



City of PALM COAST

Community Development Department
Planning Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3736

DATE: January 4, 2022

TO: Denise Bevan, Interim City Manager

THRU: Jason DeLorenzo, Chief Development Officer

FROM: Ray Tyner, Deputy Chief Development Officer

RE: Conversion of Development Rights – Palm Coast Park DRI

Background:

The 8th Amended and Restated Palm Coast Park Development of Regional Impact – Development Order (DRI-DO), allows the conversion of entitlements within Palm Coast Park DRI. The DRI-DO allows a conversion of up to 15% of entitlements based on the approved “Present Entitlements” in the DRI-DO. Such request may be approved administratively and does not require City Council approval.

The Declarant for the Palm Coast Park DRI, Palm Coast Lands 2006, LLC has submitted a request to increase the number of dwelling units permitted in Palm Coast Park by 744 units. This number represents 15% of the currently approved number of dwelling units (4,960). As required by the DRI-DO, this increase requires a simultaneous decrease (conversion) of one of the other permitted land uses in the DRI. This conversion is established by a conversion chart developed as part of the original approval of the DRI-DO.

The Declarant has elected to convert 261,888 sq. ft. of Office-General (Decrease) to 744 dwelling units-single family (increase). The additional 744 dwelling units must meet school concurrency requirements per the *Flagler County Interlocal Agreement for Public School Facility Planning*.

Recommendation:

The conversion of land uses requires the City Manager to issue in writing a finding of vesting for the proposed conversion. Staff finds the proposed conversion consistent with the requirements of the Palm Coast Park DRI-DO and recommends that the City Manager sign the attached Minor Modification to the DRI-DO.

After signature, staff will record this memo and the Minor Modification to the DRI-DO with the Clerk of the Courts.



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

**Minor Modification
To The
PALM COAST PARK
DRI DEVELOPMENT AGREEMENT
Approved – January 17, 2021**

On, January 17, 2021, the City Manager has approved the issuance of this Minor Modification relating to and touching and concerning the Palm Coast Park DRI Development Agreement.

FINDINGS OF FACT

Applicant: Jeffrey Douglas, Douglas Property & Development, Inc.
the "Declarant"

Project Name: Palm Coast Park DRI

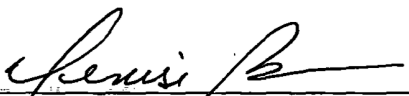
Requested Approval: Convert 261,888 square feet of office space to 744 single-family residential units as permitted by Section 4 and Section 10 of DRI DO with Section 3(b): Present Entitlements table being amended as more specifically shown on **Exhibit "A"**.

The Minor Modification Approval sought is consistent with the Palm Coast Park Development of Regional Impact Development Order, and Planned Unit Development Agreement.

Done and Ordered on the date first written above.

**As approved and authorized for execution by
The City of Palm Coast**

Attest:



Denise Bevan, City Manager

OWNER'S CONSENT AND AGREEMENT

IN WITNESS WHEREOF, the Owner consents and agrees to the terms and conditions of this Development Order and has hereunto set the Owner's hand and seal, the day and year below written.

WITNESSES:



BYRNDOG PCP, LLC, a Florida limited liability company

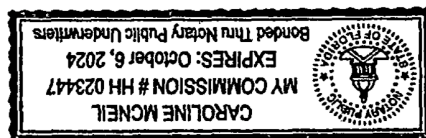
By: 

**Jeffrey R. Douglas, President of
Douglas Property & Development, Inc.,
Manager**

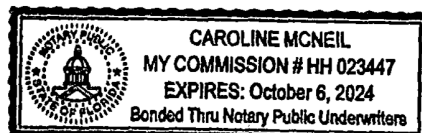
STATE OF FLORIDA
COUNTY OF FLAGLER

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me by means of ✓ physical presence or online notarization, on this 6 day of January, 2022, by Jeffrey R. Douglas, President of Douglas Property & Development, Inc., Manager of Byrndog PCP, LLC, who is personally known to me or who has produced as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 6 day of January, 2022.




NOTARY PUBLIC
My Comm. Expires



**Section 3(b): Present Entitlements
2021 CONVERSION**

Land Use	Approved	Sold	Remaining
Residential	5,704 Units	4,960 Units	744 Units
Office	800,000 sq. ft.	362,000 sq. ft.	176,112 sq. ft.
Retail/Commercial	1,179,800 sq. ft.	821,000 sq. ft.	358,800 sq. ft.
Institutional	100,000 sq. ft.	75,000 sq. ft.	25,000 sq. ft.
Industrial	800,000 sq. ft.	600,000 sq. ft.	200,000 sq. ft.

EXHIBIT "A"



LTG Engineering & Planning

Via email: (jeff@douglaspd.com)

Ref: 5550.01

TECHNICAL MEMORANDUM

To: Jeffrey R. Douglas, Byrndog PCP, LLC.

From: George A. Galan, PE

Subject: Palm Coast Park DRI – Land Use Conversion Assistance, Palm Coast, FL

Date: December 13, 2021

LTG, Inc. (LTG) has been retained by Byrndog PCP, LLC. (the CLIENT) to conduct transportation planning services on behalf of the proposed Palm Coast Park DRI. The land use conversion section of the approved DRI allows for simultaneous increases and decreases of uses based on Exhibit C of the development order (see attached). The CLIENT wishes to increase the Single Family or Multi-Family entitlements by 744 units with a simultaneous decrease of nonresidential development to balance the project trip generation. The subject property is located on US 1 north of Palm Coast Parkway in Palm Coast (the CITY), Florida.

LAND USE CONVERSION FOR THE EXISTING LAND USE VS. PROPOSED LAND USE

The land use conversion formulas are provided in the development order (D.O.) for the DRI for various land uses (see Table 1).

Table 1
Trip Generation Equivalency Matrix
Palm Coast Park DRI

Land Use	Land Use Code	Non-Residential Use	Conversion Equation	Equivalent Non-Residential Use
Apartments (Multi-Family Dwelling Units [MFDU])	220	Office Park	744 MFDU X 0.390	290,160 SF
		Research and Development	744 MFDU X 0.561	417,384 SF
		Office (General) 50 K	744 MFDU X 0.237	176,328 SF
		Office (General) 100 K	744 MFDU X 0.335	249,240 SF
		Office (General) 150 K	744 MFDU X 0.388	288,672 SF
Single Family Units [SFDU])	210	Office Park	744 SFDU X 0.579	430,776 SF
		Research and Development	744 SFDU X 0.833	619,752 SF
		Office (General) 50 K	744 SFDU X 0.352	261,888 SF
		Office (General) 100 K	744 SFDU X 0.497	369,768 SF
		Office (General) 150 K	744 SFDU X 0.576	428,544 SF

Jeffrey R. Douglas
December 13, 2021
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Assuming that the proposed 744 multi-family dwelling units (MFDUs) are being exchanged for the equivalent trip-generating square footage associated with a 150 KSF Office (General), that square footage is calculated as:

$$744 \text{ MFDU} \times .237 \text{ MFDUs/SF of Office Use} = 176,328 \text{ SF of Office (General) } 50 \text{ K}$$

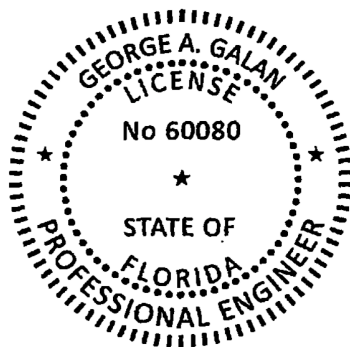
Assuming that the proposed 744 single-family dwelling units (SFDUs) are being exchanged for the equivalent trip-generating square footage associated with a 150 KSF Office (General), that square footage is calculated as:

$$744 \text{ SFDU} \times .352 \text{ SFDUs/SF of Office Use} = 261,888 \text{ SF of Office (General) } 50 \text{ K}$$

CONCLUSION

The land use conversion was conducted to evaluate how much office space would need to be reduced to trade for the proposed increase of 744 MFDUs or SFDUs. Therefore, this land use exchange is recommended for approval.

I hereby acknowledge that the procedures and references used to develop the results contained in these computations are standard to the professional practice of Transportation Engineering as applied through professional judgment and experience.



THIS ITEM HAS BEEN DIGITALLY
SIGNED AND SEALED BY:

George A Galan Date: 2021.12.17
10:21:59-05'00'

ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE
NOT CONSIDERED SIGNED AND SEALED AND
THE SIGNATURE MUST BE VERIFIED ON ANY
ELECTRONIC COPIES.

LTG, INC.
1450 W. GRANADA BLVD, SUITE 2
ORMOND BEACH, FL 32174
REGISTRATION NO. 9227
GEORGE A. GALAN, P.E. NO. 60080

 **LTG** Engineering
& Planning

EXHIBT "C"

Unofficial Copy

**Section 3(b): Present Entitlements
2021 CONVERSION**

Land Use	Approved	Sold	Remaining
Residential	5,704 Units	4,960 Units	744 Units
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Industrial	800,000 sq. ft.	600,000 sq. ft.	200,000 sq. ft.