with staff's conditions made by Mr. Conner, seconded by Mr. Goodman.*
7 *Motion carried unanimously.*
8

9 5. **Staff Comments**

10
11 **Mr. Mengel** advised that an appeal has been filed for the Planning and Development Board's
12 upholding of the Planning Director's decision on the Hammock Harbor development. He also
13 expects the applicant to appeal the denial of the variance which has not been received to date.
14 Both of these appeals will go directly to the Board of County Commissioners.

15
16 6. **Board Comments**

17
18 **Ms. Kornel** asked if there was a map attached to the notice that was sent out.

19
20 **Mr. Mengel** responded no

21
22 **Ms. Kornel** added that it would be useful to add a map in the future. Further stating that even
23 though the Land Development Code does not require a neighborhood meeting it would have
24 reduced the confusion.

25
26 **Mr. Langello** concurred with Ms. Kornel's statement that a neighborhood meeting is helpful for
27 the community and the applicant.

28
29 7. **Public Comments** - Each speaker will be allowed up to three minutes to address the Planning
30 and Development Board on any item or topic not on the agenda.

31
32 None.

33
34 8. **Adjournment**

35
36 *Meeting adjourned at 6:45 p.m.*

37
38 Prepared by: Wendy Hickey
39 Reviewed by: Adam Mengel