

City of Palm Coast, Florida

Agenda Item

Agenda Date: January 16, 2024

Department	COMMUNITY DEVELOPMENT	Amount
Division		Account #
Subject: RESOLUTION 2024-XX AN AMENDMENT TO THE TOWN CENTER AT PALM COAST DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (DO)		
Presenter: Jose Papa, AICP, Senior Planner		
Attachments: 1. Presentation 2. Resolution 3. Summary of Amendment 4. Staff Report 5. FLUM 6. Zoning Map 7. Applicant Correspondence		
Background: This is a quasi-judicial item, please disclose any ex parte communication. <u>UPDATE FROM THE JANUARY 2, 2024, BUSINESS MEETING:</u> This item was originally scheduled for the January 2, 2024, Business Meeting. City Council concurred to postpone the item to the January 16, 2024, Business Meeting. There have been no changes to the item. <u>UPDATE FROM THE DECEMBER 5, 2023, BUSINESS MEETING:</u> On November 30, 2023, City staff received a request from the applicant to reschedule the item to the January 2, 2024, Business Meeting. The letter from the applicant's representative is attached. Planning and Land Development Regulation Board Public Hearing (PLDRB) The PLDRB held a public hearing on October 18, 2023, to discuss and hear public comments on the proposed amendments. After discussion, the PLDRB voted unanimously to approve the amendment. Town Center at Palm Coast Development of Regional Impact (DRI) is a 1,601+/- acre Development of Regional Impact originally approved in 2003. Since 2003, the following development projects have been completed: • 857,000 sq. ft. of commercial/office/institutional (Target, Publix, Palm Coast Medical Office, City Hall, etc.), • 2,400 seat movie theater, • 125-room hotel, • 202 bed nursing home, and		

- 541 dwelling units.

In addition to the completed development (as enumerated above), another 650,000 sq. ft. of non-residential entitlements and 2,310 residential unit entitlements have been sold by the Declarant to private developers.

The proposed amendment to the Town Center DRI-DO is a request to convert 114,583 sq. ft. of Office land use to 275 residential dwelling units. Approval of the conversion will result in updating Tables 3(b) and 3(c) of the DRI-DO. This request is being processed consistent with the steps outlined in the Town Center DRI-DO as explained in the next section.

The Town Center DRI-DO permitted conversions of the “Present Entitlements” subject to the following: 1) Declarant may convert up to 20% of Present Entitlements subject to notifying the City Manager’s designee so that the conversions do not exceed the 20% threshold, and 2) conversions exceeding 20% but cumulatively not to exceed 30% must be approved by City Council. City Council review is to ensure that substantial and material adverse impacts on public facilities and the community do not occur.

In October 2022, the Declarant exercised their right to convert 90,760 sq. ft. of retail/commercial to 550 dwelling units. This conversion is based on the Trip Generation Equivalency Matrix as attached in the DRI-DO. This conversion accounted for 20% of the potential 30% of land use conversions permitted by the Town Center DRI-DO. This application proposes to convert 114,583 sq. ft. of Office land use to 275 Residential units to reach the cap of 30% conversion.

If the conversion request is approved, the development entitlements for Town Center DRI will be as follows:

Land Use	Approved	Sold	Remaining
Residential	3,575 Units	2,851 Units	724 Units
Office	1,285,417 Sq. Ft.	494,295 Sq. Ft.	791,122 Sq. Ft.
Retail/Commercial	1,909,240 Sq. Ft.	649,695 Sq. Ft.	1,259,545 Sq. Ft.
Non-Retail/ Commercial	1,195,000 Sq. Ft.	177,789 Sq. Ft.	1,017,211 Sq. Ft.
Institutional	625,000 Sq. Ft.	317,000 Sq. Ft.	308,000 Sq. Ft.
Movie Theater	2,400 Seats	2,400 Seats	0 Seats
Lodging	480 rooms	125 rooms	355 rooms
Assisted Living	485 rooms	202 rooms	283 rooms

Analysis:

The proposed amendment is consistent with the Comprehensive Plan based on the following policies:

-Policy 1.1.4.1 – 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 dwellings.

The proposed amendment is consistent with the above policy. Town Center DRI has a comprehensive plan designation of DRI-Mixed Use. The purpose and land uses

permitted in the DRI remain unchanged and remain consistent with the vision of a development that creates opportunities for residents to work, shop, engage in recreational activities, and attend school and religious services in reasonably close proximity to residential dwellings consistent with the purpose of the DRI-Mixed Use comprehensive plan designation.

-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.

The proposed amendment is consistent with the above policy. The amendments will not hinder the ability to provide for more efficient use of land by allowing residential and service uses within proximity of each other. The opportunity remains to locate varying uses within proximity of each other and continue to provide the potential for alternative modes of transportation that foster energy conservation (walking/bicycling).

-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.

The proposed amendment does not expand into areas which are currently not served by infrastructure. Consistent with this Policy, the adopted Development Order requires analysis to ensure that the facilities to serve any proposed development is adequate.

Additionally, the proposed amendment is consistent with criteria established in the Land Development Code (LDC) based on the following:

- As previously provided, the proposed amendment is consistent with the Comprehensive Plan, and
- No impact on health, safety, and welfare of surrounding residents (no change in permitted uses).

The Planning and Land Development Regulation Board (PLDRB) held a public hearing on October 18, 2023. After discussion, the PLDRB voted 6-0 to recommend that City Council approve the proposed PUD amendments.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB) FINDS THE PROPOSED AMENDMENT TO THE TOWN CENTER AT PALM COAST DRI-DO (APPLICATION NO. 5522) CONSISTENT WITH THE COMPREHENSIVE PLAN AND RECOMMENDS THAT CITY COUNCIL APPROVE THE PROPOSED AMENDMENT TO THE TOWN CENTER DRI-DO