

City of Palm Coast, Florida Agenda Item

Agenda Date: September 1, 2026

Agenda Item:
I.2

Department Division	COMMUNITY DEVELOPMENT PLANNING	Amount Org/Account #
Subject:	ORDINANCE 2026-XX LAKEVIEW ESTATES MPD AMENDMENT - APPLICATION #5575	
Presenter:	Michael Hanson, A.I.C.P, Senior Planner	
Attachments:	1. Presentation 2. Ordinance 3. Proposed MPD Amendment 4. Conceptual Plan 5. Staff Report 6. Business Impact Estimate 7. Map Series 8. Applicant Cover letter, Application, Corporate ID, Owner's Authorization 9. Applicant's MPD Amendment Analysis, Environmental Report, Proposed Conceptual View Protection Exhibit 10. Public Notice 11. Recorded MPD Ordinance	
Background:	<u>Request:</u> The applicant proposes to amend the existing Lakeview Estates Master Planned Development (MPD) Development Agreement (DA) in order to: • Add the ability for the developer to site Single-Family Residential (SFR-2) sized residential lots to Tract 3 with access limited to Lakeview Boulevard. • Add the ability for the developer to site stormwater ponds to Tract 3, Tract 6, Tract 7. • Replace the ability for the developer to site (Multifamily Residential) MFR-1 and SFR-1 sized residential lots to Tract 8 with the ability to site a City Park site. It also reduces the minimum 150 feet setback from any existing single-family platted lot on Tract 8 to 100 feet. • Replace the ability for the developer to site ±8.3 acres of Public Semi-Public (PSP) with ±20 acres of General Commercial (COM-2) uses, limited to a maximum of 35 feet, and providing emergency access from US Highway 1 to London Drive. Further the COM-2 uses are limited to not allow a special exception for mini-warehouses, office warehouses, or self-storage. Note: the proposed use of 20 acres as COM-2 is based on the potential approval of a related Future Land Use Map (FLUM) Amendment application, and if developed for commercial uses would reduce the overall remaining residential entitlements from 51 to 39 dwelling units.	

- Reduce the existing View Protection Zone (VPZ) on Tract 3 to 50 feet and on Tract 10 from 150 feet to 100 feet. The VPZ depth for tract 4 is defined as 50 feet. The proposed text adds the requirement for enhanced screening and additional plantings to the satisfaction of the Land Use Administrator (LUA) or their designee to shield the view of adjacent residential properties within VPZs.
- Add the ability of residential property owners within the MPD with lots with a size of 10,000 or greater square feet to be able to construct a garage for recreational vehicles as an accessory use to lots with a principal dwelling unit, subject to maximum impervious surface and building setbacks.

Background: The subject property was developed as the 18-hole Matanzas Woods Golf Course by ITT and opened in 1985. The golf course permanently closed in 2007. In April 2019, Matanzas GC Palm Coast, LLC purchased the property. The initial City Zoning Map in 1999/2000 showed the subject property having the Flagler County zoning designation of Urban Single-Family Residential (R-1B). Flagler County's Land Development Code (LDC) has the R-1B Zoning District which allowed for single-family residential homes and also recreational areas that are accessory to residential developments. The R-1B zoning district allowed for up to 3 units per acre. In 2004 the City adopted its Comprehensive Plan and designated the subject property as Greenbelt on the Future Land Use Map (FLUM). The Greenbelt designation reduced the overall density on the subject property to 1 unit per acre.

On July 5, 2005, the City Council adopted the initial chapters of our Land Development Code (Ordinance No. 2005-33) which created the Golf Course Community (GCC) Zoning District. The GCC Zoning District allowed density of one home/per acre and also setup significant standards for the redevelopment of any golf course areas into residential uses. These guidelines, located in section 3.03.04.J of our LDC, were added to minimize adverse impacts to abutting single family residential zoned areas. On October 21, 2008, the City Council adopted Ordinance 2008-23 which implemented the City's first complete Land Development Code and also converted the Golf Course Community (GCC) Zoning District to MPD without a DA.

On January 19, 2021, the City Council approved Ordinance 2021-01 which rezoned the existing MPD to add the existing DA at the applicant's request during public hearing. The previous rezoning application had significant public participation at all facets of the rezoning process from the neighborhood meeting, which drew approximately 250 to 350 residents the two Planning and Land Development Board (PLDRB) meetings drawing approximately 50 to 60 residents and 30 to 35 residents respectively.

Project Description: The property owner using clustering provisions of the LDC, the overall acreage of the project, and a field verified conservation area of ± 0.2 acres ended up with residential entitlements of ± 272 dwelling units (du). To date, 221 lots have received varying levels of approval (Preliminary and Final plats) between Tracts 1, 2, 4, 7, and 10 resulting in the project retaining 51 residential entitlements. The applicant's requested MPD DA Amendment relies on the potential approval of their requested FLUM amendment and has the effect of reducing the remaining residential entitlements from 51 du to 39 du due to the planned development of ± 20 acres of COM-2 uses on Tract 9.

- The applicant is proposing to site the remaining 39 residential entitlements on Tract 3, which would require the approval of the MPD DA amendment and subsequent platting applications by the applicant. The vision that the applicant provided was that these lots would be designed to be $\pm 10,000$ square feet or larger to make use of their proposed language for recreational vehicle garages, but at

a minimum size lots meeting the Unified Land Development Code (LDC) requirements of the SFR-2 zoning district, which requires 7,500-square-foot lots which are compatible with the existing platted single-family residential lots found on nearby Lee Drive.

- The DA provides language for siting additional stormwater retention ponds in Tracts 3, 6, and 7, which supports the City's recent effort to add additional stormwater retention in the area by vacating Learning Lane and Leaf Lane.
- The applicant is also requesting to amend the allowed use on tract 8 to convey the City a site for a future City park at no cost and not subject to park impact fee credits.
- Additionally, the applicant is requesting to permit ±20 acres of COM-2 uses on a portion of Tract 9 adjacent to US Highway 1.

Public Participation: The applicant hosted a neighborhood meeting as required by Unified Land Development Code (LDC) Section 2.05.02 at 5:30 p.m. Tuesday April 14th, 2026, in the cafeteria of Indian Trails Middle School. The applicant also met the public notice requirements of LDC Section 2.05.03. The neighborhood meeting had approximately 125 attendees. Applicant submitted documentation summarizing the neighborhood meetings that has been attached to the agenda item. Prior to the Planning and Land Development Regulation Board (PLDRB) meeting on May 20, 2026, staff was contacted by several members of the public requesting clarifying information pertaining to public hearing dates or to access to application materials, which staff has provided. The applicant has met their public notice requirements.

Planning and Land Development Regulation Board Meeting: The PLDRB heard the Comprehensive Plan Amendment, application #5576, and its companion MPD Amendment, application #5575, at their May 20, 2026 meeting.

During the evening, the PLDRB unanimously approved a motion to delay public comment on the Comprehensive Plan Amendment until after the companion MPD Amendment, application #5575, had been presented to the PLDRB as well. 10 members of the public spoke in opposition to the proposed Comprehensive Plan Amendment and MPD Amendment.

The PLDRB voted five to one in favor of recommending approval of the Comprehensive Plan Amendment subject to the concurrent adoption of staff's draft FLUE Policy 1.1.2.5 serving as a site specific limiting policy capping the intensity and density of the 20-acre portion of Tract 9 of the Lakeview Estate MPD.

The PLDRB voted six to zero in favor of recommending denial of the MPD Amendment subject to criteria analysis of LDC Section 2.05.05A finding the application contrary to public interest based on compelling evidence presented by the public during public comment in addition to analysis of LDC Sections 3.03.04.J1 and 3.03.04.J2.

This is a quasi judicial item, please disclose any ex parte communication.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD RECOMMENDS THAT THE CITY COUNCIL FINDS THE PROPOSED MPD AMENDMENT (APPLICATION NO. 5575) NOT CONSISTENT WITH THE COMPREHENSIVE PLAN AND DENY THE APPLICATION

City Council
Public Hearing

Lakeview Estates
FLUM and MPD Amendment
AR # 5575 & 5576



Applicant Requests

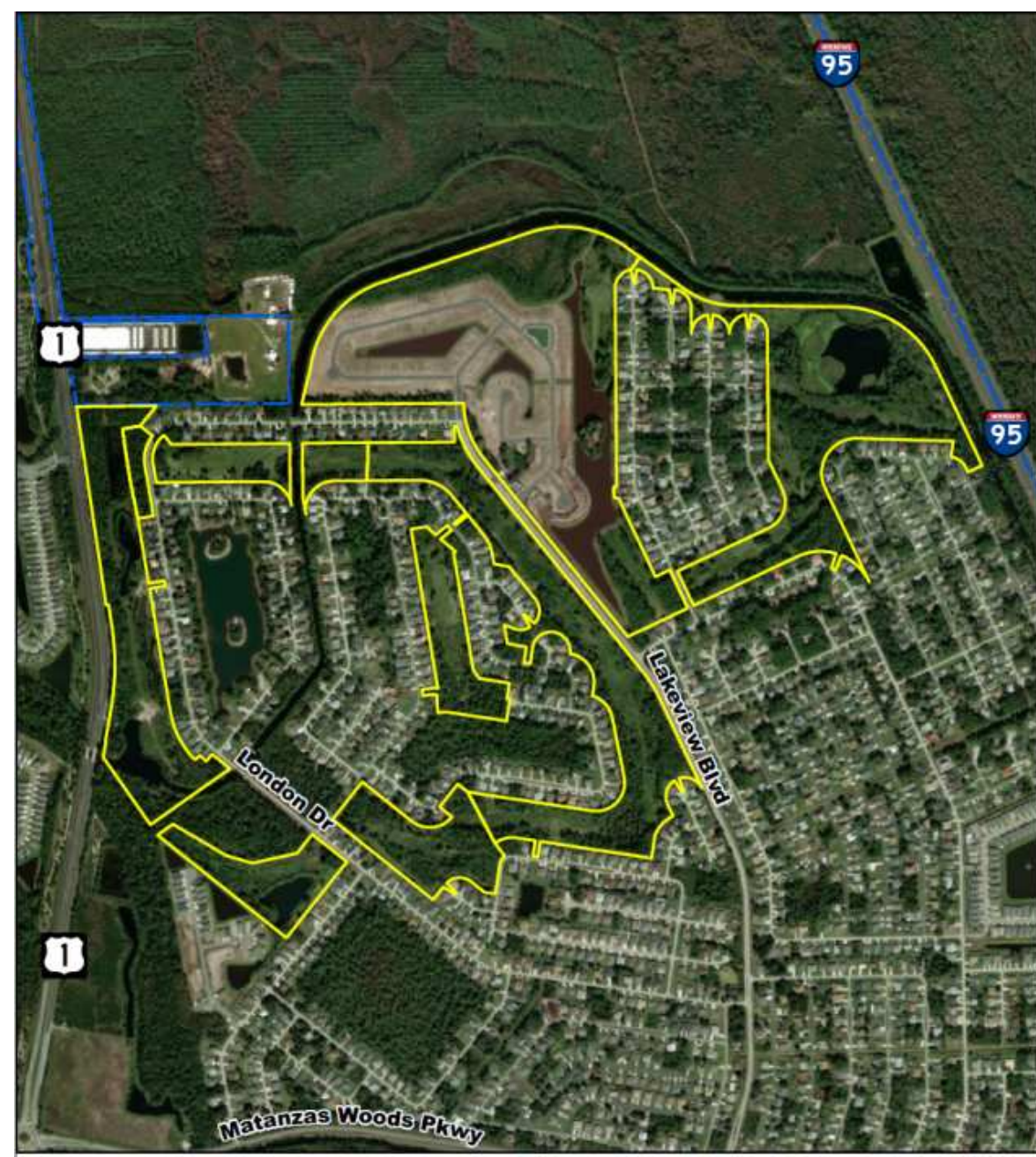
Owner: Matanzas GC Palm Coast LLC
Applicant: Michael Chiumento III, Esq.
Chiumento Law, agent for owner

Site Size/Location:

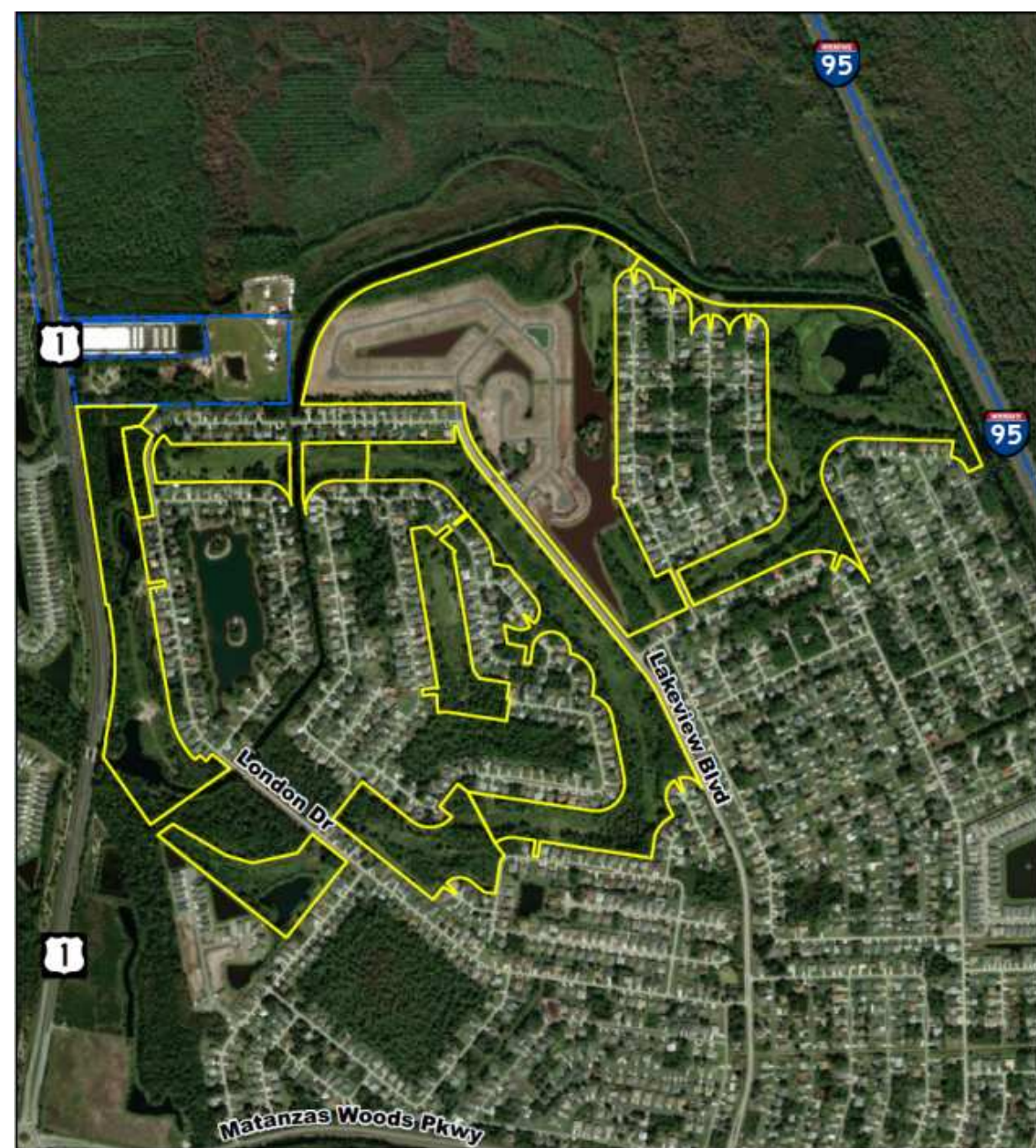
- ±280.6 acres
- Generally located between 0.5 to 1.25 miles north of Matanzas Woods Parkway, west of Interstate 95, and east of US Highway 1

Requests:

- FLUM Amendment: From Greenbelt to Mixed Use for a ±20-acre portion of Tract 9 with a site-specific limiting policy capping the maximum PM peak hour trips, and the maximum density.
- Amend the Lakeview Estates MPD Development Agreement to modify permitted uses on Tracts: 3, 6, 7, 8, and 9; conditionally permit recreational vehicle garages for all tracts.



Background



- This property was previously developed and operated as part of the now defunct Grand Club Matanzas Golf Course, which permanently closed in 2007. At that time the property was zoned MPD with land designated as Greenbelt or Conservation.
- The current property owner purchased the former golf course in 2019.
- In January 2021, the City Council approved the Lakeview Estates Master Planned Development Agreement during a public hearing. The overall development (± 280.6 acres) was assigned residential entitlements for 272 dwelling units under the Greenbelt designations density of one dwelling unit (du) per acre, and ± 8.3 acres of institutional uses.

Future Land Use Map Designations – Existing vs. Proposed



Zoning Map and MPD Conceptual Site Plan (Depicting Tracts)



Zoning Map

Palm Coast City Limits
 Subject Property
 Palm Coast Zoning Districts
 AG-1
 COM-2
 COM-3

DPK
 EST-1
 EST-2
 MFR-1
 P & G
 PRS

Unincorporated Flagler Zoning
 AC
 PSP
 SFR-1
 SFR-2
 SFR-3
 MPD, MPD post 11-10-08 designation
 MPD, MPD pre 11-10-08 designation



Map Provided by the Planning Division

Date: 4/24/2026

0 1,000 Feet

LAKEVIEW ESTATES CONCEPTUAL SITE PLAN



SFR-1 SINGLE FAMILY
 SFR-2 SINGLE FAMILY
 MFR-1
 COMMERCIAL
 STORMWATER POND
 EXISTING POND
 VIEW PROTECTION ZONE/ CONSERVATION
 WETLAND
 VIEW PROTECTION ZONE
 PROPOSED CITY PARK

**MPD AMENDMENT 06.16.25
SEE REVISED TRACT PLANS**



Public Participation/ Public Notice

- The applicant hosted a neighborhood on April 14, 2026, at 5:30 p.m. at Indian Trail Middle School's cafeteria, in which approximately 125 people attended.
- The FLUM and MPD Amendments have been legally advertised as required, and the applicant posted multiple placards dispersed over the subject property.

Lakeview Estates
Future Land Use Map Amendment
Analysis and Recommendation
AR # 5576



Future Land Use Map Amendment

Maximum Density/Intensity

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)				
	# of Acres	Maximum Density ⁽¹⁾	Maximum # of units	Population (2.5 persons/dwel ling unit) (3)
Proposed FLUM: Mixed Use	20	15 du/acre ⁽²⁾	300	750
Current FLUM: Greenbelt	20	1 du/acre	20	50
NET CHANGE	0		280	700
Footnotes: ⁽¹⁾ Maximum densities are established by Comprehensive Plan Policy. ⁽²⁾ This level of density is only achievable with a Master Planned Development zoning district. ⁽³⁾ Population projection per dwelling unit established by Comprehensive Plan Policy.				

TABLE 2 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (NON-RESIDENTIAL USE)			
	# of Acres	Maximum FAR ⁽¹⁾	Maximum Sq. Ft.
Proposed FLUM: Mixed Use	20	0.55	479160
Current FLUM: Greenbelt	20	0.30	261360
NET CHANGE			217800
Footnotes: ⁽¹⁾ Maximum Floor Area Ratios are established by Comprehensive Plan Policy.			

Note: The applicant does not propose using the 20-acre site for residential uses, these calculations are for theoretical maximums, and its unlikely the applicant to be able to develop to the maximum FAR of the Mixed Use FLUM. Their analysis discusses ±250,000 square feet of development. The FLUM amendment has a proposed site-specific limiting policy to cap maximum p.m. peak hour trips and the density of the site.

Future Land Use Map Amendment Public Facilities Impact Analysis

Table 3 Public Facilities Impact Analysis

Density ⁽¹⁾	# of units or square feet of development	Transportation (PHT) ⁽²⁾	Potable Water (GPD) ⁽³⁾	Sanitary Sewer (GPD) ⁽⁴⁾	Solid Waste (lbs./capita/day) ⁽⁵⁾	Recreation and Parks (8 acres/ 1000 pop.) ⁽⁶⁾	Public Education (students) ⁽⁷⁾	Stormwater Drainage ⁽⁸⁾
Proposed FLUM designation								
Mixed Use (20 ac.) - Max Use FAR .55 ⁽⁹⁾	479160	39,823	81,457	47,916	--	--	--	--
	Total	39823	81,457	47,916	--	--	--	--
Current FLUM designation** - Current FLUM designation assumes .30 FAR for uses permitted in Public/Semipublic (PSP) zoning (e.g. of permitted use - library, hospital, church, or school)								
Greenbelt - Max FAR .30 (20 ac.)	261360	21,722	44,431	26,136	--	--	--	--
Net Change	217800	18101	37026	21780	--	--	--	--
Footnotes: ⁽¹⁾ Calculation of Intensity: Lot Size (acre)*FAR*43560. ⁽²⁾ Transportation: Non-residential PM Peak Hour Trips (PHT), ITE Code 732: United States Post Office = 83.11/1000 sq. ft. (from ITE Manual, 12th Edition) ⁽²⁾ Transportation: Non-residential PM Peak Hour Trips (PHT) = ITE Code 732: United States Post Office = 83.11/1000 sq. ft. (from ITE Manual, 12th Edition) ⁽³⁾ Potable Water: Commercial = 17 gpd/100 sq. ft. ⁽⁴⁾ Wastewater: Commercial = 10 gpd/100 sq. ft. ⁽⁵⁾ Solid Waste: No Level of Service Requirement for Non-residential ⁽⁶⁾ Recreation and Parks = No LOS Requirement for Non-residential ⁽⁷⁾ Public Education Non-Residential = No LOS Requirement for Non-residential ⁽⁸⁾ Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.								

Future Land Use Map Amendment Environmental Impact Analysis

- FLUM amendment will not negatively impact the local topography or prevent the proposed development permissible within the FLUM designation.
- A portion of the property within the Special Flood Hazard Area (SFHA) Zone A, project development on Tracts 8 and 9 will likely require establishing the Base Flood Elevation.
- Site is not within an aquifer recharge area or within a wellhead protection zone(s).
- No Master Site File indicating any historic or cultural assets on site.
- Protected and Endangered species were not observed in the Environmental Report, however, a listed species study will be required during Technical Site Plan to verify.

Future Land Use Map Amendment

Land Use Consistency Analysis



Future Land Use Map Amendment Comprehensive Plan Consistency

- ***Policy 1.1.3.3 - compatibility with proximate uses and development patterns:***
 - Amending the ±20-acre site to Mixed Use is compatible with existing and on-going development patterns along the US-1 corridor near the Matanzas Woods Parkway intersection. The applicant's proposal to only designate a 20-acre portion of Tract 9 as Mixed Use.
 - The applicant's proposed MPD amendment proposes reducing the 150' View Protection Zone to 100' with enhanced vegetative screening for the existing residents living on London Drive.
- ***Policy 1.3.1.3 - The City shall encourage development to locate in the areas where public facilities, infrastructure, and services are available...:*** potable water and sanitary sewer lines are available. The applicant will be required to pay impact fees to connect and will be responsible for extending service on their property during development.

Future Land Use Map Amendment Comprehensive Plan Consistency

- ***Policy 5.1.3.2 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for potable water facilities and wastewater facilities where connection is available...:*** The FLUM Amendment is consistent with policy to create urban densities or intensities in areas that have sufficient existing or planned capacity for potable water and wastewater facilities.
- ***Policy 5.2.2.3 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for sanitary sewer facilities and where connection is available...:*** The FLUM Amendment is consistent with policy to create urban densities or intensities in areas that have sufficient existing or planned capacity for potable water and wastewater facilities.

Future Land
Use Map
Amendment
Site-Specific
Limiting Policy

To facilitate the requested map amendment while protecting infrastructure capacity, staff recommends the adoption of the following site-specific limiting policy to the Future Land Use Element (FLUE):

Policy 1.1.2.5 - For the 20-acre portion of Tract 9 of Lakeview Estates MPD, identified as Parcel ID No. 07-11-31-7037-ORP0A-0002 and legally described in Ordinance 2026-XX, designated as Mixed Use on the Future Land Use Map, development shall be subject to the following limitations:

Intensity Cap: Non-residential development shall generate no more than 1,815 PM Peak Hour trips, as determined by the latest edition of the ITE Trip Generation Manual and be capped in building height to no higher than 35 feet.

Density Cap: Residential density shall be capped to producing no more than one dwelling unit per acre.

Future Land Use Map Amendment Findings Summary

- Public facilities are available to accommodate the impact of the FLUM amendment,
- Environmental standards for development will need to be met,
- Requested FLUM designation is consistent with the surrounding land use and development pattern,
- Requested FLUM is appropriate on US -1,
- The FLUM amendment is consistent with various policies of the Comprehensive Plan

Future Land Use Map Amendment PLDRB Meeting

- The Planning and Land Development Regulation Board (PLDRB) heard the Comprehensive Plan Amendment, application #5576, and its companion MPD Amendment, application #5575, at their May 20, 2026 meeting.
- During the evening, the PLDRB unanimously approved a motion to delay public comment on the Comprehensive Plan Amendment until after the companion MPD Amendment, application #5575, had been presented to the PLDRB as well. 10 members of the public spoke in opposition to the proposed Comprehensive Plan Amendment and MPD Amendment.
- The PLDRB voted five to one in favor of recommending approval of the Comprehensive Plan Amendment subject to the concurrent adoption of staff's draft FLUE Policy 1.1.2.5 serving as a site specific limiting policy capping the intensity and density of the 20-acre portion of Tract 9 of the Lakeview Estate MPD.
- The PLDRB voted six to zero in favor of recommending denial of the MPD Amendment subject to criteria analysis of LDC Section 2.05.05A finding the application contrary to public interest based on compelling evidence presented by the public during public comment in addition to analysis of LDC Sections 3.03.04.J1 and 3.03.04.J2.

Future Land Use Map Amendment Recommendation

The Planning and Land Development Regulation Board recommends that City Council find Application #5576 consistent with the Comprehensive Plan and approve the FLUM amendment from Greenbelt to Mixed Use, subject to the concurrent adoption of FLUE Policy 1.1.2.5 limiting the site's developmental potential.

Lakeview Estates
Master Planned Development Amendment
Analysis & Recommendation
AR # 5575



Existing vs. Proposed

MPD Amendment Tract Map Comparison



Ordinance 2021- 01
Lakeview Estates MPD Development Agreement
Page 57 of 65



MPD Amendment Project Amendments

The property owner using clustering provisions of the LDC, the overall acreage of the project, and a field verified conservation area of ± 0.2 acres ended up with residential entitlements of ± 272 dwelling units (du). To date, 221 lots have received varying levels of approval (Preliminary and Final plats) between Tracts 1, 2, 4, 7, and 10 resulting in the project retaining 51 residential entitlements. The applicant's requested MPD DA Amendment relies on the potential approval of their requested FLUM amendment and has the effect of reducing the remaining residential entitlements from 51 du to 39 du due to the planned development of ± 20 acres of COM-2 uses on Tract 9.

- The applicant is proposing to site the remaining 39 residential entitlements on Tract 3, these lots will likely be designed to be $\pm 10,000$ square feet or larger to make use of their proposed language for recreational vehicle garages, but at a minimum size lots meeting the Unified Land Development Code (LDC) requirements of the SFR-2 zoning district, which requires 7,500-square-foot lots which are compatible with the existing platted single-family residential lots found on nearby Lee Drive.
- The DA provides language for siting additional stormwater retention ponds in Tracts 3, 6, and 7, which supports the City's recent effort to add additional stormwater retention in the area by vacating Learning Lane and Leaf Lane.
- The applicant is also requesting to amend the allowed use on tract 8 to convey the City a site for a future City park at no cost and not subject to park impact fee credits.

MPD
Amendment
View Protection
Zones –
LDC Sec. 3.03.04(J)

The term and utilization of VPZ was established within the Lakeview Estates MPD DA that was adopted in 2021 to be consistent with the Land Development Code regulations related to development in former GCC Districts.

Section 3.03.04(J) of the LDC provides the following redevelopment criteria:

J. Existing golf course communities. Existing golf courses communities located within the former Golf Course Communities (GCC) District seeking to add residential units must comply with the standards established for the Master Planned Development (MPD) District. In addition, the development shall utilize the following guidelines in order to minimize adverse impacts on any abutting single-family residentially zoned areas.

- 1. Existing direct golf course views from the rear yards of all existing, platted lots located within any residentially zoned districts directly abutting the site shall be maintained. Peripheral (i.e. side) views from these existing rear yards may be impacted by new development and new development may be visible from existing development.*
- 2. Existing golf course views from existing platted lots located within any residentially zoned area located across a right-of-way or a water body from the site shall be maintained to the maximum extent practical.*
- 3. Multifamily uses shall be surrounded by fairways, clubhouse, and/or other golf course facilities to buffer single-family areas within the same development. The multifamily uses shall not be located within 150 feet from any existing, platted lots located within a residentially zoned area.*

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

- A. The proposed development must not be in conflict with or contrary to the public interest;*
- B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;*
- C. The proposed development must not impose a significant financial liability or hardship for the City;*
- 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;*
- E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes.*

A. The proposed development must not be in conflict with or contrary to the public interest;

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

- The proposed MPD amendment ultimately would reduce the remaining residential entitlements from 51 to 39 remaining du on the subject property as ± 20 acres would be slotted for commercial development adjacent to US Highway 1.
- The conveyance of Tract 8 as a City park site without requiring the City to buy the land or for park impact fee credits is a benefit to the neighborhood.
- The proposed residential uses on Tract 3 adjacent to Lakeview Boulevard are likely the most significant impact to the surrounding neighborhood; however, the minimum sizes of the proposed residences would match the existing residential neighborhood's zoning of SFR-2.
- The applicant's request to be able to site recreational vehicle garages as an accessory use on any residential lot 10,000 or more square feet has the potential to reduce the need of residents with recreational vehicles or boats from having to utilize private off-site storage options.
- The neighborhood meeting did have ± 125 individuals attend, so there is clearly a vested interest by the public in the proposed MPD DA amendment; however, due to the nature of the neighborhood meeting and its technical limitations, it is difficult to gauge consensus on the public's interest.

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

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

The request is consistent with the Comprehensive Plan. However, its staff's opinion that the applicant's request is not totally consistent with the following sections of the Unified Land Development Code (LDC):

- ***Section 3.03.04.J.1.*** Existing direct golf course views from the rear yards of all existing, platted lots located within any residentially zoned districts directly abutting the site shall be maintained. Peripheral (i.e. side) views from these existing rear yards may be impacted by new development and new development may be visible from existing development.
- ***Section 3.03.04.J.2.*** Existing golf course views from existing platted lots located within any residentially zoned area located across a right-of-way or a water body from the site shall be maintained to the maximum extent practical.

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

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

- Potable water and sewer services are available to serve the project.
- Through the development review process, further analysis of the development impact on public infrastructure will be completed.

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;

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

- The project already has approved residential entitlements to support a total of 272 du on the site. The proposed MPD Amendment reduces the overall density of the project area by reducing the residential entitlements 260 units. At this time 221 residential entitlements have been used. Additionally, it provides land for a public park site, and language to require emergency access to US Highway 1.
- At this time the proposed amendment does not create by itself an unreasonable hazard; however, during the platting process, City review staff shall evaluate the proposed project to ensure compliance with all applicable code requirements.

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

MPD
Amendment
LDC Sec. 2.05.05
Criteria Analysis

- The subject property will be required to comply with the MPD Development Agreement, City's Land Development Code (LDC), Comprehensive Plan, and the requirements of all other applicable local, state and federal agencies throughout the development process.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- A. Consistency with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan.*
- B. Consistency with the general intent of the LDC.*
- C. Degree of departure of the proposed development from surrounding areas in terms of character and density/intensity.*
- D. Compatibility within the development and relationship with surrounding neighborhoods.*
- E. Adequate provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the development plan.*
- F. The feasibility and compatibility of development phases to stand as independent developments.*

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis
(continued)

G. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed development.

H. The benefits within the proposed development and to the general public to justify the requested departure from standard development requirements inherent in a Master Planned Development District classification.

I. The conformity and compatibility of the development with any adopted development plan of the City of Palm Coast.

J. Impact upon the environment or natural resources.

K. Impact on the economy of any affected area.

A. Consistency with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The proposed application remains consistent with and will further the goals and objectives of the Comprehensive Plan.

B. Consistency with the general intent of the LDC.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The development standards in the MPD remain generally consistent with the standards established by the LDC.

C. Degree of departure of the proposed development from surrounding areas in terms of character and density/intensity.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The proposed changes will not cause the MPD Agreement to further depart from customary standards in the LDC.

D. Compatibility within the development and relationship with surrounding neighborhoods.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The proposed uses are similar to existing developments. The neighborhood of the Matanzas Woods area includes SFR-1, SFR-2, SFR-3 and MFR-1 zoning districts. The proposed development is compatible with those zoning districts. In addition, a neighborhood park is compatible with the residential uses found in the area. The height limitation on tract 9 and enhanced vegetative buffers within the VPZ areas help to ensure compatibility with the existing neighborhood. Furthermore, staff's VPZ recommendation helps to ensure compatibility with adjacent existing properties.

E. Adequate provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the development plan.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- As required by the LDC, future development applications will be analyzed in further detail to determine if there is adequate public infrastructure capacity to serve the development. Other public service needs will also be reviewed in more detail as the development review progresses. For example, future applications for development will require further environmental analysis, utility agreements, coordination with Flagler Schools, etc. before approval. The subject project will be required to pay applicable impact fees to accommodate its impact on the public infrastructure and services.

F. The feasibility and compatibility of development phases to stand as independent developments.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The developer has not shown any specific phasing of the project. However, various tracts within the MPD are situated where they can adequately be developed independently through the platting process.

G. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed development.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The applicant previously submitted a Transportation Impact Study when the application was heard in 2021 that demonstrated that all roadways within the study area with the project's traffic included will operate at the City's adopted level of service. This amendment reduces the overall density of the MPD and the applicant has requested a site-specific limiting policy to cap the amount of traffic on Tract 9 to what is currently allowed. The applicant did not provide an updated Transportation Impact Analysis (TIA) with this application after making a request to City Administration, so staff is unable to evaluate the proposed distribution on US Highway 1 for the ±20-acre commercial site. An updated TIA shall be required during the Technical Site Plan stage of Tract 9's commercial development for further review.

H. The benefits within the proposed development and to the general public to justify the requested departure from standard development requirements inherent in a Master Planned Development District classification.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The MPD DA amendment reduces residential density, provides additional stormwater, a City park site without cost to the City, and commercial uses along US Highway 1's expanding commercial corridor which could ultimately reduce trip ends to other areas of the City when developed. This project is consistent with the requirements of an MPD to provide a public benefit.

I. The conformity and compatibility of the development with any adopted development plan of the City of Palm Coast.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The request adds more commercially designated land to the City and results in a minor reduction of density of the MPD. The proposed uses are similar to the existing residential neighborhood and do not request a reduction in lot sizes from the existing adjacent neighborhood. The proposed height limitation helps ensure compatibility with the existing residential land uses, and although the VPZ areas are reduced in width from the approved MPD DA, the language for enhanced vegetative screening helps buffer existing land uses from those within the MPD.

J. Impact upon the environment or natural resources.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The landowners will be required to submit all applicable environmental reports or studies as required by the LDC during subsequent development. These studies will include environmental resource assessments, cultural resources, soil and groundwater analyses, stormwater calculations, floodplain analysis, and threatened and endangered species studies as applicable during the site plan or platting process for any new project within the MPD.

K. Impact on the economy of any affected area.

MPD
Amendment
LDC Sec. 2.09.04
Criteria Analysis

- The residents that will inhabit these new homes will have a positive impact on State and local income including permit and impact fees, taxes, and other sources. The project will also provide a significant number of constructions jobs, which should have a positive direct and indirect impact on the local economy. Further the applicant's analysis of the commercial development at Tract 9 estimates that ±250,000 gross square feet could be developed which will enhance the City's nonresidential tax base.

MPD Amendment Findings Summary

- Public facilities are available to accommodate the impact of the MPD amendment,
- The requested MPD amendment meets the developmental criteria of LDC Sections 2.05.05 and 2.09.04,
- The requested MPD amendment is generally consistent with the Comprehensive Plan and Unified Land Development Code.

MPD Amendment PLDRB

- The Planning and Land Development Regulation Board (PLDRB) heard the Comprehensive Plan Amendment, application #5576, and its companion MPD Amendment, application #5575, at their May 20, 2026 meeting.
- During the evening, the PLDRB unanimously approved a motion to delay public comment on the Comprehensive Plan Amendment until after the companion MPD Amendment, application #5575, had been presented to the PLDRB as well. 10 members of the public spoke in opposition to the proposed Comprehensive Plan Amendment and MPD Amendment.
- The PLDRB voted five to one in favor of recommending approval of the Comprehensive Plan Amendment subject to the concurrent adoption of staff's draft FLUE Policy 1.1.2.5 serving as a site specific limiting policy capping the intensity and density of the 20-acre portion of Tract 9 of the Lakeview Estate MPD.
- The PLDRB voted six to zero in favor of recommending denial of the MPD Amendment subject to criteria analysis of LDC Section 2.05.05A finding the application contrary to public interest based on compelling evidence presented by the public during public comment in addition to analysis of LDC Sections 3.03.04.J1 and 3.03.04.J2.

MPD Amendment Recommendation

The Planning and Land Development Regulation Board recommends that the City Council finds the proposed MPD Amendment (Application No. 5575) not consistent with the Comprehensive Plan and deny the application.

Next Steps

- The developer will be required to submit for a Technical Site Plan application prior to developing Tract 9 and will need to plat Tract 3.
- Depending on the gross square footage of development on Tract 9, it may be required to come back to either the PLDRB or City Council.

Staff is available for any questions and
the applicant's team is in attendance.

Thank you.



ORDINANCE NO. 2026-_____
FIRST AMENDMENT TO THE LAKEVIEW ESTATES MASTER PLAN
DEVELOPMENT AGREEMENT
APPLICATION 5575

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE LAKEVIEW ESTATES MASTER PLAN DEVELOPMENT AGREEMENT, AS ESTABLISHED IN SECTION 2.09 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, FOR ±280.6 ACRES OF CERTAIN REAL PROPERTY PREVIOUSLY KNOWN AS THE MATANZAS GOLF COURSE AND DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBERS 07-11-31-7037-ORP0A-0002, 07-11-31-7037-ORP0A-0011, AND 07-11-31-7037-ORP0A-0140, GENERALLY LOCATED BETWEEN 0.5 TO 1.25 MILES NORTH OF MATANZAS WOODS PARKWAY, WEST OF INTERSTATE 95, AND EAST OF US HIGHWAY 1, AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A; MODIFYING PERMITTED USES ON TRACTS: 3, 6, 7, 8, AND 9; CONDITIONALLY PERMITTING RECREATIONAL VEHICLE GARAGES FOR ALL TRACTS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR SEVERABILITY, CONFLICTS; AND AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast (“City”), 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, MATANZAS GC PALM COAST LLC, a Florida limited liability company (“Owner”) is the Owner of the property further described in “Attachment A” and have entered into the Development Agreement as recorded in Official Records Book 2530, Pages 1215 through 1265 of the public records of Flagler County, Florida (“Development Agreement”); and

WHEREAS, the Owner has requested to amend the Development Agreement in order to modify permitted uses and provide for some revised developmental standards Lakeview Estates MPD; 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 (Ordinance No. 2008-23) have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast held duly noticed public hearings on the proposed amendment set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and 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) at its regularly scheduled meeting conducted on May 20, 2026, and after complete deliberation, the City Council hereby finds the requested change consistent with the City of Palm Coast Comprehensive Plan, and that sufficient, competent and substantial evidence supports the proposed amendment set forth hereunder; and

WHEREAS, the City Council of the City of Palm Coast hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

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. MPD AMENDMENT. The Palm Coast City Council, pursuant to the Land Development Code of the City of Palm Coast hereby enacts this Ordinance amending the Development Agreement, attached hereto as “Attachment B”, for the property generally located between 0.5 to 1.25 miles north of Matanzas Woods Parkway, west of Interstate 95, and east of US Highway 1 legally described in “Attachment A” attached hereto.

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 the first reading after due public notice and hearing this 1st day of September, 2026.

ADOPTED on the second reading after due public notice and hearing this 20th day of October, 2026.

ATTEST:

CITY OF PALM COAST

KALEY COOK, CITY CLERK

MICHAEL NORRIS, MAYOR

APPROVED AS TO FORM AND LEGALITY

MARCUS DUFFY, CITY ATTORNEY

Attachments:

Exhibit "A" Legal Description

Exhibit "B" Amended MPD Development Agreement

EXHIBIT “A”
LEGAL DESCRIPTION

MATANZAS WOODS GOLF COURSE:

Reserved Parcel "A", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northeast corner of Block 165 of said Plat of Lakeview; thence North $89^{\circ}30'56''$ East 21.68 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 349.56 feet, a radius of 800.00 feet, a central angle of $25^{\circ}02'07''$ and a chord bearing South $26^{\circ}22'21''$ East, 346.78 feet to a point of tangency; thence South $38^{\circ}53'25''$ East 2087.61 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 266.63 feet, a radius of 1120.00 feet, a central angle of $13^{\circ}38'23''$ and a chord bearing South $32^{\circ}04'13''$ East, 265.99 feet to a point of tangency; thence South $25^{\circ}15'02''$ East 772.55 feet to a point of cusp; thence northwesterly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of $81^{\circ}38'47''$ and a chord bearing North $66^{\circ}04'26''$ West 196.12 feet to a point; thence South $16^{\circ}53'50''$ East 110.00 feet to a point on a curve; thence westerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of $16^{\circ}42'25''$ and a chord bearing South $64^{\circ}44'57''$ West 11.62 feet to a point; thence North $33^{\circ}36'15''$ West 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of $81^{\circ}38'47''$ and a chord bearing South $15^{\circ}34'21''$ West 196.12 feet to a point of tangency; thence South $25^{\circ}15'02''$ East 100.25 feet to a point on a curve; thence southwesterly along a curve to the left having an arc length of 217.30 feet, a radius of 280.98 feet, a central angle of $44^{\circ}18'38''$ and a chord bearing South $42^{\circ}35'39''$ West 211.92 feet to a point of tangency; thence South $08^{\circ}35'49''$ West 179.39 feet; thence North $81^{\circ}24'11''$ West 913.66 feet; thence South $08^{\circ}35'49''$ West 125.00 feet; thence North $81^{\circ}24'11''$ West 40.00 feet; thence North $08^{\circ}35'49''$ East 125.00 feet; thence North $81^{\circ}24'11''$ West 125.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 180.00 feet, a radius of 225.00 feet, a central angle of $45^{\circ}50'12''$ and a chord bearing South $75^{\circ}40'43''$ West, 175.24 feet to a point; thence South $37^{\circ}14'23''$ East, 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 77.08 feet, a radius of 100.00 feet, a central angle of $44^{\circ}09'48''$ and a chord bearing South $30^{\circ}40'43''$ West 75.19 feet to a point of tangency; thence South $08^{\circ}35'49''$ West, 237.34 feet; thence North $81^{\circ}24'11''$ West 87.50 feet; thence North $51^{\circ}24'11''$ West 130.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of $81^{\circ}38'47''$ and a chord bearing South $87^{\circ}46'25''$ West, 196.12 feet to a point; thence South $43^{\circ}02'58''$ East 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of $16^{\circ}42'26''$ and a chord bearing South $38^{\circ}35'49''$ West 11.62 feet to a point; thence North $59^{\circ}45'24''$ West 110.00 feet; thence South $38^{\circ}35'49''$ West 128.21 feet; thence North $51^{\circ}24'11''$ West 1018.03 feet; thence North $38^{\circ}35'49''$ East 380.00 feet; thence South $51^{\circ}24'11''$ East 500.00 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00, a central angle of $90^{\circ}00'00''$ and a chord bearing North $83^{\circ}35'49''$ East, 318.20 feet to a point; thence North $51^{\circ}24'11''$ West 125.00 feet; thence North $38^{\circ}35'49''$ East 230.92 feet; thence South $51^{\circ}24'11''$ East 100.00 feet; thence South $81^{\circ}24'11''$ East 993.30 feet to a point of

curvature; thence northeasterly along a curve to the left having an arc length of 431.48 feet, a radius of 225.00 feet, a central angle of 109°52'35" and a chord bearing North 43°39'32" East, 368.34 feet to a point of tangency; thence North 11°16'46" West 478.51 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 245.29 feet, a radius of 225.00 feet, a central angle of 62°27'41" and a chord bearing North 42°30'36" West, 233.32 feet to a point; thence North 08°35'49" East 77.01 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing North 36°24'11" West 318.20 feet to a point; thence westerly along a curve to the left having an arc length of 446.47 feet, a radius of 150.00 feet, a central angle of 170°32'16" and a chord bearing North 76°40'19" West 298.98 feet to a point of tangency; thence South 08°35'49" West 149.66 feet; thence North 81°24'11" West 50.00 feet; thence North 08°35'49" East 125.00 feet; thence North 78°43'26" West 153.29 feet; thence North 09°33'43" West 148.11 feet; thence South 69°50'14" East 67.79 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 146.25 feet, a radius of 150.00 feet, a central angle of 55°51'48" and a chord bearing North 87°23'42" East, 140.53 feet to a point; thence North 30°32'12" West 110.00 feet to a point on a curve; thence northeasterly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 51°06'35" East 11.62 feet to a point; thence South 47°14'37" East 110.00 feet to a point on a curve; thence northerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'48" and a chord bearing North 01°55'59" East 196.12 feet to a point of tangency; thence North 38°53'25" West 326.21 feet; thence North 80°07'23" West 122.65 feet; thence North 09°33'42" West 80.00 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 166.36 feet, a radius of 325.00 feet, a central angle of 29°19'42" and a chord bearing North 24°13'34" West, 164.55 feet to a point of tangency; thence North 38°53'25" West 200.00 feet; thence South 51°06'35" West 125.00 feet; thence North 38°53'25" West 20.00 feet; thence North 51°06'35" East 125.00 feet; thence North 38°53'25" West 178.81 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 292.66 feet, a radius of 325.00 feet, a central angle of 51°35'39" and a chord bearing North 64°41'14" West, 282.87 feet to a point of tangency; thence South 89°30'56" West 678.94 feet to a point of curvature; thence southwesterly along a curve to the left having an arc length of 389.08 feet, a radius of 225.00 feet, a central angle of 99°04'39" and a chord bearing South 39°58'37" West, 342.38 feet to a point of cusp; thence North 09°33'43" West 137.22 feet; thence North 00°29'04" West 425.00 feet; thence North 89°30'56" East 1200.00 feet; thence North 00°29'04" West 125.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "C", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northwest corner of said Reserved Parcel "C"; thence North 89°26'28" East 630.08 feet; thence South 38°43'02" West 202.91 feet; thence South 51°40'07" East 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 250.77 feet, a radius of 300.00 feet; a central angle of 47°53'36" and a chord bearing South 14°23'05" West 243.53 feet to a point of tangency; thence South

09°33'43" East 403.87 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 520.00 feet; thence North 80°26'17" East 125.00 feet; thence South 09°33'43" East 40.00 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 980.61 feet to a point of curvature; thence southerly along a curve to the left having an arc length of 441.04 feet, a radius of 725.00 feet, a central angle of 34°51'17" and a chord bearing South 26°59'21" East, 434.27 feet to a point; thence North 45°35'00" East 55.00 feet; thence South 44°25'00" East 67.22 feet; thence North 39°51'14" East 73.36 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 13.16 feet, a radius of 600.00 feet; a central angle of 01°15'25" and a chord bearing South 50°46'29" East 13.16 feet to a point of tangency; thence South 51°24'11" East 170.76 feet; thence South 54°59'31" West 770.58 feet; thence North 35°00'29" West 649.53 feet to a point on the east right of way line of U.S. Highway No.1; thence northerly along said right of way line of the following six courses; run North 09°59'31" East 128.08 feet; thence South 89°43'01" West 5.08 feet; thence North 09°59'31" East 253.32 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 655.06 feet, a radius of 2030.05 feet, a central angle of 18°29'18" and a chord bearing North 00°44'52" East, 652.23 feet to a point of tangency; thence North 08°29'47" West 179.58 feet; thence South 81°30'12" West 20.00 feet; thence North 08°29'47" West 1583.88 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "D" Lake View - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most northerly corner of said Reserved Parcel "D"; thence South 38°53'28" East 93.32 feet; thence North 89°30'56" East 936.80 feet; thence South 00°29'04" East 432.94 feet; thence South 09°33'42" East 57.28 feet to a cusp point; thence northwesterly along a curve to the left having an arc length of 317.78 feet, a radius of 225.00 feet; a central angle of 80°55'21" and a chord bearing North 50°01'23" West 292.02 feet to a point of tangency; thence South 89°30'56" West 846.10 feet; thence North 09°33'43" West 149.00 feet to a point of curvature; thence northerly along a curve to the right having an arc length of 254.23 feet, a radius of 240.00 feet, a central angle of 60°41'38" and a chord bearing North 20°47'06" East, 242.51 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most southerly corner at said Reserved Parcel "E"; thence North 64°44'58" East 526.36 feet; thence North 25°15'02" West 335.20 feet; thence South 64°44'58" West 125.00 feet; thence North 25°15'02" West 620.00 feet to a point of curvature; thence northwesterly along a curve to the right having an arc length of 60.46 feet, a radius of 425.00 feet, a central angle of 08°09'02" and a chord bearing North 21°10'31" West, 60.41 feet to the southeasterly corner of a parcel described in Official Records Book [492, pages 936-939](#); thence northerly along the boundary of said parcel described in Official Records Book [492, pages 936-939](#) for the following five courses; thence South 72°54'00"

West 10.00 feet; thence North 53°38'13" West 20.65 feet; thence South 05°01'26" West 11.50 feet; thence North 10°42'21" West 31.82 feet; thence North 01°05'36" East 53.63 feet; thence North 85°41'45" East 24.67 feet to the boundary of above said Reserved Parcel "2", being a point on a curve; thence northerly along a curve to the right having an arc length of 28.33 feet, a radius of 425.00 feet; a central angle of 03°49'11" and a chord bearing North 02°23'39" West 28.33 feet to a point of tangency; thence North 00°29'04" West 1536.30 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point; thence South 85°19'06" East 128.73 feet; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 202.47 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 1003.67 feet; thence South 25°15'02" East 260.04 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 19°44'58" West, 318.20 feet to a point of tangency; thence South 64°44'58" West 800.00 feet; thence South 25°15'02" East 300.00 feet; thence North 64°44'58" East 910.00 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'11" and a chord bearing North 85°37'33" East, 302.90 feet to a point; thence South 16°30'09" West 125.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 34.00 feet, a radius of 300.00 feet, a central angle of 06°29'36" and a chord bearing South 70°15'03" East 33.98 feet to a point; thence North 22°59'45" East 125.00 feet

to a point on a curve; thence southeasterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'13" and a chord bearing South 46°07'39" East 302.91 feet to a point of cusp; thence North 25°15'02" West 822.28 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 561.16 feet, a radius of 275.00 feet, a central angle of 116°54'59" and a chord bearing North 33°12'28" East, 468.74 feet to a point of tangency; thence South 88°20'03" East 756.56 feet; thence South 07°23'44" West 126.38 feet to a point of on a curve; thence easterly along a curve to the right having an arc length of 150.15 feet, a radius of 150.00 feet, a central angle of 57°21'14" and a chord bearing South 53°55'39" East 143.96 feet to a point of tangency; thence South 25°15'02" East 40.00 feet; thence North 64°44'58" East 125.00 feet to the easterly line of Belle Terre Waterway; thence North 25°15'02" West along said easterly line of Belle Terre Waterway for a distance of 862.29 feet to a point of curvature; thence depart said boundary line of said Reserved Parcel "2" and run westerly along the southerly line of Jefferson Davis Waterway for the following four courses: run westerly along a curve to the left having an arc length of 921.97 feet, a radius of 825.00 feet, a central angle of 64°01'49" and a chord bearing North 57°15'57" West, 874.74 feet to a point of tangency; thence North 89°16'51" West 858.76 feet to a point of curvature; thence westerly along a curve to the right having an arc length of 411.10 feet, a radius of 675.00 feet, a central angle of 34°53'44" and a chord bearing North 71°49'59" West, 404.78 feet to a point of tangency; thence North 54°23'07" West 585.58 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 177.30 feet, a radius of 825.00 feet, a central angle of 12°18'47" and a chord bearing North 60°32'31" West, 176.96 feet to a point on the westerly boundary of said Reserved Parcel "2"; thence southerly and westerly along said westerly boundary of said Reserved Parcel "E" for the following seven courses: South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southeasterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 331.52 feet, a radius of 720.00 feet, a central angle of 26°22'53" and a chord bearing South 25°41 '59" East 328.59 feet to a point of tangency; thence South 38°53'25" East 1801.29 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Part of Government Sections 21 and 22, Township 10 South, Range 30 East, Flagler County, Florida being that part of PARCEL NO. 2 of the property described in Official Records Book [142, pages 278-279](#), lying south of Jefferson Davis Waterway and being more particularly described as follows:

From a POINT OF REFERENCE being a point on the easterly boundary line of the above described PARCEL NO. 2, said point being the northwest corner of Reserved Parcel "2" as shown on the recorded plat of Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida; thence South 29°30'56" West along the easterly boundary of said PARCEL NO. 2 being also along the westerly boundary of said Reserved Parcel "E" for a distance of 390.35 feet to the POINT OF BEGINNING; thence continue along the easterly and southerly boundary of said PARCEL NO. 2 being also along the westerly and northerly boundary of said Reserved

Parcel "E" for the following seven courses: run South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southwesterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence northerly along a curve to the right having an arc length of 151.10 feet, a radius of 720.00 feet, a central angle of 12°01'28" and a chord bearing North 06°29'48" West 150.83 feet to a point; thence South 89°30'56" West 1280.00 feet to the northwest corner of Block 164 of said plat of Lakeview; thence North 12°53'48" East along the southerly line of said Jefferson Waterway for a distance of 297.66 feet to a point on a curve; thence northeasterly along a curve to the right having an arc length of 913.19 feet, a radius of 825.00 feet, a central angle of 63°25'15" and a chord bearing North 39°41'03" East 867.28 feet to a point of tangency; thence North 71°23'41" East 1251.37 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 603.42 feet, a radius of 825.00 feet; a central angle of 41°54'25" and a chord bearing South 87°39'07" East, 590.05 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

All of that land vacated in the Subdivision Plat Of Lakeview - Section 37 Palm Coast Map Book 13 Pages 1 through 29, per Resolution 95-56 as recorded in Official Records Book 538 at Pages 1611 through 1613, Public Records of Flagler County, Florida, being described as follows:

BEGINNING at the southwesterly corner of Lot 22, Block 143 of the aforesaid Lakeview - Section 37; thence North 80°26'17" East a distance of 49.47 feet to a point of curvature of a curve to the right; thence northeasterly along said curve having a radius of 300.00 feet, a central angle of 14°34'59" an arc of 76.36 feet and a chord bearing North 87°43'47" East, 76.15 feet to a point on a non-tangent line; thence North 09°33'43" West, a distance of 1273.40 feet; thence North 80°26'17" East a distance of 124.48 feet; thence South 47°01'13" East a distance of 97.49 feet to a point on a non-tangent curve; thence northeasterly along a curve to the right having a radius of 150.00 feet; a central angle of 08°07'48", an arc length of 21.28 feet and a chord bearing North 47°02'41" East, 21.27 feet to a point of tangency; thence North 51°06'35" East a distance of 100.00 feet; thence South 38°53'25" East a distance of 50.00 feet; thence South 51°06'35" West a distance of 100.00 feet to a point of curvature; thence southwesterly along a curve to the left having a radius of 100.00 feet, central angle of 05°43'46, an arc length of 10.00 feet and a chord bearing South 48°14'42" West, 10.00 feet to a point on a non-tangent line; thence South 50°07'21" East a distance of 153.93 feet; thence South 51°06'35" West a distance of 20.25 feet; thence South 09°33'43" East a distance of 936.00 feet; thence South 35°36'55" East a distance of 82.42 feet; thence South 81°24'11" East a distance of 240.00 feet; thence South 08°35'49" West a distance of 125.00 feet; thence South 81°24'11" East a distance of 27.55 feet to a point on a non-tangent curve; thence southwesterly along curve to the left having a radius of 40.00 feet, a central angle of 77°21'52", an arc of 54.01 feet and a chord bearing South 08°35'49" West 50.00 feet to a point on a non-tangent line; thence North 81°24'11" West a distance of 4.59 feet; thence South 08°35'49" West a distance of 125.00 feet; thence North 81°24'11" West a distance of 480.00 feet; thence South 84°38'20" West a distance of 69.97 feet; thence North 03°00'11" West a distance of 144.02 feet to a point on a non-tangent curve; thence southwesterly along

a curve to the left having a radius of 250.00 feet, a central angle of 13°34'27", an arc of 59.23 feet and a chord bearing South 87°13'31" West, 59.09 feet to a point of tangency; thence South 80°26'17" West a distance of 51.03 feet to a point on a non-tangent curve; thence northwesterly along a curve to the left having a radius of 200.00 feet, a central angle of 07°10'51" an arc of 25.07 feet and a chord bearing North 05°58'17" West 25.05 feet to a point of tangency; thence North 09°33'43" West a distance of 25.00 feet to the POINT OF BEGINNING, the above described parcel of land is situated in Section 22, Township 10 South, Range 30 East, Flagler County, Florida.

ALSO INCLUDING:

Part of Reserved Parcel "R-1", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most easterly corner of said Reserved Parcel "R-1"; thence South 38°35'49" West along the southeasterly line of said Reserved Parcel "R-1" for a distance of 767.47 feet; thence North 51°24'11" West 1300.81 feet to the most westerly corner of said Reserved Parcel "R-1"; thence North 54°59'31" East, 148.96 feet; thence South 59°22'19" East 485.17 feet; thence South 73°43'22" East 217.49 feet; thence North 77°17'42" East 363.21 feet; thence North 38°35'49" East 191.24 feet; thence South 51°24'11" East 350.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E" according to the Subdivision Plat Lakeview Section 37, Palm Coast, recorded in Map Book 13, Pages 1 Through 29, of the Public Records of Flagler County, Florida, being more particularly described as follows:

A POINT OF REFERENCE being the northeast corner of Lot 1, Block 75; thence North 25°15'02" West along the west line of Belle Terre Waterway a distance of 862.29 feet to THE POINT OF BEGINNING; thence departing Belle Terre Waterway (as platted) 921.97 feet along the arc of a curve to the left (concave southerly) have a central angle of 64°01'49", a radius of 825.00 feet, a chord bearing of North 57°15'57" West and a chord distance of 874.74 feet to a point of tangency, thence North 89°16'51" West a distance of 858.76 feet to a point of curvature; thence 411.10 feet along the arc of a curve to the right (concave northerly) having a central angle of 34°53'44", a radius of 675.00 feet, a chord Bearing of North 71°49'59" West and a chord distance of 404.78 feet to the end of said curve being a point on the boundary of Jefferson Davis Waterway as recorded in Official Records Book [549, Pages 966](#) through 990, of the Public Records of Flagler County, Florida; thence North 35°36'53" East along said waterway a distance of 30.00 feet to a point on a non-tangent curve; thence easterly 392.83 feet along the arc of a curve to the left (concave northerly) having a central angle of 34°53'44", a radius of 645.00 feet, a chord bearing of South 71°49'59" East and a chord distance of 386.79 feet to a point of tangency; thence South 89°16'51" East a distance of 858.76 feet to a point of curvature; thence 955.50 feet along the arc of a curve to the right concave southwesterly having a central angle of 64°01'49", a radius of 855.00 feet, a chord bearing of South 57°15'57" East and a chord distance of 906.54 feet to the end of said curve; thence South 64°44'58" West a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5), BEING A PORTION OF LONDON WATERWAY, LAKEVIEW SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 26, LOCATED IN GOVERNMENT SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF ASHWOOD WATERWAY (A 300 FOOT RIGHT-OF-WAY) PER SAID LAKEVIEW SECTION 37, WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1, (STATE ROAD 5, A 175 FOOT RIGHT-OF-WAY AT THIS POINT); THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 35°00'29" EAST ALONG SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY FOR A DISTANCE OF 649.53 FEET TO THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING SAID ASHWOOD WATERWAY LINE NORTH 54°59'31" EAST ALONG THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY FOR A DISTANCE OF 770.58 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LONDON DRIVE, (A 60 FOOT RIGHT-OF-WAY), PER SAID LAKEVIEW-SECTION 37; THENCE DEPARTING THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY SOUTH 51°24'11" EAST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 104.24 FEET TO THE SOUTHERLY LINE OF SAID LONDON WATERWAY; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 54°59'31" WEST ALONG SAID SOUTHERLY LINE OF LONDON WATERWAY FOR A DISTANCE OF 800.00 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY; THENCE NORTH 35°00'29" WEST ALONG SAID ASHWOOD WATERWAY LINE FOR A DISTANCE OF 100.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT:

A PARCEL OF LAND LYING IN SECTIONS 22 AND 21, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING A PORTION OF RESERVED PARCEL "E" AS SHOWN ON THE PLAT LAKEVIEW -- SECTION 37 PALM COAST PARK AT PALM COAST, MAP BOOK 13, PAGES 1 THROUGH 29 AND DESCRIBED IN OFFICIAL RECORDS BOOK 2354, PAGES 1028 THROUGH 1036, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA AND A PORTION OF PARCEL NO. 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 142, PAGES 278 THROUGH 279, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING, BEING THE MOST SOUTHERLY CORNER OF SAID RESERVED PARCEL "E"; THENCE NORTH 38°53'25" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF LAKEVIEW BOULEVARD AS SHOWN ON SAID PLAT OF LAKEVIEW - SECTION 37, PALM COAST PARK AT PALM COAST A DISTANCE OF 1801.29 FEET TO A POINT OF CURVATURE: THENCE CONTINUE ALONG THE

EASTERLY RIGHT-OF-WAY OF SAID LAKEVIEW BOULEVARD NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 331.51 FEET, A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 26°22'51" AND A CHORD BEARING AND A CHORD BEARING NORTH 25°41'59" WEST A DISTANCE OF 328.59 FEET TO THE SOUTHERLY LINE OF SAID PARCEL NO. 2; THENCE DEPARTING SAID SOUTHERLY LINE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 151.11 FEET, A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 12°01'29" AND A CHORD BEARING NORTH 06°29'48" WEST A DISTANCE OF 150.83 FEET TO A POINT; THENCE SOUTH 89°30'56" WEST A DISTANCE OF 1280.00 FEET TO THE SOUTHERLY LINE OF JEFFERSON DAVIS WATERWAY AS SHOWN ON SAID PLAT LAKEVIEW - SECTION 37, PALM COAST PARK AT PALM COAST; THENCE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY NORTH 12°53'48" EAST A DISTANCE OF 297.66 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 913.19 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 63°25'14" AND A CHORD BEARING NORTH 39°41'03" EAST A DISTANCE OF 867.28 FEET TO THE POINT OF TANGENCY, THENCE NORTH 71°23'41" EAST STILL ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY A DISTANCE OF 1251.37 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 603.41 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 41°54'23" AND A CHORD BEARING SOUTH 87°39'07" EAST A DISTANCE OF 590.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL NO. 2, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID RESERVED PARCEL "E"; THENCE CONTINUE ALONG E"; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 177.30 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 12°18'48" AND A CHORD BEARING SOUTH 60°32'31" EAST A DISTANCE OF 176.96 FEET TO THE POINT OF EAST A DISTANCE OF 176.96 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY SOUTH 54°23'07" EAST A DISTANCE OF 147.50 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID EAST A DISTANCE OF 147.50 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND THROUGH SAID RESERVED PARCEL "E" SOUTH 35°36'53" WEST A DISTANCE OF 120.96 FEET TO A NON-TANGENTIAL CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 213.75 FEET, A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 81°38'50" AND A CHORD BEARING SOUTH 40°20'20" WEST A DISTANCE OF 196.12 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°29'04" EAST A DISTANCE OF 1536.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 28.34 FEET, A RADIUS OF 425.00 FEET, A CENTRAL ANGLE OF 03°49'12" AND A CHORD BEARING SOUTH 02°23'39" EAST A DISTANCE OF 28.33 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 492, PAGES 936 THROUGH 939, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE BOUNDARY LINE OF SAID PARCEL THE FOLLOWING FIVE (6) COURSES; 1) SOUTH 85°41'45" WEST A DISTANCE OF 24.67

FEET, 2) SOUTH 01°05'36" WEST A WEST A DISTANCE OF 24.67 FEET, 2) SOUTH 01°05'36" WEST A DISTANCE OF 53.63 FEET, 3) SOUTH 10°42'21" EAST A DISTANCE OF 31.82 FEET, 4) NORTH 75°01'26" EAST A DISTANCE OF 11.50 FEET, 5) SOUTH 53°38'13" EAST A DISTANCE OF 20.65 FEET, 6) NORTH 72°54'00" EAST A DISTANCE OF 10.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER ALSO BEING A POINT OF CURVATURE; THENCE DEPARTING SAID BOUNDARY AND ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 60.46 FEET, A RADIUS OF 425.00 FEET, A CENTRAL ANGLE OF 08°09'03" AND A CHORD BEARING SOUTH 21°10'31" EAST A DISTANCE OF 60.41 FEET TO THE POINT OF TANGENCY: THENCE SOUTH 25°15'02" EAST A DISTANCE OF 620.00 FEET; THENCE NORTH 64°44'58" EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH 25°15'02" EAST A DISTANCE OF 335.20 FEET; THENCE SOUTH 64°44'58" WEST A DISTANCE OF 526.36 FEET TO THE POINT OF BEGINNING.

EXHIBIT “B”
AMENDED MPD DEVELOPMENT AGREEMENT

(This page intentionally left blank. Attachment begins next page.)

LAKEVIEW ESTATES CONCEPTUAL SITE PLAN

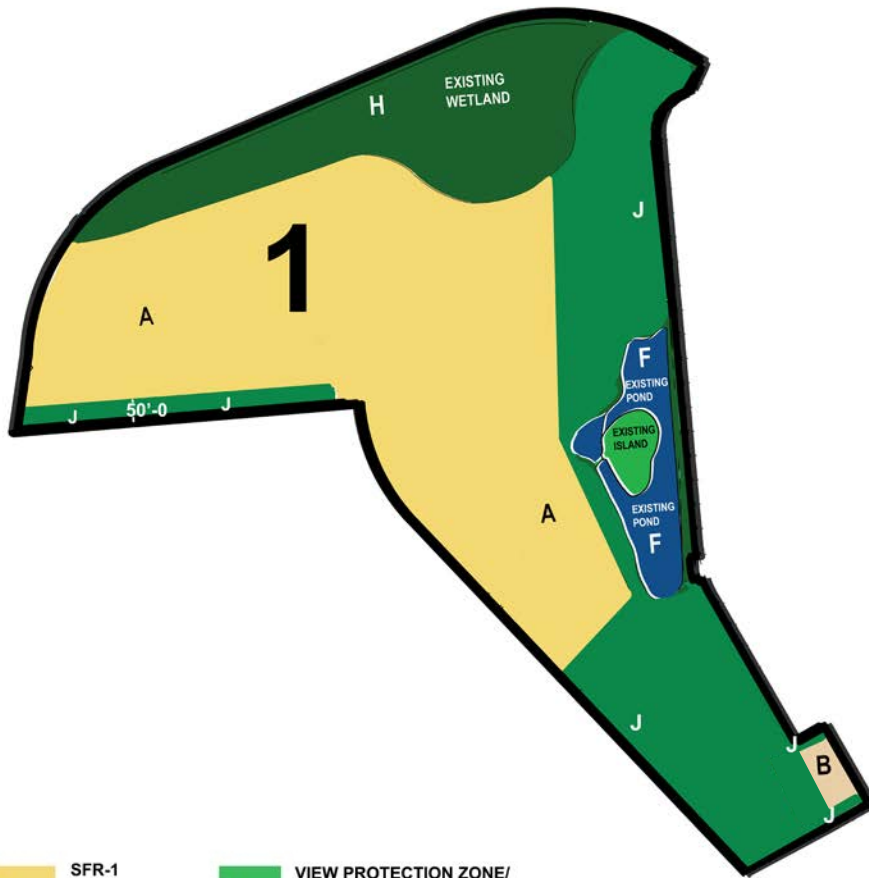
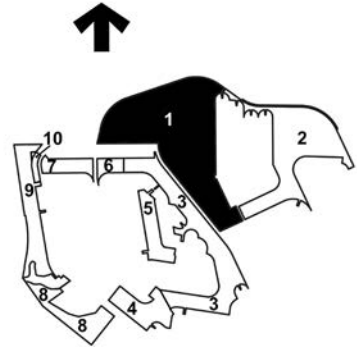


MPD AMENDMENT 06.16.25
SEE REVISED TRACT PLANS

Exhibit "B-1"

LAKEVIEW ESTATES TRACT PLAN

TRACT 1



A	SFR-1 SINGLE FAMILY	G	VIEW PROTECTION ZONE/ CONSERVATION
B	SFR-2 SINGLE FAMILY	H	WETLAND
C	MFR-1	J	VIEW PROTECTION ZONE
D	COMMERCIAL	K	PROPOSED CITY PARK
E	STORMWATER POND		
F	EXISTING POND		

**MPD AMENDMENT 06.16.25
NO AMENDMENT TO TRACT 1**

LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACT 2



MPD AMENDMENT 06.16.25

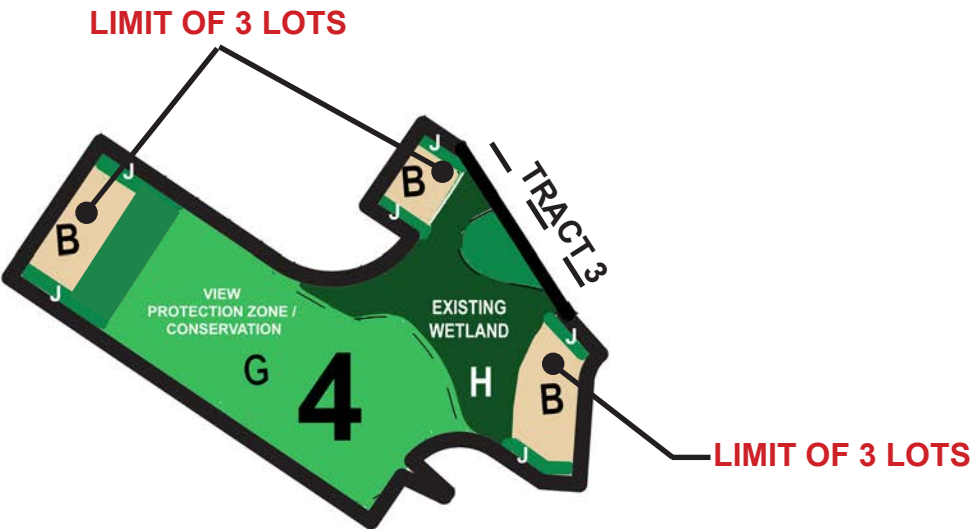
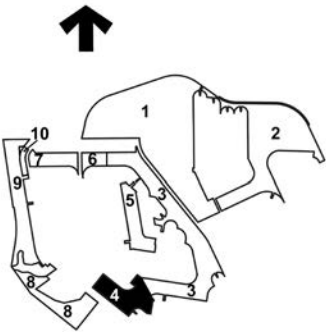
AMENDMENT TRACT 2

LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACT 3



Exhibit "B-4"

LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACT 4

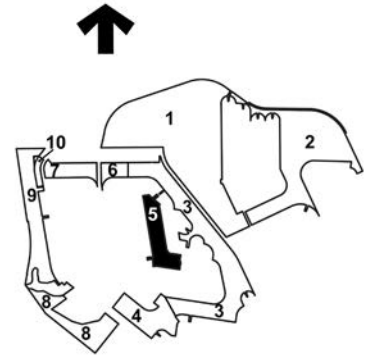
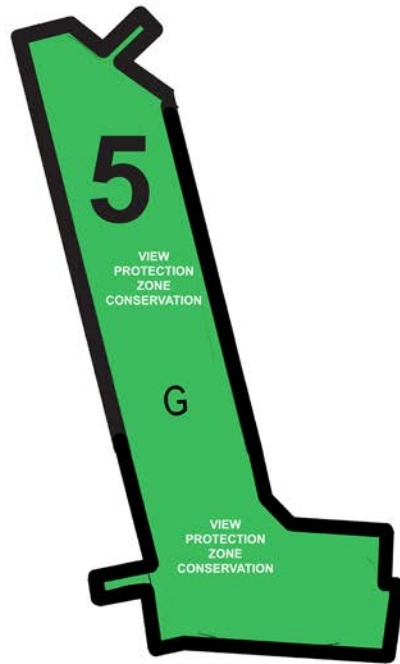


A	SFR-1 SINGLE FAMILY	G	VIEW PROTECTION ZONE/ CONSERVATION
B	SFR-2 SINGLE FAMILY	H	WETLAND
C	MFR-1	J	VIEW PROTECTION ZONE
D	COMMERCIAL	K	PROPOSED CITY PARK
E	STORMWATER POND		
F	EXISTING POND		

MPD AMENDMENT 06.16.25
AMENDMENT TRACT 4

LAKEVIEW ESTATES TRACT PLAN

TRACT 5

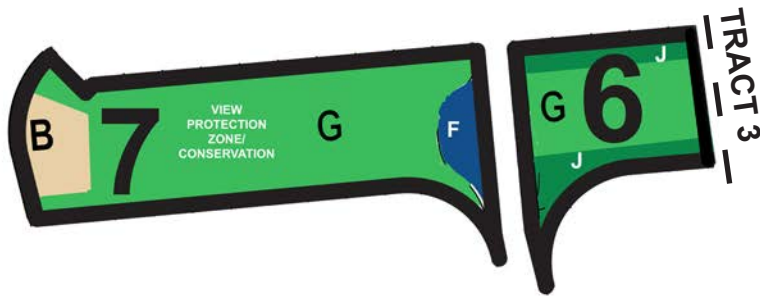
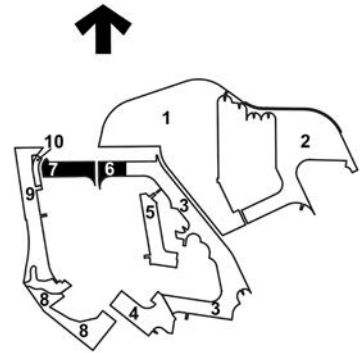


A	SFR-1 SINGLE FAMILY	G	VIEW PROTECTION ZONE/ CONSERVATION
B	SFR-2 SINGLE FAMILY	H	WETLAND
C	MFR-1	J	VIEW PROTECTION ZONE
D	COMMERCIAL	K	PROPOSED CITY PARK
E	STORMWATER POND		
F	EXISTING POND		

MPD AMENDMENT 06.16.25
NO AMENDMENT TRACT 5

Exhibit "B-6"

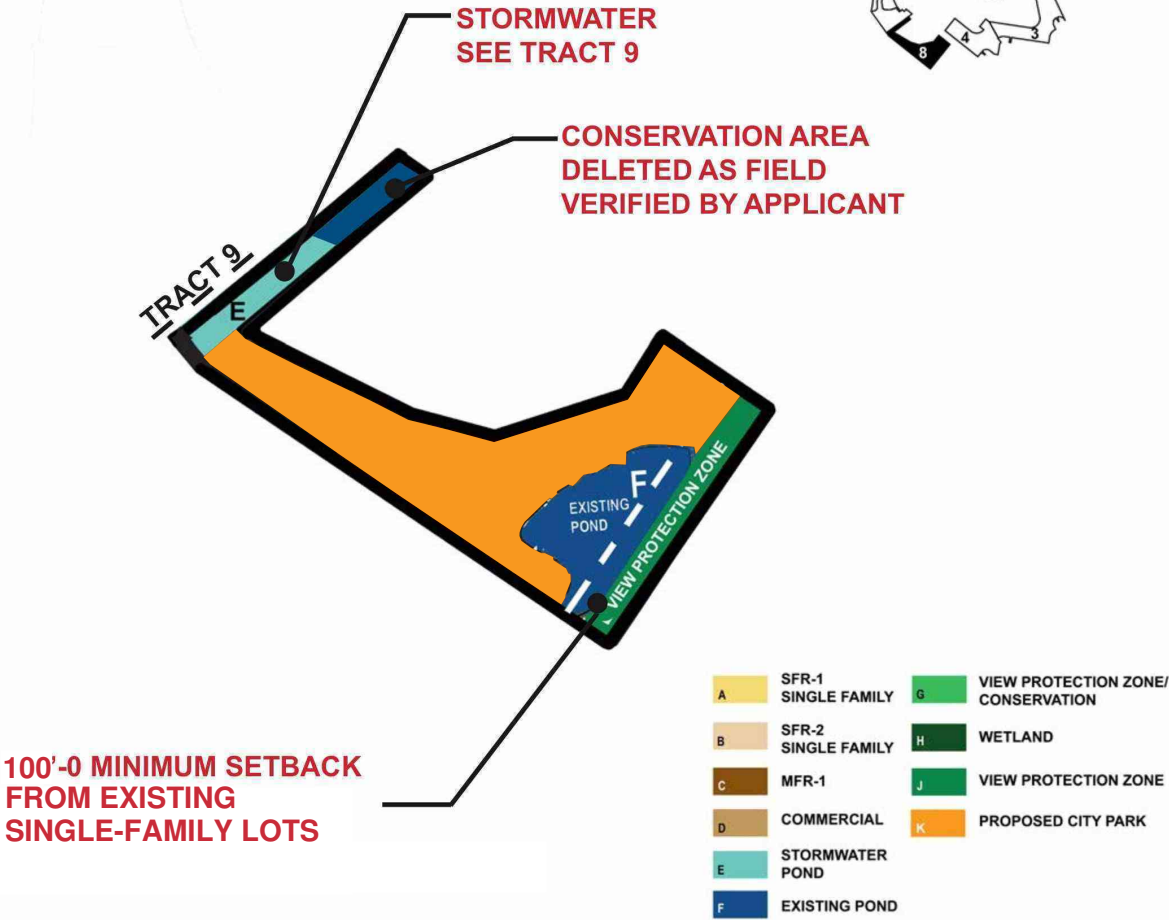
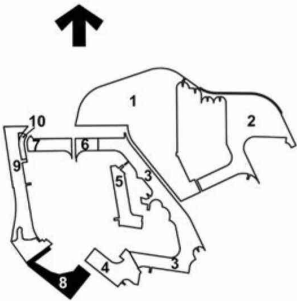
LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACTS 6 & 7



A	SFR-1 SINGLE FAMILY	G	VIEW PROTECTION ZONE/ CONSERVATION
B	SFR-2 SINGLE FAMILY	H	WETLAND
C	MFR-1	J	VIEW PROTECTION ZONE
D	COMMERCIAL	K	PROPOSED CITY PARK
E	STORMWATER POND		
F	EXISTING POND		

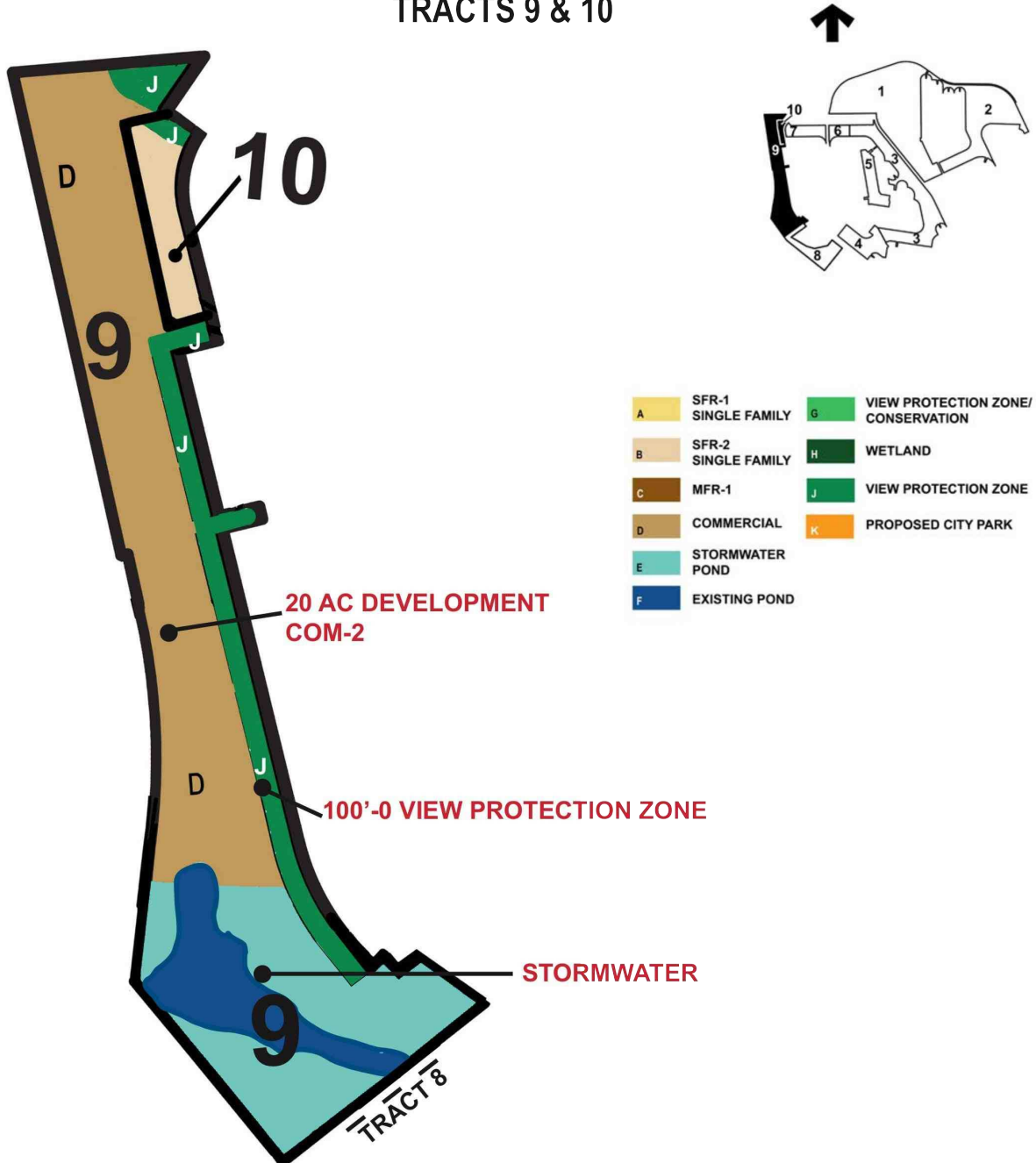
MPD AMENDMENT 06.16.25
AMENDMENT TRACT 6
NO AMENDMENT TRACT 7

LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACT 8



MPD AMENDMENT 06.16.25
AMENDMENT TRACT 8

LAKEVIEW ESTATES TRACT PLAN
REVISED
TRACTS 9 & 10



MPD AMENDMENT 06.16.25
AMENDMENT TRACTS 9 & 10

Prepared by:

Michael D. Chiumento III, Esq.
Chiumento Law, PLLC
145 City Place, Suite 301
Palm Coast, FL 32164

Return to:

City of Palm Coast, City Clerk
160 Lake Avenue
Palm Coast, FL 32164

LAKEVIEW ESTATES
FIRST AMENDMENT TO THE
MASTER PLANNED DEVELOPMENT AGREEMENT

THIS, FIRST AMENDMENT TO THE MASTER PLANNED DEVELOPMENT AGREEMENT, (hereinafter referred to as the “Amendment”) is made and executed this _____ day of _____, 2026, by and between the **CITY OF PALM COAST**, a Florida municipal corporation (herein referred to as the “City”), whose address is 160 Lake Avenue, Palm Coast, Florida 32164 and **MATANZAS GC PALM COAST, LLC**, a Florida limited liability company (herein referred to from time-to-time as the “Owner” regardless of whether singular or plural ownership status) whose address is 200 Ocean Crest Drive, Unit 1111, Palm Coast, Florida 32137.

RECITALS

1. On or about January 19, 2021, the City approved the Lakeview Estates Master Planned Development Agreement (the “MPD”).
2. Pursuant to the citizen survey dated June 19 and 20, 2021, City desires to own, permit and develop a park for the residents of Palm Coast.
3. The Owner desires to convey to the City sufficient lands for purpose of a park and amend the PUD to allow for areas of the property to be developed consistent with the present densities and intensities.

4. The City and Owner enter into this Amendment to the MPD to achieve their respective goals and objectives.
5. The City of Palm Coast City Council (“City Council”) has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of City staff, and the recommendation of the PLDRB, which voted ____ to recommend approval at their regularly scheduled meeting conducted on _____, 2026; and
6. The City Council held duly noticed public hearings on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Palm Coast Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and
7. The City Council hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

NOW THEREFORE, it is resolved and agreed by and between the City and the Owner that the Owner’s application for an Amendment to the MPD is approved, and the parties agree to the following:

FINDINGS OF FACT:

- (a) The aforementioned recitals are taken as true, incorporated herein by reference and made a material part of this Amendment.
- (b) This Amendment is consistent with (1) the State’s Comprehensive Plan as set forth in Chapter 187, Florida Statutes and (2) the City’s Comprehensive Plan.
- (c) The public hearing to consider this Amendment was properly noticed and held by the City Council pursuant Florida State law and the City’s Land Development Code.

CITY COMMUNITY PARK:

At no cost to the City and not subject to City Park Impact Free Credits, the Owner shall convey to the City approximately fifteen (15) acres on a tract of land (the “City Park Site”) as generally

depicted on Amended Conceptual Site Plan (Ex. "A") which replaces the Conceptual Site Plan in the MPD. Said conveyance shall take place within one hundred twenty (120) days of execution of this Amendment. The conveyances of lands pursuant to the Amendment shall be free from all encumbrances except easements, reservations, and restrictions acceptable to each other, together with all appurtenances pertaining to the conveyance. Owner will prepay taxes for the year of closing pursuant to Fla. Stat. 196.295. and all special assessments which may have been levied or certified prior to closing on the City Park Site. Sixty (60) days before Closing, the Owner will cause the title company of its choice to issue and deliver to City ALTA title commitments to issue a policy in the amount of the assessed value of the City Park Site, accompanied by one copy of each document supporting any exceptions to the title commitment. The Owner will execute a standard form owner's affidavit and such other affidavits as may be reasonably required by the City, the Title Company, or the Closing Agent. The Owner will also execute an Affidavit of interest in Real Property pursuant to Fla. Stat. 286.23. The Owner will execute affidavits declaring that the City Park Site does not currently contain any Hazardous Substances in violation of any applicable environmental laws or regulations, including but not limited to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act. 42 U.S.C. Section 9601 et seq. any "super lien" laws, any super fund laws, or similar federal or state laws, or any successor statutes ("Environmental Laws"), nor to Owner's knowledge has any clean-up of their properties occurred pursuant to the Environmental Laws which could give rise to liability to reimburse any governmental authority for the costs of such clean-up or result in a lien or encumbrance.

SECTION 4 PROJECT DESCRIPTION.

Section 4 "Project Description" of the MPD Development Agreement shall be deleted in its entirety and replaced with the following:

The Subject Property has ~~two~~three (3) Comprehensive Plan FLUM designations, Greenbelt on approximately ~~260276.3~~ +/- acres, Mixed Use (20 +/-acres) and Conservation on approximately ~~4.3.19~~ +/- acres. The current MPD zoning on the property will be maintained and this Development Agreement shall govern all development on the Subject Property as defined herein. Consistent with the Comprehensive Plan and the Greenbelt FLUM, residential units may be developed at one unit per acre. ~~Institutional uses proposed on Greenbelt FLUM acreage shall be deducted from the one unit per acre residential unit calculations.~~ The project proposes ~~208.3~~ +/- acres of ~~Greenbelt~~Mixed Use FLUM for ~~institutional~~commercial uses within the ~~Tract 9Greenbelt FLUM.~~ As a result, ~~2680~~ residential units are permitted to be clustered within the remaining ~~2680.0~~ +/- acres of Greenbelt FLUM at the Owner's discretion. The Owner may develop a residential and ~~institutional~~commercial development as depicted on the Lakeview Estates Conceptual Master Plan, attached hereto as **Exhibit "B"** and as further defined herein ("Project"). **Exhibit "B-1"** through **Exhibit "B-8"** further define the project and illustrate allowable uses within each Tract. The uses on each Tract (shall be as follows which are consistent with the Conceptual Site Plan:

TRACT	USE	LDC Designation to be used for Development Standards purposes only
1	Uses on this tract will be single-family residential homes along with View Protection Zones (VPZ), wetland preservation, stormwater pond creation, and community amenities including exterior storage of boats and RVs exclusively for residents residing in the community that will be totally screened from view from off-site properties, Lakeview Boulevard and London Drive.	SFR-1
2	Uses on this tract primarily consist of View Protection Zones, wetlands, natural buffers, and stormwater ponds. In addition, the property is limited to single family residential	SFR-2 and P&G

	dwelling s , view protection zones, natural buffers, and stormwater ponds.	
3	<u>Uses on this tract primarily consist of single-family residential homes, View Protection Zones, wetlands, natural buffers, and stormwater ponds.</u> This tract is designated as View Protection Zones, and natural buffers.	<u>SFR-2 or</u> P&G
4	Uses on this tract primarily consist of View Protection Zones/conservation, and wetlands. The property is limited to single family residential dwellings.	SFR-2 and P&G
5	This Tract is designated as a View Protection Zone/conservation.	P&G
6	<u>Uses on this tract primarily consist of View Protection Zones, wetlands, natural buffers, and stormwater ponds.</u> This Tract is designated as a View Protection Zone	P&G
7	Uses on this tract primarily consist of View Protection Zone, <u>wetlands, natural buffers, stormwater retention, and an existing pond, and single-family residential dwellings.</u> The property is limited to single family residential dwellings.	SFR-2 and P&G
8	Use of this Tract is limited to townhouses, single-family <u>a City Park</u> , View Protection Zones, and existing pond. FLUM areas designated Conservation shall be field verified prior to development and the boundaries between the Greenbelt and Conservation areas shall be modified accordingly on the FLUM.	<u>MFR-1¹, SFR-1 and</u> P&G
9	Use of this Tract will be limited to 8.320 acres of institutional-commercial uses meeting the <u>PSP-COM-2</u> zoning standards except the maximum building height shall be 35 feet and there shall be a minimum View Protection Zone of 15000 feet in width along its eastern property line where it abuts the rear of all existing platted residential lots. All remaining areas include View Protection Zones, new and existing ponds, and natural buffers. <u>This Tract shall also provide Emergency access to US Highway 1 from London Drive.</u>	<u>PSP-COM-2</u> & P&G
10	Use of this Tract is limited to single family residential units with View Protection Zones.	SFR-2

~~¹There is a height limitation of thirty-five (35) feet for townhouses, a minimum living area of 1,000 sq. ft. with at least a one-car garage per unit and a minimum setback of 150' from all existing single family platted lots imposed on this use.~~

1. TRACT 1: Tract 1 shall be permitted to develop into a single family detached residential community consistent with the City's SFR-1 and SFR-2 zoning district standards and as depicted on the Conceptual Plan. This community will contain its own private amenities which may include a club house, pools, activities room, exercise trails and self-storage of boats and recreational vehicles limited to residents use only. It shall have two (2) entrances onto Lakeview Drive. Stormwater ponds will be developed on site to contain all runoff as required by Federal, State and City rules. In the areas that abut existing residential platted lots, a View Protection Zone ("VPZ") will be required (See Section 10.7). Prior to application for Subdivision Master Plan or Site Plan Approval, an applicant shall ensure that the VPZ is designed in such a fashion that it maintains the Lot Owners' view of the Subject Property consistent with the City's Land Development Code (LDC). Also prior to the above-mentioned application, an applicant shall demonstrate that Tract 1 is or shall be free from environmental hazards and safe for human occupation as regulated by Federal, State and local law including, but not limited to, the Florida Department of Environmental Protection ("FDEP"). The existing golf course maintenance building may be utilized during construction of the residential community on Tract 1 but shall be removed prior to completion of the infrastructure for the residential community.

2. TRACT 2: Tract 2 shall be maintained as a VPZ except for the area depicted on **Exhibit "B-2"** Tract Plan for single family residential lots. The single family residential area shall be developed consistent with the SFR-2 zoning district standards as provided herein. As a condition of approval of these lots, a VPZ shall be provided to specifically address the adjacent existing single-family platted lots. Stormwater retention is allowed.

3. TRACT 3: Tract 3 is designated as fifty (50) foot VPZ, SFR-2, P&G, ~~and~~ natural buffers, and stormwater retention. Moreover, development of Tract 3 shall be limited to include two (2) access points and shared driveway to Lakeview Blvd. The VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee.

4. TRACT 4: Tract 4 shall be mostly preserved as a natural area through the use of VPZs and Conservation Easements over existing wetlands. The on-site wetlands are intended to be preserved and, if impacted, avoidance and minimization techniques will be required pursuant to Federal, State and local law. Consistent with **Exhibit “B-4”** Tract Plan, some single-family residential lots may be developed consistent with SFR-2 zoning designation standards, however they will be required to provide a fifty (50) foot VPZ if behind existing platted residential lots.

5. TRACT 5: Tract 5 shall be a VPZ. No development shall be permitted on Tract 5.

6. TRACT 6: Tract 6 shall be a VPZ and stormwater.

7. TRACT 7: Tract 7 shall be maintained as a fifty (50) foot VPZ except for the areas depicted on **Exhibit “B-6”** Tract Plan for single family residential lots, or stormwater retention. The single family residential areas shall be developed consistent with the SFR-2 zoning district and shall provide a VPZ behind existing platted residential lots. The VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee.

8. TRACT 8: Tract 8 shall be permitted to be developed consistent with the City Park site described on Page 3, the development standard for the LDC zoning classification of ~~MFR-1~~ but limited to townhouses P&G. ~~Single-family homes could also be developed using the SFR-1 standards. Notwithstanding said designation, n~~No development on this tract shall exceed thirty-five (35) feet in height. All ~~townhouse~~ development on Tract 8 shall be set back a minimum of ~~150~~ 100 feet from any existing single-family platted lot. The existing pond shall be preserved for the benefit of adjacent property owners. ~~The area designated Conservation on the FLUM can be field verified by the Owner through all applicable governmental agencies and areas designated as uplands may be reclassified to Greenbelt on the FLUM and then utilized for residential purposes.~~

9. TRACT 9: The easterly ~~150~~ 100 feet of Tract 9 that is located behind existing residential platted lots located along the westerly side of London Drive shall be maintained as a VPZ to ensure protection of natural areas. This VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee. Stormwater areas are also permitted on Tract 9. ~~PSP (institutional)-General Commercial~~ uses consistent with the COM-2 zoning designation with a height limit of 35 feet will be permitted on ~~208.3~~ acres of the remaining area. Special Exceptions for mini-warehouses, office warehouses, or self-storage shall not be authorized. Prior to making any application for development, the Owner shall prepare a conceptual site plan and hold a neighborhood meeting consistent with the requirements of the LDC. Any development application for Tract 9 shall require final action by the PLDRB. A stabilized emergency access from London Drive shall be provided through the tract to US Highway 1.

10. TRACT 10: Tract 10 shall be permitted to develop single family detached residential units consistent with the LDC SFR-2 zoning district standards. Additionally, a VPZ is required to be provided as shown on the **Exhibit “B-8”** Tract Plan.

11. ~~In addition to the above, Tracts 1, 8 and 9 of the Project shall be integrated internally and externally by a series of pedestrian pathways and roadways and developed in conformance with the LDC and this Development Agreement.~~

~~12.~~ All commons areas, VPZ, stormwater ponds and natural areas shall be maintained by a POA or third party determined acceptable to the City.

12. All lots greater than 10,000 square feet shall have the right to construct RV garages so long as such are ancillary to a residential dwelling unit and consistent with the LDC. Lot sizes that are at least 10,000 square feet in size shall be capable of accommodating RV garages. RV garage types are detached RV garages, regular garages with an attached bay, or garages that are part of the house’s main structure. Garages that are detached from the principal structure shall be designed and constructed so that the roof and exterior walls of the garage are of similar architecture, materials, and colors as the exterior of the principal structure. All garages types may exceed the height of the first story of the principal dwelling unit. RV garages may exceed the 30 foot depth and 500 square foot limitation in the LDC, but shall be limited to not be larger than 50 percent of the living area of the principal dwelling unit.

GENERAL CONDITIONS OF THIS AMENDMENT:

- (a) Except as provided herein, all other terms of the MPD DA shall remain in full force and effect. The provisions of this Amendment shall bind and inure to the benefits of the parties hereto, their heirs, executors, administrators, successors and assigns.
- (b) In the event of a conflict between the terms of this Amendment and the MPD DA, the terms of this Amendment shall govern.
- (c) The Owner hereby represents to the City that all required joinders and consents have been obtained and set forth in properly executed form on this Amendment. Unless otherwise agreed to by the City, all liens mortgages and encumbrances not satisfied or released of record must be subordinated to the terms of this Amendment. It is the responsibility of the Owner to ensure that said subordination occur in a form and substance acceptable to the City Attorney prior to the City's execution of this Amendment.

IN WITNESS, WHEREOF, the City of Palm Coast and the Owners have caused this Amendment to be duly executed by its duly authorized representative(s) as the date first above written.

WITNESSES:

Print Name:

Print Name:

“OWNER”

MATANZAS GC PALM COAST, LLC, a
Florida limited liability company

By: _____
Alexander Ustilovsky, Manager

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this _____ day of _____, 2026, by Alexander Ustilovsky, as Manager of Matanzas GC Palm Coast, LLC, a Florida Limited Liability Company, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

CITY OF PALM COAST, FLORIDA

Michael Norris, Mayor

ATTEST:

Kaley Cook, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Marcus Duffy
City Attorney

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this _____ day of _____, 2026 by Michael Norris, Mayor of the City of Palm Coast, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC



**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT FOR LAKEVIEW ESTATES MPD AMENDMENT
CITY COUNCIL
PUBLIC HEARING ON SEPTEMBER 1, 2026**

OVERVIEW

Application Number: 5575
Applicant: Michael Chiumento III, Esq. Chiumento Law, agent for owner
Property Description: Generally located between 0.5 to 1.25 miles north of Matanzas Woods Parkway, west of Interstate 95, and east of US Highway 1
Property Owner: Matanzas GC Palm Coast LLC
Parcel ID #: 07-11-31-7037-ORP0A-0002, 07-11-31-7037-ORP0A-0011, 07-11-31-7037-ORP0A-0011
Current FLUM: Greenbelt
Current Zoning: Lakeview Estates Master Planned Development (MPD)
Current Use: Partially developed
Size of Property: ±280.6 acres
Requested Action: Amend the Lakeview Estates MPD Development Agreement to modify permitted uses on Tracts: 3, 6, 7, 8, and 9; conditionally permit recreational vehicle garages for all tracts.

ANALYSIS

REQUESTED ACTION

The applicant proposes to amend the existing Lakeview Estates Master Planned Development (MPD) Development Agreement (DA) in order to:

- Add the ability for the developer to site Single-Family Residential (SFR-2) sized residential lots to Tract 3 with access limited to Lakeview Boulevard.
- Add the ability for the developer to site stormwater ponds to Tract 3, Tract 6, Tract 7.
- Replace the ability for the developer to site (Multifamily Residential) MFR-1 and SFR-1 sized residential lots to Tract 8 with the ability to site a City Park site. It also reduces the minimum 150 feet setback from any existing single-family platted lot on Tract 8 to 100 feet.
- Replace the ability for the developer to site ±8.3 acres of Public Semi-Public (PSP) with ±20 acres of General Commercial (COM-2) uses, limited to a maximum of 35 feet, and providing emergency access from US Highway 1 to London Drive. Further the COM-2 uses are limited to not allow a special exception for mini-warehouses, office warehouses, or self-storage. Note: the proposed use of 20 acres as COM-2 is based on the potential approval of a related Future Land Use Map (FLUM) Amendment application, and if developed for commercial uses would reduce the overall remaining residential entitlements from 51 to 39 dwelling units.

- Reduce the existing View Protection Zone (VPZ) on Tract 3 to 50 feet and on Tract 10 from 150 feet to 100 feet. The VPZ depth for tract 4 is defined as 50 feet. The proposed text adds the requirement for enhanced screening and additional plantings to the satisfaction of the Land Use Administrator (LUA) or their designee to shield the view of adjacent residential properties within VPZs.
- Add the ability of residential property owners within the MPD with lots with a size of 10,000 or greater square feet to be able to construct a garage for recreational vehicles as an accessory use to lots with a principal dwelling unit, subject to maximum impervious surface and building setbacks.

BACKGROUND/SITE HISTORY

The subject property was developed as the 18-hole Matanzas Woods Golf Course by ITT and opened in 1985. The golf course permanently closed in 2007. In April 2019, Matanzas GC Palm Coast, LLC purchased the property. The initial City Zoning Map in 1999/2000 showed the subject property having the Flagler County zoning designation of Urban Single-Family Residential (R-1B). Flagler County's Land Development Code (LDC) has the R-1B Zoning District which allowed for single-family residential homes and also recreational areas that are accessory to residential developments. The R-1B zoning district allowed for up to 3 units per acre. In 2004 the City adopted its Comprehensive Plan and designated the subject property as Greenbelt on the Future Land Use Map (FLUM). The Greenbelt designation reduced the overall density on the subject property to 1 unit per acre.

On July 5, 2005, the City Council adopted the initial chapters of our Land Development Code (Ordinance No. 2005-33) which created the Golf Course Community (GCC) Zoning District. The GCC Zoning District allowed density of one home/per acre and also setup significant standards for the redevelopment of any golf course areas into residential uses. These guidelines, located in section 3.03.04.J of our LDC, were added to minimize adverse impacts to abutting single family residential zoned areas. On October 21, 2008, the City Council adopted Ordinance 2008-23 which implemented the City's first complete Land Development Code and also converted the Golf Course Community (GCC) Zoning District to MPD without a DA.

On January 19, 2021, the City Council approved Ordinance 2021-01 which rezoned the existing MPD to add the existing DA at the applicant's request during public hearing. The previous rezoning application had significant public participation at all facets of the rezoning process from the neighborhood meeting, which drew approximately 250 to 350 residents the two Planning and Land Development Board (PLDRB) meetings drawing approximately 50 to 60 residents and 30 to 35 residents respectively.

PROJECT DESCRIPTION

The property owner using clustering provisions of the LDC, the overall acreage of the project, and a field verified conservation area of ± 0.2 acres ended up with residential entitlements of ± 272 dwelling units (du). To date, 221 lots have received varying levels of approval (Preliminary and Final plats) between Tracts 1, 2, 4, 7, and 10 resulting in the project retaining 51 residential entitlements. The applicant's requested MPD DA Amendment relies on the potential approval of their requested FLUM amendment and has the effect of reducing the remaining residential entitlements from 51 du to 39 du due to the planned development of ± 20 acres of COM-2 uses on Tract 9.

- The applicant is proposing to site the remaining 39 residential entitlements on Tract 3, which would require the approval of the MPD DA amendment and subsequent platting applications by the applicant. The vision that the applicant provided was that these lots would be designed to be $\pm 10,000$ square feet or larger to make use of their proposed language for recreational vehicle garages, but at a minimum size lots meeting the Unified Land Development Code (LDC) requirements of the SFR-2 zoning district, which requires 7,500-square-foot lots which are compatible with the existing platted single-family residential lots found on nearby Lee Drive.
- The DA provides language for siting additional stormwater retention ponds in Tracts 3, 6, and 7, which supports the City's recent effort to add additional stormwater retention in the area by vacating Learning Lane and Leaf Lane.
- The applicant is also requesting to amend the allowed use on tract 8 to convey the City a site for a future City park at no cost and not subject to park impact fee credits.
- Additionally, the applicant is requesting to permit ± 20 acres of COM-2 uses on a portion of Tract 9 adjacent to US Highway 1.

LAND USE AND ZONING INFORMATION

SURROUNDING LAND USES:

NORTH:	FLUM:	DRI-Mixed Use; Conservation; Agriculture & Timberlands (Flagler County)
	Zoning:	PSP; COM-2; Rural Estate (EST-2); MPD; Agriculture (Flagler County)
EAST:	FLUM:	Residential; Greenbelt; Agriculture & Timberlands (Flagler County)
	Zoning:	SFR-2; SFR-3
SOUTH:	FLUM:	Residential
	Zoning:	SFR-2; SFR-3
WEST:	FLUM:	DRI-Mixed Use
	Zoning:	MPD

VPZ Guidelines LDC Section 3.03.04(J)

The City approved its first city wide zoning and complete LDC in 2008, which eliminated the Golf Course Community (GCC) Zoning District. However, regulations related to future development within the previous GCC Zoning District remained in the LDC. The term and utilization of VPZ was established within the Lakeview Estates MPD DA that was adopted in 2021 to be consistent with the Land Development Code regulations related to development in former GCC Districts.

Section 3.03.04(J) of the LDC provides the following redevelopment criteria:

J. Existing golf course communities. Existing golf courses communities located within the former Golf Course Communities (GCC) District seeking to add residential units must comply with the standards established for the Master Planned Development (MPD) District. In addition, the development shall utilize the following guidelines in order to minimize adverse impacts on any abutting single-family residentially zoned areas.

1. Existing direct golf course views from the rear yards of all existing, platted lots located within any residentially zoned districts directly abutting the site shall be maintained. Peripheral (i.e.

side) views from these existing rear yards may be impacted by new development and new development may be visible from existing development.

2. Existing golf course views from existing platted lots located within any residentially zoned area located across a right-of-way or a water body from the site shall be maintained to the maximum extent practical.

3. Multifamily uses shall be surrounded by fairways, clubhouse, and/or other golf course facilities to buffer single-family areas within the same development. The multifamily uses shall not be located within 150 feet from any existing, platted lots located within a residentially zoned area.

The LDC does not quantify the depth or thickness of the VPZ. More than likely it was not quantified since both factors (width of VPZ and amount of vegetative screening) affect the quality of a VPZ. Based on subsection 1, it is clear, that new development does not need to be completely out of view and may be visible from existing properties.

The applicant's draft MPD DA has requested modifications to several Tract's VPZs. While the applicant is able to make the requests, staff worked with the applicant to add the following provision: "The VPZ shall use enhanced screening adding additional planting, to include use of canopy trees, understory trees, and shrubbery, to shield the view of adjacent residential properties. The enhanced screening shall be to the satisfaction of the Land Use Administrator or their designee". The applicants proposed VPZ changes are summarized as follows:

- Tract 3 – defining depth of VPZ to 50 feet.
- Tract 4 - defining depth of VPZ to 50 feet.
- Tract 7 – defining depth of VPZ to 50 feet.
- Tract 9 - reducing the defined VPZ depth from 150 feet to 100 feet.

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 MPD amendment ultimately would reduce the remaining residential entitlements from 51 to 39 remaining du on the subject property as ±20 acres would be slotted for commercial development adjacent to US Highway 1. The development of COM-2 uses would be compatible with the commercial development pattern along the US Highway 1 corridor, and depending on potential end users could provide needed commercial services to the northwest portion of the City which ultimately could reduce trip ends to Palm Coast Parkway. The conveyance of Tract 8 as a City park site without requiring the City to buy the land or for park impact fee credits is a benefit to the neighborhood. The proposed residential uses on Tract 3 adjacent to Lakeview Boulevard are likely the most significant impact to the surrounding neighborhood; however, the minimum sizes of the proposed residences would match the existing residential neighborhood's zoning of SFR-2. The applicant's request to be able to site recreational vehicle garages as an accessory use on any residential lot 10,000 or more square feet has the potential to reduce the need of residents with recreational vehicles or boats from having to utilize private off-site storage options. Allowing more tracts to support stormwater retention may have a positive effect for the overall neighborhood regarding stormwater and drainage. The neighborhood meeting did have ±125 individuals attend, so there is clearly a vested interest by the public in the proposed MPD DA amendment; however, due to the nature

of the neighborhood meeting and its technical limitations, it is difficult to gauge consensus on the public's interest.

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 Comprehensive Plan. The following policies are provided for elaboration:

- **Chapter 1 Future Land Use Element (FLUE):**

Policy 1.1.1.2 The future land use designations shall permit the zoning districts listed and generally described in the following table. The maximum densities and intensities for each future land use designation and zoning district are also included in the table.....

The maximum allowable density for residential uses within the Greenbelt designation is one (1) unit per acre after subtracting lands that are designated for non-residential uses. The proposed COM-2 use requires the associated FLUM amendment, as those uses are more intense than what the Greenbelt designation requires; however, the compact area requested to be designated as Mixed Use follows the character of the developmental pattern exhibited along the US Highway 1 commercial corridor.

Policy 1.1.2.3 In order to allow for clustering of residential units to create rural communities and minimize the need for extensive infrastructure, the Greenbelt land use designation may include MPDs or PRDs having lot sizes of less than one (1) acre with common open spaces provided that the development's overall density does not exceed one (1) unit per acre.

The residential component of the MPD DA does not exceed a density of one dwelling unit per acre. Nonresidential components are subtracted from the overall residential land to ensure that additional density is not created. With the associated FLUM amendment, a site specific limiting policy is provided which ensures that designating the proposed ±20-acre commercial site does not create density entitlements consistent with the normal Mixed Use designation in effort to ensure compliance with this policy and the overall character of the development.

-Objective 1.1.4 – Discourage Urban Sprawl – Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.

The project site is a bifurcated pocket of land that was previously utilized as a golf course. The proposed FLUM amendment and MPD DA amendment ultimately reduce the remaining density of the project area and keep the development compacted minimizing sprawl. Additionally supporting a variety of land uses – residential, stormwater, park land, commercial development support the applicability of this FLUE policy.

-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 MPD amendment does not expand into areas which are currently not served by public facilities or infrastructure. During the subsequent platting or Technical Site Plan applications, the developer shall be subject to the cost of connecting to municipal services.

Other supporting Comprehensive Plan policies include:

Policy 1.1.2.1 - Permitted uses within a mixed use development shall follow those allowed within the corresponding zoning districts associated with the Future Land Use designation. Deviations from the land development regulation standards may be permissible in order to promote and encourage creatively planned projects and in recognition of special geographical features, environmental conditions, economic issues, or other unique circumstances.

Policy 3.3.2.4 – An analysis of compatibility is required when a new non-residential use is proposed to locate next to existing residential uses. Compatibility analyses during Land Use Amendments, Zoning Amendments, or Site Plan applications may include, but are not limited to, review of the following circumstances and attributes of the new development in comparison to the existing development pattern within a 500 foot vicinity of the parcel boundary of the subject parcel proposed for development or redevelopment:

- a. A comparison of lot sizes, intensity, and/or density to understand potential trip generation of the new use.*
- b. Location in proximity of a collector or arterial roadway, or a transit stop to determine vehicle miles traveled of the new development that may impact existing residential uses.*
- c. A comparison of the scale of the building envelope(s) including floor area ratio and height.*
- d. Locations of ingress and egress, and whether or not there are multiple alternate roadways for access to the new development.*
- e. Hours of operation of a non-residential use.*
- f. Any creation of noise, smoke, glare, fumes, aromas, or other potential nuisance generating activities.*
- g. Installation of vegetative buffers, and setback provisions provided with the plan for development.*
- h. Any nuisance abatement provisions of the new development.*

In review of the criteria listed in Policy 3.3.2.4, staff finds that the proposed MPD DA amendment provides a ±20-acre site for COM-2 uses on the western portion of Tract 9. This is adjacent to US Highway 1, and the applicant provides language for emergency access to the residential neighborhood. The height is capped to 35 feet which is the maximum building height of a single-family residence per the LDC, and they propose a 100-foot VPZ with enhanced vegetative screening to the satisfaction of the LUA. The impacts of any potential use will be analyzed during the Technical Site Plan stage for potential incompatibility of hours of operation, and creation of potential nuisance generating activities. The applicant has already requested a site-specific limiting policy capping the maximum trips to what could potentially be constructed under the current MPD DA and FLUM designation. Additionally, Tract 8 is being conveyed to the City for a future City park site. City parks are generally considered compatible with residential development; however, these criteria will be analyzed upon the development of a potential City park in the future.

Staff Finding: Its staff's opinion that the applicant's request is not totally consistent with the following sections of the Unified Land Development Code (LDC):

Section 3.03.04.J.1. *Existing direct golf course views from the rear yards of all existing, platted lots located within any residentially zoned districts directly abutting the site shall be maintained. Peripheral (i.e. side) views from these existing rear yards may be impacted by new development and new development may be visible from existing development.*

Staff finds that the applicant has not provided evidence and reasonable assurances that the existing direct golf course views have been maintained throughout the entire project.

Section 3.03.04.J.2. *Existing golf course views from existing platted lots located within any residentially zoned area located across a right-of-way or a water body from the site shall be maintained to the maximum extent practical.*

The existing golf course views across a right-of-way or a water body in staff's opinion are not being maintained consistently throughout the entire project. That said, the proposed language in the MPD DA amendment requiring the developer to provide enhanced vegetative screening to the satisfaction of the LUA helps the existing residents from being visually impacted by the proposed developments.

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

Staff Finding: Potable water and sewer services are available nearby to serve the project. The developer will be required to pay applicable impact fees to ensure that the City does not have a financial liability for the project.

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 project already has approved residential entitlements to support a total of 272 du on the site. The proposed MPD Amendment reduces the overall density of the project area by reducing the residential entitlements 260 units. At this time 221 residential entitlements have been used. Additionally, it provides land for a public park site, and language to require emergency access to US Highway 1. At this time the proposed amendment does not create by itself an unreasonable hazard; however, during the platting process, City review staff shall evaluate the proposed project to ensure compliance with all applicable code requirements.

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 MPD Development Agreement, City's Land Development Code (LDC), Comprehensive Plan, and the requirements of all other applicable local, state and federal agencies throughout the development process.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.09.04

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.09.04 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 master planned development application*":

A. Consistency with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan.

Staff Finding: The proposed application remains consistent with and will further the goals and objectives of the Comprehensive Plan.

B. Consistency with the general intent of the LDC.

Staff Finding: The development standards in the MPD remain generally consistent with the standards established by the LDC.

C. Degree of departure of the proposed development from surrounding areas in terms of character and density/intensity.

Staff Finding: The proposed changes will not cause the MPD Agreement to further depart from customary standards in the LDC.

D. Compatibility within the development and relationship with surrounding neighborhoods.

Staff Finding: The proposed uses are similar to existing developments. The neighborhood of the Matanzas Woods area includes SFR-1, SFR-2, SFR-3 and MFR-1 zoning districts. The proposed development is compatible with those zoning districts. In addition, a neighborhood park is compatible with the residential uses found in the area. The height limitation on tract 9 and enhanced vegetative buffers within the VPZ areas help to ensure compatibility with the existing neighborhood. Furthermore, staff's VPZ recommendation helps to ensure compatibility with adjacent existing properties.

E. Adequate provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the development plan.

Staff Finding: As required by the LDC, future development applications will be analyzed in further detail to determine if there is adequate public infrastructure capacity to serve the development. Other public service needs will also be reviewed in more detail as the development review progresses. For example, future applications for development will require further environmental analysis, utility agreements, coordination with Flagler Schools, etc. before approval. The subject project will be required to pay applicable impact fees to accommodate its impact on the public infrastructure and services.

F. The feasibility and compatibility of development phases to stand as independent developments.

Staff Finding: The developer has not shown any specific phasing of the project. However, various tracts within the MPD are situated where they can adequately be developed independently through the platting process.

G. The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed development.

Staff Finding: The applicant previously submitted a Transportation Impact Study when the application was heard in 2021 that demonstrated that all roadways within the study area with the project's traffic included will operate at the City's adopted level of service. This amendment reduces the overall density of the MPD and the applicant has requested a site-specific limiting policy to cap the amount of traffic on Tract 9 to what is currently allowed. The applicant did not provide an updated Transportation Impact Analysis (TIA) with this application after making a request to City Administration, so staff is unable to evaluate the proposed distribution on US Highway 1 for the ±20-acre commercial site. An updated TIA shall be required during the Technical Site Plan stage of Tract 9's commercial development for further review.

H. The benefits within the proposed development and to the general public to justify the requested departure from standard development requirements inherent in a Master Planned Development District classification.

Staff Finding: The MPD DA amendment reduces residential density, provides additional stormwater, a City park site without cost to the City, and commercial uses along US Highway 1's expanding commercial corridor which could ultimately reduce trip ends to other areas of the City when developed. This project is consistent with the requirements of an MPD to provide a public benefit.

I. The conformity and compatibility of the development with any adopted development plan of the City of Palm Coast.

Staff Finding: The request adds more commercially designated land to the City and results in a minor reduction of density of the MPD. The proposed uses are similar to the existing residential neighborhood and do not request a reduction in lot sizes from the existing adjacent neighborhood. The proposed height limitation helps ensure compatibility with the existing residential land uses, and although the VPZ areas are reduces in width from the approved MPD DA, the language for enhanced vegetative screening helps buffer existing land uses from those within the MPD.

J. Impact upon the environment or natural resources.

Staff Finding: The landowners will be required to submit all applicable environmental reports or studies as required by the LDC during subsequent development. These studies will include environmental resource assessments, cultural resources, soil and groundwater analyses, stormwater calculations, floodplain analysis, and threatened and endangered species studies as applicable during the site plan or platting process for any new project within the MPD.

K. Impact on the economy of any affected area.

Staff Finding: The residents that will inhabit these new homes will have a positive impact on State and local income including permit and impact fees, taxes, and other sources. The project will also provide a significant number of constructions jobs, which should have a positive direct and indirect impact on the local economy. Further the applicant's analysis of the commercial development at Tract 9 estimates that ±250,000 gross square feet could be developed which will enhance the City's nonresidential tax base.

PUBLIC PARTICIPATION

The applicant hosted a neighborhood meeting as required by Unified Land Development Code (LDC) Section 2.05.02 at 5:30 p.m. Tuesday April 14th, 2026, in the cafeteria of Indian Trails Middle School. The applicant also met the public notice requirements of LDC Section 2.05.03. The neighborhood meeting had approximately 125 attendees. Applicant submitted documentation summarizing the neighborhood meetings that has been attached to the agenda item.

Prior to the Planning and Land Development Regulation Board (PLDRB) meeting on May 20, 2026, staff was contacted by several members of the public requesting clarifying information pertaining to public hearing dates or to access to application materials, which staff has provided. The applicant has met their public notice requirements.

PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

The PLDRB heard the Comprehensive Plan Amendment, application #5576, and its companion MPD Amendment, application #5575, at their May 20, 2026 meeting.

During the evening, the PLDRB unanimously approved a motion to delay public comment on the Comprehensive Plan Amendment until after the companion MPD Amendment, application #5575, had been presented to the PLDRB as well. 10 members of the public spoke in opposition to the proposed Comprehensive Plan Amendment and MPD Amendment.

The PLDRB voted five to one in favor of recommending approval of the Comprehensive Plan Amendment subject to the concurrent adoption of staff's draft FLUE Policy 1.1.2.5 serving as a site specific limiting policy capping the intensity and density of the 20-acre portion of Tract 9 of the Lakeview Estate MPD.

The PLDRB voted six to zero in favor of recommending denial of the MPD Amendment subject to criteria analysis of LDC Section 2.05.05A finding the application contrary to public interest based on compelling evidence presented by the public during public comment in addition to analysis of LDC Sections 3.03.04.J1 and 3.03.04.J2.

RECOMMENDATION

The Planning and Land Development Regulation Board recommends that the City Council finds the proposed MPD Amendment (Application No. 5575) not consistent with the Comprehensive Plan and deny the application.



**THE CITY OF PALM COAST
160 LAKE AVENUE
PALM COAST, FL 32164**

**BUSINESS IMPACT ESTIMATE
PURSUANT TO F.S. 166.041(4)**

**Meeting Date: June 16, 2026
Ordinance Number: 2026-XX
Posted To Webpage: May 13, 2026**

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AMENDING THE LAKEVIEW ESTATES MASTER PLAN DEVELOPMENT AGREEMENT, AS ESTABLISHED IN SECTION 2.09 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, FOR ±280.6 ACRES OF CERTAIN REAL PROPERTY PREVIOUSLY KNOWN AS THE MATANZAS GOLF COURSE AND DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBERS 07-11-31-7037-0RP0A-0002, 07-11-31-7037-0RP0A-0011, AND 07-11-31-7037-0RP0A-0140, GENERALLY LOCATED BETWEEN 0.5 TO 1.25 MILES NORTH OF MATANZAS WOODS PARKWAY, WEST OF INTERSTATE 95, AND EAST OF US HIGHWAY 1, AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A; MODIFYING PERMITTED USES ON TRACTS: 3, 6, 7, 8, AND 9; CONDITIONALLY PERMITTING RECREATIONAL VEHICLE GARAGES FOR ALL TRACTS; PROVIDING FOR SEVERABILITY, CONFLICTS; AND AN EFFECTIVE DATE.

The sections below are not required to be completed if the ordinance involves any one of the following types of regulations. Please check if applicable:

- ☐ 1. Ordinances required for compliance with federal or state law or regulation;
- ☐ 2. Ordinances relating to the issuance or refinancing of debt;

- ☐ 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ 4. Ordinances required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
- ☐ 5. Emergency ordinances;
- ☐ 6. Ordinances relating to procurement; or
- ☒ 7. Ordinances enacted to implement the following:
- a. Development orders, and development agreements, and development permits, as those terms are defined in S 163.3164, and development agreements, as authorized by the Florida Local Government Development Acts SS. 163.3220-163.3243;
 - b. Comprehensive Plan amendments and land development regulation amendments initiated by an application by a private party other than the city;
 - ☐ c. Sections 190.005 and 190.046;
 - ☐ d. Section 553.73, relating to the Florida Building Code; or
 - ☐ e. Section 633.202, relating to the Florida Fire Prevention Code.

Part I. Summary of the proposed ordinance and statement of public purpose:

This ordinance implemented to amend development agreements relating to the subject parcels has been initiated from a private party other than the City, and therefore exempt from addressing the following sections.

ECONOMIC IMPACT ON BUSINESS

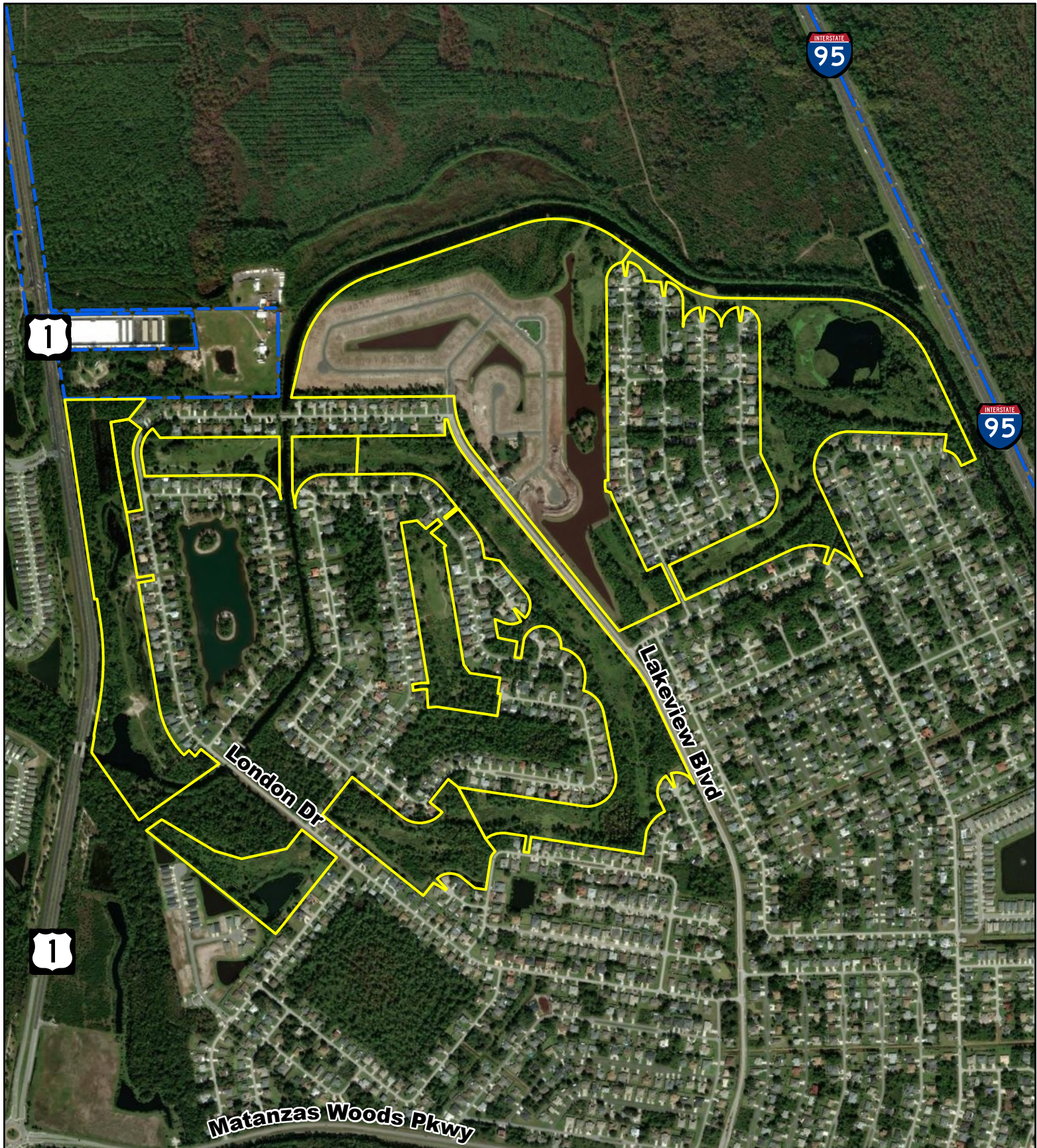
a. Estimated number of businesses impacted: Not applicable.

b. Types of businesses affected: Not applicable.

Estimated direct economic impact: Not applicable.

Negative impact: Not applicable.

Compliance Costs: Not applicable.



Close Up Aerial

-  Palm Coast City Limits
-  Subject Properties

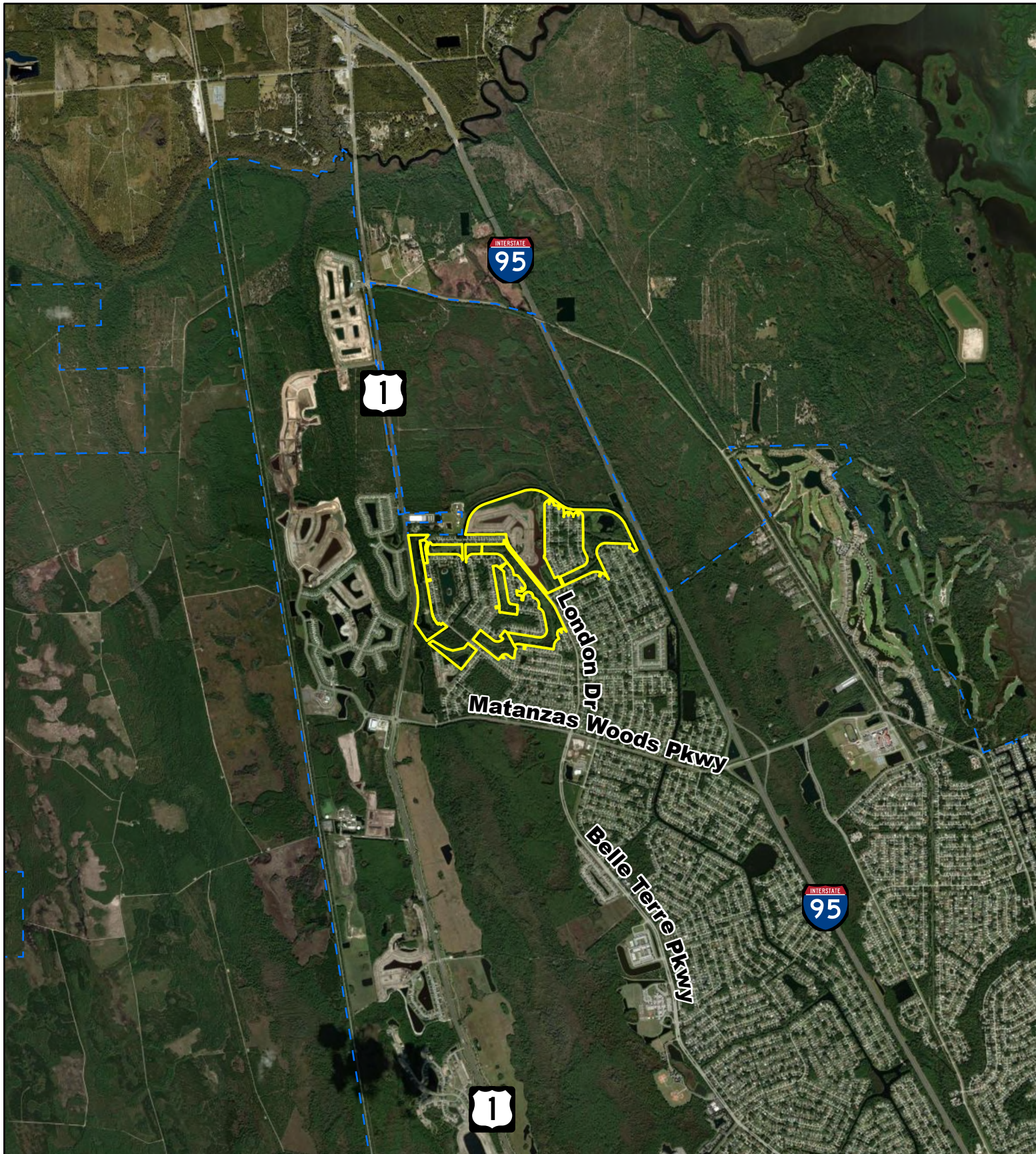


0 1,000
Feet



Map Provided by the Planning Division

Date: 4/24/2026



Distant Aerial

- Palm Coast City Limits
- Subject Property



0 4,000
Feet



Map Provided by the Planning Division

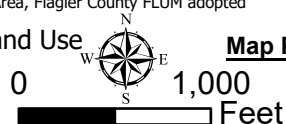
Date: 4/24/2026



Future Land Use Map



Unincorporated Flagler Future Land Use



Map Provided by the Planning Division

Date: 4/24/2026



Proposed Future Land Use Map

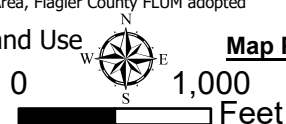


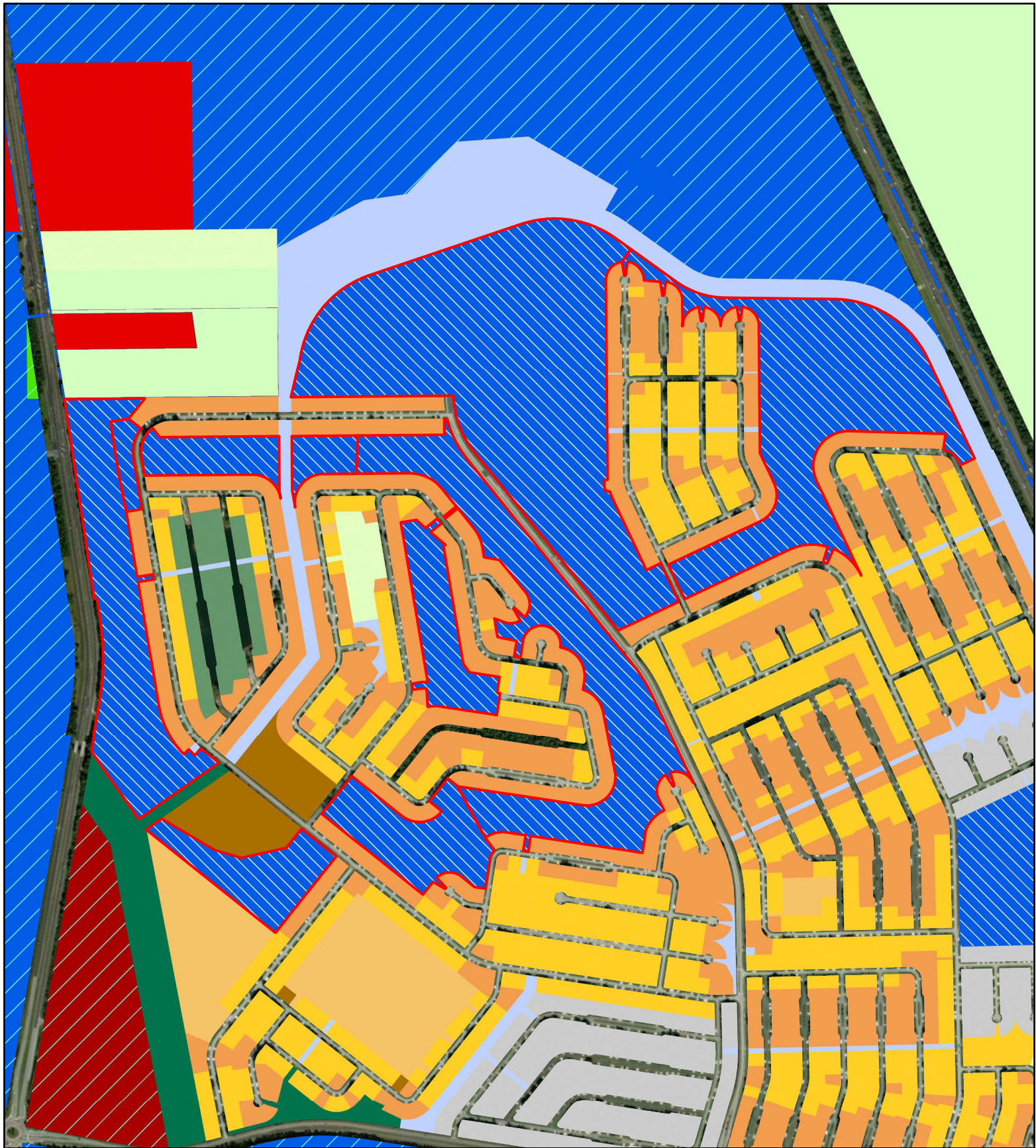
Unincorporated Flagler Future Land Use



Map Provided by the Planning Division

Date: 4/24/2026





Zoning Map

Palm Coast City Limits

Subject Properties

Palm Coast Zoning Districts

AGR

COM-2

COM-3

DPX

EST-1

EST-2

MFR-1

P & G

PRS

PSP

SFR-1

SFR-2

SFR-3

MPD, MPD post 11-16-08 designation

MPD, MPD pre 11-16-08 designation

Unincorporated Flagler Zoning

AC

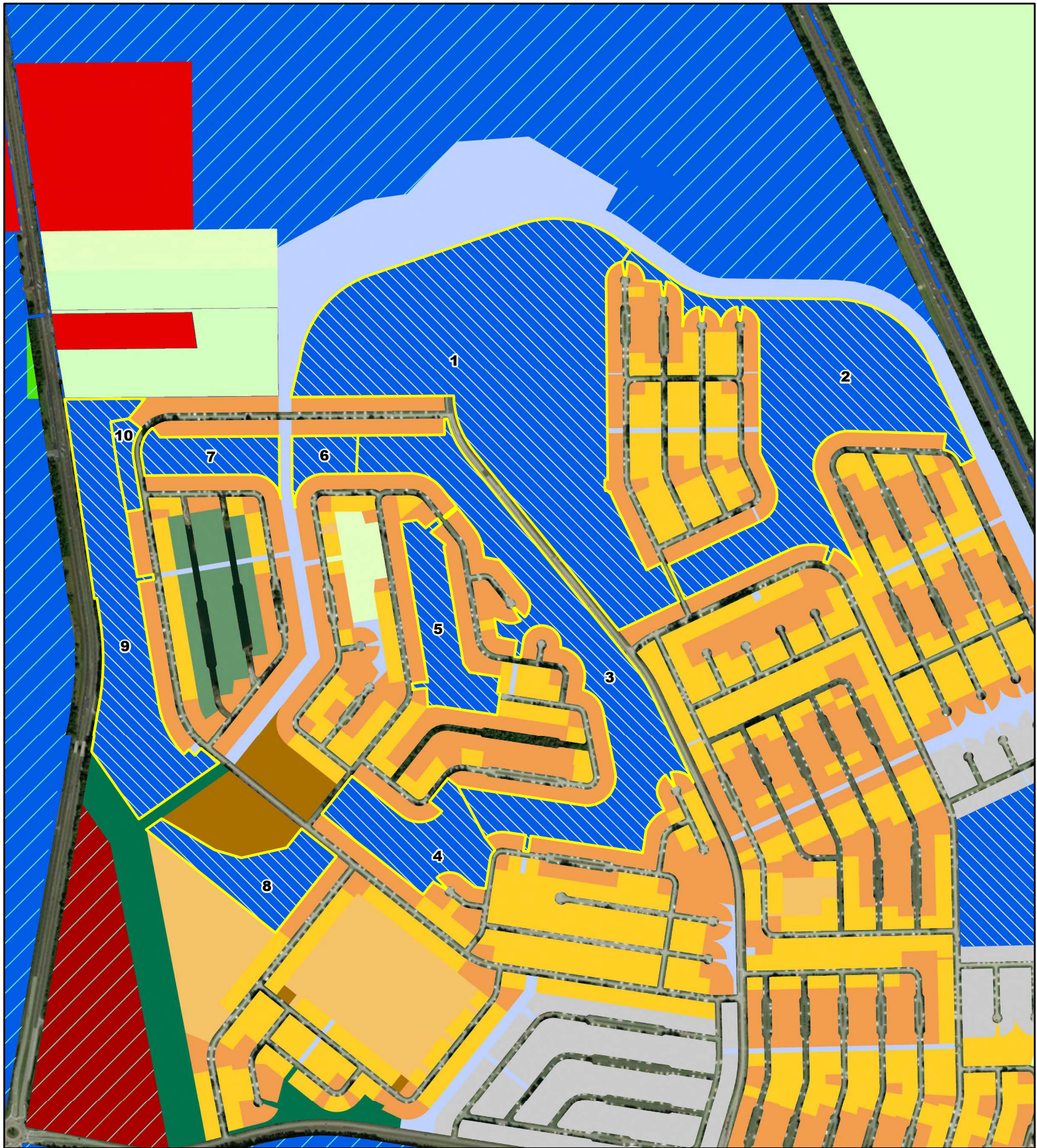


0 1,000 Feet



Map Provided by the Planning Division

Date: 4/24/2026



Zoning Map

- Palm Coast City Limits
- Subject Property

Palm Coast Zoning Districts

- AGR
- COM-2
- COM-3

- DPX
- EST-1
- EST-2
- MFR-1
- P & G
- PRS

- PSP
- SFR-1
- SFR-2
- SFR-3

- MPD, MPD post 11-16-08 designation
- MPD, MPD pre 11-16-08 designation

Unincorporated Flagler Zoning

- AC



Map Provided by the Planning Division

Date: 4/24/2026

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Jared T. Trent
Sydney L. Nix
Eric R. Sloan, *of-counsel*
Andrew C. Grant, *of-counsel*
Tom Pycraft, *of-counsel*

Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com



**CHIUMENTO
LAW**

145 City Place, Suite 301
Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

2 Camino Del Mar
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174

October 23, 2023

City of Palm Coast
Attn: Ray Tyner
160 Lake Avenue
Palm Coast, FL 32164

RE: City of Palm Coast Park Dedication / Lakeview Estates Amendment

Dear Mr. Tyner:

It has been a pleasure to work with the City in its efforts to provide a community park for the Matanzas Woods neighborhood. We reviewed the City's updated parks plan as provided in the P.O.P Report and agree that a park for the residents in this part of the City is long overdue. Therefore, my client is willing to give lands to the City for purposes of community park.

In this light, please find enclosed applications to (i) amend the Comprehensive Plan designation for a portion of the Owner's property and (ii) rezone portions of the property to provide for the donation of +/- 11 ac of land to the City for the community park and additional lands to be developed. Note however, that these applications do not provide for any new residential development rights. The maximum residential development is actually decreased from the present MPD Agreement.

Rezoning Application

The enclosed application requests an Amendment to the MPD Agreement. Rather than provide an amended and restated agreement, the application provides a simple amendment focusing on the specific changes. We have included a redline version for your convenience to show the proposed changes. In general, the proposed amendment (i) reduces the number of residential units to be developed on the property from 268 to 260; (2) broadens the commercial uses on Tract 9, (iii) conveys an +/- 11 acres of land to the City for a community park, and (iv) allows residential development on other areas of the property.

These proposed changes remain consistent with the City's comprehensive plan and other land development regulations. We will provide a consistency analysis under separate cover in the next week or so. The proposed changes serve a public purpose in that the community requested a

community park in this area as provided in the P.O.P Report. We look forward to your comments and hope to placed on the December Planning Board agenda.

Comprehensive Plan Amendment

Also enclosed is an application to amend the Comprehensive Plan designation on a portion of the Property. Specifically, Tract #9 is located on U.S.1 adjacent to the entrance of 1500 units subdivision commonly known as Sawmill Creek. Presently, Tract #9 allows for the development of non-residential uses. The proposed amendment request that the Land Use designation be changed from Greenbelt to Mixed Use to allow for a broader range of commercial uses on that Tract. The goal and objective is to promote economic development and jobs in this area of Palm Coast, increase the commercially zone property in an attempt to balance the community's tax base, and (iii) provide residents in this area with local commercial opportunities minimizing their trip lengths which adversely impact other City roadways such as Palm Coast Parkway.

Conclusion

We appreciate the opportunity to work with the City in its efforts to provide the citizens a community park. We too believe a park in this area of Palm Coast is benefit for the residents in the Matanzas Woods neighborhood. From a planning perspective, this application will not only benefit those residents but will also benefit all the residents in the northeast portion of the City by providing parks, recreation, shopping opportunities for them while lessening traffic impacts on other City roads.

Once you have had an opportunity to review these applications, we respectfully request a meeting to discuss your questions concerns and changes.

Sincerely,



Michael D. Chiumento III
Attorney
MDC/cm

Enclosures



city of PALM COAST

GENERAL - APPLICATION

DATE 10/23/2023

APPLICATION TYPE REZONING MASTER PLANNED DEVELOPMENT

PROJECT NAME	Lakeview Estates				
LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS)	398 LAKEVIEW BLVD PALM COAST FL 32164				
PROPERTY APPRAISER'S PARCEL NUMBER	07-11-31-7037-0RP0A-0002				
LEGAL DESCRIPTION	277.40 ACRES ALL OF RESERVE PARCELS, A,B,C,D,E & PT OF VACATED PC SEC 38, OR 47 PG 273 & PT OF VACATED PC SEC 37,OR 538 PG 1611 (EX .0626 AC OF RP E,OR 479/577) OR 550 PG 1626(MATANZAS				
SUBDIVISION NAME	SECTION 37-LAKEVIEW				
SECTION	07	BLOCK	0RP0A	LOT	0002
PROPERTY ACRES	132.46	PROPERTY SQ FT	5769958		
FUTURE LAND USE MAP DESIGNATION	GREENBELT		EXISTING ZONE DISTRICT	MPD	
OVERLAY DISTRICT					
COMMUNITY PANEL NUMBER	120684	MAP PANEL DATE	06/06/2018		
FLOOD ZONE	A				
PRESENT USE OF PROPERTY	MASTER PLANNED DEVELOPMENT				
DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS)					
Amendment to MPD					
PROPOSED NUMBER OF LOTS		IS THERE EXISTING MORTGAGE?	No		



City of PALM COAST

OWNER	APPLICANT / AGENT
Name: MATANZAS GC PALM COAST LLC	Name: MICHAEL D. CHIUMENTO III
Mailing Address: UNIT 1111 200 OCEAN CREST DRIVE PALM COAST, FL 32137	Mailing Address: 145 CITY PLACE SUITE 301 PALM COAST, FL 32164
Phone Number: (386) 445-8900	Phone Number: (386) 445-8900
E-mail Address: MICHAEL3@LEGALTEAMFORLIFE.COM	E-mail Address: CMCNEIL@LEGALTEAMFORLIFE.COM
MORTGAGE HOLDER	ENGINEER OR PROFESSIONAL
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ARCHITECT	TRAFFIC ENGINEER
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
SURVEYOR	LANDSCAPE ARCHITECT
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:
ATTORNEY	
Name:	
Mailing Address:	
Phone Number:	
E-mail Address:	

APPLICANT / OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning

APPLICANT / OWNER'S ELECTRONIC SUBMISSION STATEMENT: Under penalty of perjury, I declare that all the information contained in this development application is true and correct. By signing this Electronic Submission Form, I consent to use electronic communications, electronic records, and electronic signatures rather than paper documents for the form(s) provided on this web site. I understand that my electronic signature is legally binding, as stated by [2016 Florida Statutes Title XXXIX Chapter 668 Section 50](#)

Signature of Property Owner or Applicant

MICHAEL CHIUMENTO



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: Lakeview Estates

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 398 Lakeview Blvd., Palm Coast, FL 32137

C. PROPERTY APPRAISER'S PARCEL NUMBER(s): 07-11-31-7037-ORP0A-0002, 07-11-31-7037-ORP0A-0140
07-11-31-7037-ORP0A-0011

D. LEGAL DESCRIPTION: _____ Subdivision Name: _____ Section: _____ Block: _____ Lot
See attached Exhibit "A"

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: _____

F. FUTURE LAND USE MAP DESIGNATION: Greenbelt EXISTING ZONING DISTRICT: MPD
OVERLAY DISTRICT: _____

G. FLOOD ZONE: _____ COMMUNITY PANEL NUMBER: _____ DATE: _____

H. PRESENT USE OF PROPERTY: Vacant

I. DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS):
Amend MPD Agreement

J. PROPOSED NUMBER OF LOTS: Addition of 3 lots

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:
Comp Plan Amendment

M. WATER/SEWER PROVIDER: To be provided by City of Palm Coast

N. IS THERE AN EXISTING MORTGAGE? ☐ Yes ☒ No

**OWNER:**

Name:	Matanzas GC Palm Coast, LLC
Mailing Address:	9401 W. Colonial Drive, Unit 728 Ocoee, FL 34761
Phone Number:	
E-mail Address:	

APPLICANT / AGENT:

Name:	Michael D. Chiumento III, Esq.
Mailing Address:	145 City Place, Suite 301 Palm Coast, FL 32164
Phone Number:	michael3@legalteamforlife.com
E-mail Address:	386-445-8900 ext 102

MORTGAGE HOLDER:

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

ENGINEER OR PROFESSIONAL:

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

PLANNER:

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

TRAFFIC ENGINEER:

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

SURVEYOR:

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

LANDSCAPE ARCHITECT:

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

ATTORNEY:

Name:	Michael D. Chiumento III, Esq.
Mailing Address:	145 City Place, Suite 301 Palm Coast, FL 32164
Phone Number:	386-445-8900 ext 102
E-mail Address:	michael3@legalteamforlife.com

DEVELOPER OR DOCKMASTER:

Name:	
Mailing Address:	
Phone Number:	
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) Alexander Ustilovsky

Printed or typed name(s): Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC

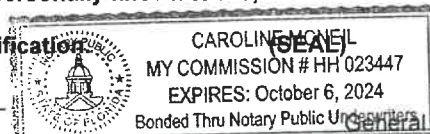
NOTARY: This instrument was acknowledged before me on this 3rd day of October, 2023 by

Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC

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

Caroline McNeil
Signature of Notary Public, State of Florida

as identification



General Application (sheet 2 of 2)



Property Owner Letter of Authorization

*****IF APPLICANT IS NOT THE PROPERTY OWNER*****

Dear Planning Manager,

I / We, Matanzas GC Palm Coast, LLC, a Florida limited liability company

(All property owners)

being the current property owner(s) of the property legally described as Parcel Number(s)

07-11-31-7037-ORP0A-0002, 07-11-31-7037-ORP0A-0011, 07-11-31-7037-ORP0A-0140

and also described as Subdivision Matanzas Golf Course/Lakeview Estates,

Section, Block, Lot, OR

Street Address or Physical Location:

398 Lakeview Blvd., Palm Coast, FL 32137

Do hereby designate and authorize

Michael D. Chiumento III, Esq.

(name of agent / applicant)

representing Matanzas GC Palm Coast, LLC

(Individual or Corporate Name)

to sign on my/our behalf, as my/our agent to submit an application for a

Rezoning & Comprehensive Plan Amendment

(type of application)

for the property described above

Signature of property owner

Alexander Ustilovsky, Manager, Matanzas GC Palm Coast, LLC

Print name

Signature of property owner

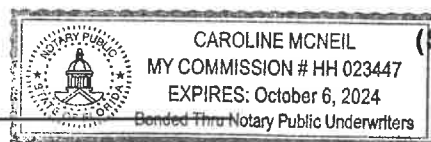
Print name

NOTARY: This instrument was acknowledged before me on this 3rd day of October,

2023 by Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC who is/are personally known to me, or

who has/have produced as identification.

Signature of Notary Public, State of Florida





AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF FLORIDA

COUNTY OF FLAGLER

COMES NOW, Alexander Ustilovsky, being first duly sworn, who deposes and says:

(1) That he/she is the Manager, an officer of Matanzas GC Palm Coast, LLC corporation existing under the laws of the State of Florida.

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: Rezoning Application & Comp Plan Amendment Application relating to the following described real property:

See attached Exhibit "A"

(3) That this affidavit is made to induce the City of Palm Coast to accept the above described property.

Signature of owner OR person authorized to represent this application

Alexander Ustilovsky
Signature
Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC
Print name

Signature

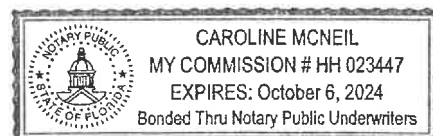
Print name

NOTARY: This instrument was acknowledged before me on this 3rd day of October,

20²³ by Alexander Ustilovsky, as Manager of Matanzas GC Palm Coast, LLC who is/are personally known to me, or who has/have produced _____ as identification.

Caroline McNeil
Signature of Notary Public, State of Florida

(SEAL)





AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF FLORIDA

COUNTY OF FLAGLER

COMES NOW, Alexander Ustilovsky, being first duly sworn, who deposes and says:

(1) That he/she is the Manager, an officer of Matanzas GC Palm Coast, LLC corporation existing under the laws of the State of Florida.

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: Rezoning Application & Comp Plan Amendment Application relating to the following described real property:

See attached Exhibit "A"

(3) That this affidavit is made to induce the City of Palm Coast to accept the above described property.

Signature of owner OR person authorized to represent this application

Alexander Ustilovsky
Signature
Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC
Print name

Signature

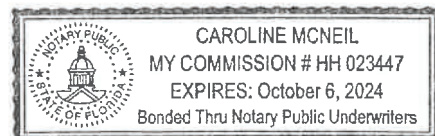
Print name

NOTARY: This instrument was acknowledged before me on this 3rd day of October,

20²³ by Alexander Ustilovsky, as Manager of Matanzas GC Palm Coast, LLC who is/are personally known to me, or who has/have produced _____ as identification.

Caroline McNeil
Signature of Notary Public, State of Florida

(SEAL)





Property Owner Letter of Authorization

*****IF APPLICANT IS NOT THE PROPERTY OWNER*****

Dear Planning Manager,

I / We, Matanzas GC Palm Coast, LLC, a Florida limited liability company

(All property owners)

being the current property owner(s) of the property legally described as Parcel Number(s)

07-11-31-7037-ORP0A-0002, 07-11-31-7037-ORP0A-0011, 07-11-31-7037-ORP0A-0140

and also described as Subdivision Matanzas Golf Course/Lakeview Estates

Section, Block, Lot, OR

Street Address or Physical Location:

398 Lakeview Blvd., Palm Coast, FL 32137

Do hereby designate and authorize

Michael D. Chiumento III, Esq.

(name of agent / applicant)

representing Matanzas GC Palm Coast, LLC

(Individual or Corporate Name)

to sign on my/our behalf, as my/our agent to submit an application for a

Rezoning & Comprehensive Plan Amendment

(type of application)

for the property described above

Signature of property owner

Alexander Ustilovsky, Manager, Matanzas GC Palm Coast, LLC

Print name

Signature of property owner

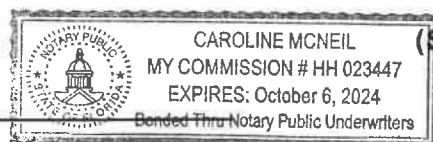
Print name

NOTARY: This instrument was acknowledged before me on this 3rd day of October

2023 by Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC who is/are personally known to me, or

who has/have produced as identification.

Signature of Notary Public, State of Florida



Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Jared T. Trent
Sydney L. Nix
Eric R. Sloan, *of-counsel*
Andrew C. Grant, *of-counsel*
Tom Pycraft, *of-counsel*

Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com



CHIUMENTO LAW

145 City Place, Suite 301
Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

2 Camino Del Mar
Palm Coast, FL 32137

By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174

April 1, 2024

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
Attn: Ray Tyner

RE: Matanzas Golf Course

Dear Mr. Tyner:

I have examined the title with respect to the property described in Exhibit A attached hereto and made part hereof. Based upon my examination of the title search, it is my legal opinion that as of **March 18, 2024**, that fee simple title to the property is vested in **MATANZAS GC PALM COAST, LLC, a Florida limited liability company**, subject to the following matters:

1. All matters as shown on the plat of Lakeview-Section 37 Palm Coast Park at Palm Coast, a subdivision recorded in Plat Book 13, pages 1 through 29, inclusive, of the Public Records of Flagler County, Florida.
2. Covenants and Restrictions recorded in Official Records Book 47, page 295 and amended in Official Records Book 48, page 225, Official Records Book 76, page 267, Official Records Book 81, page 560, Official Records Book 95, page 254, Official Records Book 100, page 9, Official Records Book 119, page 641, Official Records Book 218, page 594 and amended in Official Records Book 278, page 447, Public Records of Flagler County, Florida.
3. Agreement between Palm Coast Utility Corporation and Sunsport Recreation, Inc. recorded in Official Records Book 283, Page 396, Public Records of Flagler County, Florida.
4. Agreement between Palm Coast Utility Corporation and Sunsport Recreation, Inc. recorded in Official Records Book 293, Page 871, Public Records of Flagler County, Florida.
5. Agreement between Palm Coast Utility Corporation and Sunsport Recreation, Inc. recorded in Official Records Book 293, Page 875, Public Records of Flagler County, Florida.
6. Drainage Easement recorded in Official Records Book 549, page 991, Assignment of Reserved Rights recorded in Official Records Book 602, page 53 and Amendment to Drainage Easement to add Additional Lands recorded in Official Records Book 1680, page 1751, Public Records of Flagler County, Florida.
7. Declaration of Restrictive Covenants and Easements recorded in Official Records Book 550, Page 1568, Public Records of Flagler County, Florida.

8. Terms and conditions of the Access Easement Agreement in favor of Commonwealth Palm Coast Corporation recorded in Official Records Book 550, Page 1682, assigned to The Grand Club, LLC, by Assignment of Access Easements recorded in Official Records Book 1118, page 859, Public Records of Flagler County, Florida.
9. Access Easement Agreement in favor of Commonwealth Palm Coast Corporation recorded in Official Records Book 550, Page 1688, assigned to The Grand Club, LLC, by Assignment of Access Easements recorded in Official Records Book 1118, page 859, Public Records of Flagler County, Florida.
10. Drainage Easement Agreement in favor of Palm Coast Community Service Corporation recorded in Official Records Book 550, Page 1750 together with the Amendment to Drainage Easement to add Additional Lands recorded in Official Records Book 1680, page 1681, Public Records of Flagler County, Florida.
11. Declaration of Covenants recorded In Official Records Book 1118, page 868, Public Records of Flagler County, Florida.
12. Easement Agreement for Utilities recorded In Official Records Book 1579, page 472, Public Records of Flagler County, Florida.
13. Development Order(s) recorded in Official Records Book 1599, page 511 and Official Records Book 1615, page 638, Public Records of Flagler County, Florida.
14. Lease and Access Agreement dated March 1, 2008 by and between The Grand Club, LLC, (Landlord) and Palm Coast Outdoor, Inc. (Tenant) together with First Amendment dated October 8, 2008 and Second Amendment dated February 25, 2011 as evidenced by the Memorandum of Lease recorded In Official Records Book 1807, page 683 and Assignment and Assumption of Lease Agreement recorded in Official Records Book 1814, page 159, Public Records of Flagler County, Florida.
15. Lease Agreement dated February 20, 2014 as evidenced by the Lease Memorandum recorded In Official Records Book 1999, Page 1476 and Assignment and Assumption of Lease Agreement recorded in O.R. Book 2354, Page 1621, Public Records of Flagler County, Florida. Seller's Certificate recorded in O.R. Book 2354, Page 1051, Public Records of Flagler County, Florida.
16. Lakeview Estates Master Plan Development Agreement between City of Palm Coast, a Florida municipal corporation and Matanzas GC Palm Coast, LLC, a Florida limited liability company as recorded in O.R. Book 2530, Page 1215, Public Records of Flagler County, Florida.
17. City of Palm Coast Development Order approval for Lakeview Estates Tract 1 Subdivision Master Plan recorded in O.R. Book 2647, Page 1522, Public Records of Flagler County, Florida.
18. City of Palm Coast Subdivision Preliminary Plat Development Order approval for Lakeview Estates Tract 1 recorded in O.R. Book 2756, Page 793, Public Records of Flagler County, Florida.
19. Lakeview Estates Master Plan Development Agreement between City of Palm Coast, a Florida municipal corporation and Matanzas GC Palm Coast, LLC, a Florida limited liability company as recorded in O.R. Book 2530, Page 1215, Public Records of Flagler County, Florida.

Sincerely yours,


Michael D. Chiumento III
MC/cm

EXHIBIT "A"

MATANZAS WOODS GOLF COURSE:

Reserved Parcel "A", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northeast corner of Block 165 of said Plat of Lakeview; thence North 89°30'56" East 21.68 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 349.56 feet, a radius of 800.00 feet, a central angle of 25°02'07" and a chord bearing South 26°22'21" East, 346.78 feet to a point of tangency; thence South 38°53'25" East 2087.61 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 266.63 feet, a radius of 1120.00 feet, a central angle of 13°38'23" and a chord bearing South 32°04'13" East, 265.99 feet to a point of tangency; thence South 25°15'02" East 772.55 feet to a point of cusp; thence northwesterly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 66°04'26" West 196.12 feet to a point; thence South 16°53'50" East 110.00 feet to a point on a curve; thence westerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing South 64°44'57" West 11.62 feet to a point; thence North 33°36'15" West 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 15°34'21" West 196.12 feet to a point of tangency; thence South 25°15'02" East 100.25 feet to a point on a curve; thence southwesterly along a curve to the left having an arc length of 217.30 feet, a radius of 280.98 feet, a central angle of 44°18'38" and a chord bearing South 42°35'39" West 211.92 feet to a point of tangency; thence South 08°35'49" West 179.39 feet; thence North 81°24'11" West 913.66 feet; thence South 08°35'49" West 125.00 feet; thence North 81°24'11" West 40.00 feet; thence North 08°35'49" East 125.00 feet; thence North 81°24'11" West 125.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 180.00 feet, a radius of 225.00 feet, a central angle of 45°50'12" and a chord bearing South 75°40'43" West, 175.24 feet to a point; thence South 37°14'23" East, 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 77.08 feet, a radius of 100.00 feet, a central angle of 44°09'48" and a chord bearing South 30°40'43" West 75.19 feet to a point of tangency; thence South 08°35'49" West, 237.34 feet; thence North 81°24'11" West 87.50 feet; thence North 51°24'11" West 130.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 87°46'25" West, 196.12 feet to a point; thence South 43°02'58" East 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'26" and a chord bearing South 38°35'49" West 11.62 feet to a point; thence North 59°45'24" West 110.00 feet; thence South 38°35'49" West 128.21 feet; thence North 51°24'11" West 1018.03 feet; thence North 38°35'49" East 380.00 feet; thence South 51°24'11" East 500.00 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00, a central angle of 90°00'00" and a chord bearing North 83°35'49" East, 318.20 feet to a point; thence North 51°24'11" West 125.00 feet; thence North 38°35'49" East 230.92 feet; thence South 51°24'11" East 100.00 feet; thence South 81°24'11" East 993.30 feet to a point of

curvature; thence northeasterly along a curve to the left having an arc length of 431.48 feet, a radius of 225.00 feet, a central angle of 109°52'35" and a chord bearing North 43°39'32" East, 368.34 feet to a point of tangency; thence North 11°16'46" West 478.51 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 245.29 feet, a radius of 225.00 feet, a central angle of 62°27'41" and a chord bearing North 42°30'36" West, 233.32 feet to a point; thence North 08°35'49" East 77.01 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing North 36°24'11" West 318.20 feet to a point; thence westerly along a curve to the left having an arc length of 446.47 feet, a radius of 150.00 feet, a central angle of 170°32'16" and a chord bearing North 76°40'19" West 298.98 feet to a point of tangency; thence South 08°35'49" West 149.66 feet; thence North 81°24'11" West 50.00 feet; thence North 08°35'49" East 125.00 feet; thence North 78°43'26" West 153.29 feet; thence North 09°33'43" West 148.11 feet; thence South 69°50'14" East 67.79 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 146.25 feet, a radius of 150.00 feet, a central angle of 55°51'48" and a chord bearing North 87°23'42" East, 140.53 feet to a point; thence North 30°32'12" West 110.00 feet to a point on a curve; thence northeasterly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 51°06'35" East 11.62 feet to a point; thence South 47°14'37" East 110.00 feet to a point on a curve; thence northerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'48" and a chord bearing North 01°55'59" East 196.12 feet to a point of tangency; thence North 38°53'25" West 326.21 feet; thence North 80°07'23" West 122.65 feet; thence North 09°33'42" West 80.00 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 166.36 feet, a radius of 325.00 feet, a central angle of 29°19'42" and a chord bearing North 24°13'34" West, 164.55 feet to a point of tangency; thence North 38°53'25" West 200.00 feet; thence South 51°06'35" West 125.00 feet; thence North 38°53'25" West 20.00 feet; thence North 51°06'35" East 125.00 feet; thence North 38°53'25" West 178.81 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 292.66 feet, a radius of 325.00 feet, a central angle of 51°35'39" and a chord bearing North 64°41'14" West, 282.87 feet to a point of tangency; thence South 89°30'56" West 678.94 feet to a point of curvature; thence southwesterly along a curve to the left having an arc length of 389.08 feet, a radius of 225.00 feet, a central angle of 99°04'39" and a chord bearing South 39°58'37" West, 342.38 feet to a point of cusp; thence North 09°33'43" West 137.22 feet; thence North 00°29'04" West 425.00 feet; thence North 89°30'56" East 1200.00 feet; thence North 00°29'04" West 125.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "C", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northwest corner of said Reserved Parcel "C"; thence North 89°26'28" East 630.08 feet; thence South 38°43'02" West 202.91 feet; thence South 51°40'07" East 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 250.77 feet, a radius of 300.00 feet; a central angle of 47°53'36" and a chord bearing South 14°23'05" West 243.53 feet to a point of tangency; thence South

09°33'43" East 403.87 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 520.00 feet; thence North 80°26'17" East 125.00 feet; thence South 09°33'43" East 40.00 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 980.61 feet to a point of curvature; thence southerly along a curve to the left having an arc length of 441.04 feet, a radius of 725.00 feet, a central angle of 34°51'17" and a chord bearing South 26°59'21" East, 434.27 feet to a point; thence North 45°35'00" East 55.00 feet; thence South 44°25'00" East 67.22 feet; thence North 39°51'14" East 73.36 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 13.16 feet, a radius of 600.00 feet; a central angle of 01°15'25" and a chord bearing South 50°46'29" East 13.16 feet to a point of tangency; thence South 51°24'11" East 170.76 feet; thence South 54°59'31" West 770.58 feet; thence North 35°00'29" West 649.53 feet to a point on the east right of way line of U.S. Highway No.1; thence northerly along said right of way line of the following six courses; run North 09°59'31" East 128.08 feet; thence South 89°43'01" West 5.08 feet; thence North 09°59'31" East 253.32 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 655.06 feet, a radius of 2030.05 feet, a central angle of 18°29'18" and a chord bearing North 00°44'52" East, 652.23 feet to a point of tangency; thence North 08°29'47" West 179.58 feet; thence South 81°30'12" West 20.00 feet; thence North 08°29'47" West 1583.88 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "D" Lake View - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most northerly corner of said Reserved Parcel "D"; thence South 38°53'28" East 93.32 feet; thence North 89°30'56" East 936.80 feet; thence South 00°29'04" East 432.94 feet; thence South 09°33'42" East 57.28 feet to a cusp point; thence northwesterly along a curve to the left having an arc length of 317.78 feet, a radius of 225.00 feet; a central angle of 80°55'21" and a chord bearing North 50°01'23" West 292.02 feet to a point of tangency; thence South 89°30'56" West 846.10 feet; thence North 09°33'43" West 149.00 feet to a point of curvature; thence northerly along a curve to the right having an arc length of 254.23 feet, a radius of 240.00 feet, a central angle of 60°41'38" and a chord bearing North 20°47'06" East, 242.51 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most southerly corner at said Reserved Parcel "E"; thence North 64°44'58" East 526.36 feet; thence North 25°15'02" West 335.20 feet; thence South 64°44'58" West 125.00 feet; thence North 25°15'02" West 620.00 feet to a point of curvature; thence northwesterly along a curve to the right having an arc length of 60.46 feet, a radius of 425.00 feet, a central angle of 08°09'02" and a chord bearing North 21°10'31" West, 60.41 feet to the southeasterly corner of a parcel described in Official Records Book [492, pages 936-939](#); thence northerly along the boundary of said parcel described in Official Records Book [492, pages 936-939](#) for the following five courses; thence South 72°54'00"

West 10.00 feet; thence North 53°38'13" West 20.65 feet; thence South 05°01'26" West 11.50 feet; thence North 10°42'21" West 31.82 feet; thence North 01°05'36" East 53.63 feet; thence North 85°41'45" East 24.67 feet to the boundary of above said Reserved Parcel "2", being a point on a curve; thence northerly along a curve to the right having an arc length of 28.33 feet, a radius of 425.00 feet; a central angle of 03°49'11" and a chord bearing North 02°23'39" West 28.33 feet to a point of tangency; thence North 00°29'04" West 1536.30 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point; thence South 85°19'06" East 128.73 feet; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 202.47 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 1003.67 feet; thence South 25°15'02" East 260.04 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 19°44'58" West, 318.20 feet to a point of tangency; thence South 64°44'58" West 800.00 feet; thence South 25°15'02" East 300.00 feet; thence North 64°44'58" East 910.00 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'11" and a chord bearing North 85°37'33" East, 302.90 feet to a point; thence South 16°30'09" West 125.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 34.00 feet, a radius of 300.00 feet, a central angle of 06°29'36" and a chord bearing South 70°15'03" East 33.98 feet to a point; thence North 22°59'45" East 125.00 feet

to a point on a curve; thence southeasterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of $41^{\circ}45'13''$ and a chord bearing South $46^{\circ}07'39''$ East 302.91 feet to a point of cusp; thence North $25^{\circ}15'02''$ West 822.28 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 561.16 feet, a radius of 275.00 feet, a central angle of $116^{\circ}54'59''$ and a chord bearing North $33^{\circ}12'28''$ East, 468.74 feet to a point of tangency; thence South $88^{\circ}20'03''$ East 756.56 feet; thence South $07^{\circ}23'44''$ West 126.38 feet to a point of on a curve; thence easterly along a curve to the right having an arc length of 150.15 feet, a radius of 150.00 feet, a central angle of $57^{\circ}21'14''$ and a chord bearing South $53^{\circ}55'39''$ East 143.96 feet to a point of tangency; thence South $25^{\circ}15'02''$ East 40.00 feet; thence North $64^{\circ}44'58''$ East 125.00 feet to the easterly line of Belle Terre Waterway; thence North $25^{\circ}15'02''$ West along said easterly line of Belle Terre Waterway for a distance of 862.29 feet to a point of curvature; thence depart said boundary line of said Reserved Parcel "2" and run westerly along the southerly line of Jefferson Davis Waterway for the following four courses: run westerly along a curve to the left having an arc length of 921.97 feet, a radius of 825.00 feet, a central angle of $64^{\circ}01'49''$ and a chord bearing North $57^{\circ}15'57''$ West, 874.74 feet to a point of tangency; thence North $89^{\circ}16'51''$ West 858.76 feet to a point of curvature; thence westerly along a curve to the right having an arc length of 411.10 feet, a radius of 675.00 feet, a central angle of $34^{\circ}53'44''$ and a chord bearing North $71^{\circ}49'59''$ West, 404.78 feet to a point of tangency; thence North $54^{\circ}23'07''$ West 585.58 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 177.30 feet, a radius of 825.00 feet, a central angle of $12^{\circ}18'47''$ and a chord bearing North $60^{\circ}32'31''$ West, 176.96 feet to a point on the westerly boundary of said Reserved Parcel "2"; thence southerly and westerly along said westerly boundary of said Reserved Parcel "E" for the following seven courses: South $29^{\circ}30'56''$ West 419.65 feet; thence South $14^{\circ}30'56''$ West 66.19 feet; thence South $00^{\circ}29'04''$ East 810.00 feet to a point of curvature; thence southeasterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of $90^{\circ}00'00''$ and a chord bearing South $44^{\circ}30'56''$ West, 318.20 feet to a point of tangency; thence South $89^{\circ}30'56''$ West 659.20 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 331.52 feet, a radius of 720.00 feet, a central angle of $26^{\circ}22'53''$ and a chord bearing South $25^{\circ}41'59''$ East 328.59 feet to a point of tangency; thence South $38^{\circ}53'25''$ East 1801.29 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Part of Government Sections 21 and 22, Township 10 South, Range 30 East, Flagler County, Florida being that part of PARCEL NO. 2 of the property described in Official Records Book [142, pages 278-279](#), lying south of Jefferson Davis Waterway and being more particularly described as follows:

From a POINT OF REFERENCE being a point on the easterly boundary line of the above described PARCEL NO. 2, said point being the northwest corner of Reserved Parcel "2" as shown on the recorded plat of Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida; thence South $29^{\circ}30'56''$ West along the easterly boundary of said PARCEL NO. 2 being also along the westerly boundary of said Reserved Parcel "E" for a distance of 390.35 feet to the POINT OF BEGINNING; thence continue along the easterly and southerly boundary of said PARCEL NO. 2 being also along the westerly and northerly boundary of said Reserved

Parcel "E" for the following seven courses: run South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southwesterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence northerly along a curve to the right having an arc length of 151.10 feet, a radius of 720.00 feet, a central angle of 12°01'28" and a chord bearing North 06°29'48" West 150.83 feet to a point; thence South 89°30'56" West 1280.00 feet to the northwest corner of Block 164 of said plat of Lakeview; thence North 12°53'48" East along the southerly line of said Jefferson Waterway for a distance of 297.66 feet to a point on a curve; thence northeasterly along a curve to the right having an arc length of 913.19 feet, a radius of 825.00 feet, a central angle of 63°25'15" and a chord bearing North 39°41'03" East 867.28 feet to a point of tangency; thence North 71°23'41" East 1251.37 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 603.42 feet, a radius of 825.00 feet; a central angle of 41°54'25" and a chord bearing South 87°39'07" East, 590.05 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

All of that land vacated in the Subdivision Plat Of Lakeview - Section 37 Palm Coast Map Book 13 Pages 1 through 29, per Resolution 95-56 as recorded in Official Records Book 538 at Pages 1611 through 1613, Public Records of Flagler County, Florida, being described as follows:

BEGINNING at the southwesterly corner of Lot 22, Block 143 of the aforesaid Lakeview - Section 37; thence North 80°26'17" East a distance of 49.47 feet to a point of curvature of a curve to the right; thence northeasterly along said curve having a radius of 300.00 feet, a central angle of 14°34'59" an arc of 76.36 feet and a chord bearing North 87°43'47" East, 76.15 feet to a point on a non-tangent line; thence North 09°33'43" West, a distance of 1273.40 feet; thence North 80°26'17" East a distance of 124.48 feet; thence South 47°01'13" East a distance of 97.49 feet to a point on a non-tangent curve; thence northeasterly along a curve to the right having a radius of 150.00 feet; a central angle of 08°07'48", an arc length of 21.28 feet and a chord bearing North 47°02'41" East, 21.27 feet to a point of tangency; thence North 51°06'35" East a distance of 100.00 feet; thence South 38°53'25" East a distance of 50.00 feet; thence South 51°06'35" West a distance of 100.00 feet to a point of curvature; thence southwesterly along a curve to the left having a radius of 100.00 feet, central angle of 05°43'46, an arc length of 10.00 feet and a chord bearing South 48°14'42" West, 10.00 feet to a point on a non-tangent line; thence South 50°07'21" East a distance of 153.93 feet; thence South 51°06'35" West a distance of 20.25 feet; thence South 09°33'43" East a distance of 936.00 feet; thence South 35°36'55" East a distance of 82.42 feet; thence South 81°24'11" East a distance of 240.00 feet; thence South 08°35'49" West a distance of 125.00 feet; thence South 81°24'11" East a distance of 27.55 feet to a point on a non-tangent curve; thence southwesterly along curve to the left having a radius of 40.00 feet, a central angle of 77°21'52", an arc of 54.01 feet and a chord bearing South 08°35'49" West 50.00 feet to a point on a non-tangent line; thence North 81°24'11" West a distance of 4.59 feet; thence South 08°35'49" West a distance of 125.00 feet; thence North 81°24'11" West a distance of 480.00 feet; thence South 84°38'20" West a distance of 69.97 feet; thence North 03°00'11" West a distance of 144.02 feet to a point on a non-tangent curve; thence southwesterly along

a curve to the left having a radius of 250.00 feet, a central angle of $13^{\circ}34'27''$, an arc of 59.23 feet and a chord bearing South $87^{\circ}13'31''$ West, 59.09 feet to a point of tangency; thence South $80^{\circ}26'17''$ West a distance of 51.03 feet to a point on a non-tangent curve; thence northwesterly along a curve to the left having a radius of 200.00 feet, a central angle of $07^{\circ}10'51''$ an arc of 25.07 feet and a chord bearing North $05^{\circ}58'17''$ West 25.05 feet to a point of tangency; thence North $09^{\circ}33'43''$ West a distance of 25.00 feet to the POINT OF BEGINNING, the above described parcel of land is situated in Section 22, Township 10 South, Range 30 East, Flagler County, Florida.

ALSO INCLUDING:

Part of Reserved Parcel "R-1", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most easterly corner of said Reserved Parcel "R-1"; thence South $38^{\circ}35'49''$ West along the southeasterly line of said Reserved Parcel "R-1" for a distance of 767.47 feet; thence North $51^{\circ}24'11''$ West 1300.81 feet to the most westerly corner of said Reserved Parcel "R-1"; thence North $54^{\circ}59'31''$ East, 148.96 feet; thence South $59^{\circ}22'19''$ East 485.17 feet; thence South $73^{\circ}43'22''$ East 217.49 feet; thence North $77^{\circ}17'42''$ East 363.21 feet; thence North $38^{\circ}35'49''$ East 191.24 feet; thence South $51^{\circ}24'11''$ East 350.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E" according to the Subdivision Plat Lakeview Section 37, Palm Coast, recorded in Map Book 13, Pages 1 Through 29, of the Public Records of Flagler County, Florida, being more particularly described as follows:

A POINT OF REFERENCE being the northeast corner of Lot 1, Block 75; thence North $25^{\circ}15'02''$ West along the west line of Belle Terre Waterway a distance of 862.29 feet to THE POINT OF BEGINNING; thence departing Belle Terre Waterway (as platted) 921.97 feet along the arc of a curve to the left (concave southerly) have a central angle of $64^{\circ}01'49''$, a radius of 825.00 feet, a chord bearing of North $57^{\circ}15'57''$ West and a chord distance of 874.74 feet to a point of tangency, thence North $89^{\circ}16'51''$ West a distance of 858.76 feet to a point of curvature; thence 411.10 feet along the arc of a curve to the right (concave northerly) having a central angle of $34^{\circ}53'44''$, a radius of 675.00 feet, a chord Bearing of North $71^{\circ}49'59''$ West and a chord distance of 404.78 feet to the end of said curve being a point on the boundary of Jefferson Davis Waterway as recorded in Official Records Book [549, Pages 966](#) through 990, of the Public Records of Flagler County, Florida; thence North $35^{\circ}36'53''$ East along said waterway a distance of 30.00 feet to a point on a non-tangent curve; thence easterly 392.83 feet along the arc of a curve to the left (concave northerly) having a central angle of $34^{\circ}53'44''$, a radius of 645.00 feet, a chord bearing of South $71^{\circ}49'59''$ East and a chord distance of 386.79 feet to a point of tangency; thence South $89^{\circ}16'51''$ East a distance of 858.76 feet to a point of curvature; thence 955.50 feet along the arc of a curve to the right concave southwesterly having a central angle of $64^{\circ}01'49''$, a radius of 855.00 feet, a chord bearing of South $57^{\circ}15'57''$ East and a chord distance of 906.54 feet to the end of said curve; thence South $64^{\circ}44'58''$ West a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5), BEING A PORTION OF LONDON WATERWAY, LAKEVIEW SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 26, LOCATED IN GOVERNMENT SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF ASHWOOD WATERWAY (A 300 FOOT RIGHT-OF-WAY) PER SAID LAKEVIEW SECTION 37, WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1, (STATE ROAD 5, A 175 FOOT RIGHT-OF-WAY AT THIS POINT); THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 35°00'29" EAST ALONG SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY FOR A DISTANCE OF 649.53 FEET TO THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING SAID ASHWOOD WATERWAY LINE NORTH 54°59'31" EAST ALONG THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY FOR A DISTANCE OF 770.58 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LONDON DRIVE, (A 60 FOOT RIGHT-OF-WAY), PER SAID LAKEVIEW-SECTION 37; THENCE DEPARTING THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY SOUTH 51°24'11" EAST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 104.24 FEET TO THE SOUTHERLY LINE OF SAID LONDON WATERWAY; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 54°59'31" WEST ALONG SAID SOUTHERLY LINE OF LONDON WATERWAY FOR A DISTANCE OF 800.00 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY; THENCE NORTH 35°00'29" WEST ALONG SAID ASHWOOD WATERWAY LINE FOR A DISTANCE OF 100.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT:

A PARCEL OF LAND LYING IN SECTIONS 22 AND 21, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING A PORTION OF RESERVED PARCEL "E" AS SHOWN ON THE PLAT LAKEVIEW -- SECTION 37 PALM COAST PARK AT PALM COAST, MAP BOOK 13, PAGES 1 THROUGH 29 AND DESCRIBED IN OFFICIAL RECORDS BOOK 2354, PAGES 1028 THROUGH 1036, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA AND A PORTION OF PARCEL NO. 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 142, PAGES 278 THROUGH 279, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF BEGINNING, BEING THE MOST SOUTHERLY CORNER OF SAID RESERVED PARCEL "E"; THENCE NORTH 38°53'25" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF LAKEVIEW BOULEVARD AS SHOWN ON SAID PLAT OF LAKEVIEW - SECTION 37, PALM COAST PARK AT PALM COAST A DISTANCE OF 1801.29 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE

EASTERLY RIGHT-OF-WAY OF SAID LAKEVIEW BOULEVARD NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 331.51 FEET, A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 26°22'51" AND A CHORD BEARING AND A CHORD BEARING NORTH 25°41'59" WEST A DISTANCE OF 328.59 FEET TO THE SOUTHERLY LINE OF SAID PARCEL NO. 2; THENCE DEPARTING SAID SOUTHERLY LINE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 151.11 FEET, A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 12°01'29" AND A CHORD BEARING NORTH 06°29'48" WEST A DISTANCE OF 150.83 FEET TO A POINT; THENCE SOUTH 89°30'56" WEST A DISTANCE OF 1280.00 FEET TO THE SOUTHERLY LINE OF JEFFERSON DAVIS WATERWAY AS SHOWN ON SAID PLAT LAKEVIEW - SECTION 37, PALM COAST PARK AT PALM COAST; THENCE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY NORTH 12°53'48" EAST A DISTANCE OF 297.66 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 913.19 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 63°25'14" AND A CHORD BEARING NORTH 39°41'03" EAST A DISTANCE OF 867.28 FEET TO THE POINT OF TANGENCY, THENCE NORTH 71°23'41" EAST STILL ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY A DISTANCE OF 1251.37 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 603.41 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 41°54'23" AND A CHORD BEARING SOUTH 87°39'07" EAST A DISTANCE OF 590.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL NO. 2, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID RESERVED PARCEL "E"; THENCE CONTINUE ALONG "E"; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 177.30 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 12°18'48" AND A CHORD BEARING SOUTH 60°32'31" EAST A DISTANCE OF 176.96 FEET TO THE POINT OF EAST A DISTANCE OF 176.96 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY SOUTH 54°23'07" EAST A DISTANCE OF 147.50 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID EAST A DISTANCE OF 147.50 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID JEFFERSON DAVIS WATERWAY AND THROUGH SAID RESERVED PARCEL "E" SOUTH 35°36'53" WEST A DISTANCE OF 120.96 FEET TO A NON-TANGENTIAL CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 213.75 FEET, A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 81°38'50" AND A CHORD BEARING SOUTH 40°20'20" WEST A DISTANCE OF 196.12 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°29'04" EAST A DISTANCE OF 1536.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 28.34 FEET, A RADIUS OF 425.00 FEET, A CENTRAL ANGLE OF 03°49'12" AND A CHORD BEARING SOUTH 02°23'39" EAST A DISTANCE OF 28.33 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 492, PAGES 936 THROUGH 939, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE BOUNDARY LINE OF SAID PARCEL THE FOLLOWING FIVE (6) COURSES; 1) SOUTH 85°41'45" WEST A DISTANCE OF 24.67

FEET, 2) SOUTH $01^{\circ}05'36''$ WEST A DISTANCE OF 24.67 FEET, 2) SOUTH $01^{\circ}05'36''$ WEST A DISTANCE OF 53.63 FEET, 3) SOUTH $10^{\circ}42'21''$ EAST A DISTANCE OF 31.82 FEET, 4) NORTH $75^{\circ}01'26''$ EAST A DISTANCE OF 11.50 FEET, 5) SOUTH $53^{\circ}38'13''$ EAST A DISTANCE OF 20.65 FEET, 6) NORTH $72^{\circ}54'00''$ EAST A DISTANCE OF 10.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL, SAID CORNER ALSO BEING A POINT OF CURVATURE; THENCE DEPARTING SAID BOUNDARY AND ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 60.46 FEET, A RADIUS OF 425.00 FEET, A CENTRAL ANGLE OF $08^{\circ}09'03''$ AND A CHORD BEARING SOUTH $21^{\circ}10'31''$ EAST A DISTANCE OF 60.41 FEET TO THE POINT OF TANGENCY; THENCE SOUTH $25^{\circ}15'02''$ EAST A DISTANCE OF 620.00 FEET; THENCE NORTH $64^{\circ}44'58''$ EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH $25^{\circ}15'02''$ EAST A DISTANCE OF 335.20 FEET; THENCE SOUTH $64^{\circ}44'58''$ WEST A DISTANCE OF 526.36 FEET TO THE POINT OF BEGINNING.

April 3, 2024

Bill Hoover
Senior Planner
City of Palm Coast
160 Lake Avenue
Palm Coast, Florida 32164

RE: Matanzas MPD Revision Application
Analysis Review per Subsection 2.05.05 and 2.06.03 of the LDC

Dear Mr. Hoover,

The following is a summary of Review Findings

2.05.05 LDC

A . The proposed development must not be in conflict with or contrary to public interest.

The proposed rezoning will provide commercial and office uses to meet community demand for retail, services, business and employment opportunities.

B The proposed development must consistent with Comprehensive Plan and provisions of this LDC

The Rezoning provides needed public services and revenues based on projected population and employment growth.

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

The Rezoning will not impose significant financial liability or hardship for the City
The project will enhance the City by improved community wide drainage improvements for Matanzas neighborhood area.

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: and

The development will create a perpetual buffer to the east adjacent to existing residential properties.

The western portion of the property is proposed commercial development adjacent to, and accessed from, US Rt. 1

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

The development of the property will comply with all local, state, and federal laws statutes, ordinances regulations, or codes.

2.06.03 LDC

- 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.

The Rezoning provides attractive job opportunities with superbly designed commercial area while providing for the diverse needs of the citizens.

- B. Its impact on environmental or natural resources.

The Rezoning provides for over 6 acres of natural buffers adjacent to existing residential and US 1 road frontage.

- C. Its impact on the economy of any affected area.

The Rezoning from PSP (Public Semi Public) to Com 2 (General Commercial) Will provide general commercial and office uses to meet community demand for retail, services, business and employment opportunities.

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

The Rezoning will have not have adverse impact on schools, sewage disposal, potable, drainage, fire Protection, solid waste or transportation systems.

- E Any changes in circumstances or conditions affecting the area.

The continued residential growth in the area will be enhanced with services provided by the proposed Rezoning.

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

The proposed Rezoning with the implementation of proposed buffers protects the health safety,and welfare of the surrounding residents.

- G. Whether it accomplishes a legitimate public purpose.

The Rezoning provides legitimate public purpose by providing community needs for services as growth continues.



Environmental Assessment

For the

Matanzas Woods Golf Course Property

Palm Coast, Flagler County, Florida

Prepared By:

Atlantic Ecological Services, LLC
Attention: Jody Sisk
201 Basque Road
St. Augustine, FL 32080
jody@atlanticeco.com
(904) 347-9133

Prepared For:

Matanzas GC Palm Coast, LLC
Attn: Mr. Alex Ustilovsky
200 Ocean Crest Drive, Unit # 1111
Palm Coast, FL 32137

April 2021

Table of Contents

	Page
1.0 PROJECT INTRODUCTION.....	1
2.0 EXISTING SITE CONDITIONS.....	1
2.1 Uplands.....	2
2.2 Wetlands.....	2
2.3 Surface Waters.....	3
3.0 SOILS.....	3
4.0 WETLANDS AND SURFACE WATERS.....	4
4.1 Methods and Jurisdiction.....	4
4.2 Wetland Quality, Impacts, and Mitigation.....	5
5.0 WILDLIFE OBSERVATIONS.....	5
6.0 PROTECTED SPECIES.....	6
6.1 Protected Wildlife Species.....	6
6.2 Protected Plant Species.....	8
7.0 CULTURAL RESOURCES.....	10
8.0 SUMMARY.....	10
Technical Literature References.....	11

Appendices

Appendix I - Figures

- **Location Map**
- **Aerial Map**
- **Topographic Map**
- **Soils Map**
- **Habitat Map**
- **Wetland Map**

Appendix II – Habitat Assessment

- **UMAM Worksheets**

Appendix III – Cultural Resource Assessment

- **DHR Correspondence**

1.0 PROJECT INTRODUCTION

The Matanzas Woods Golf Course property is located within the City of Palm Coast, Flagler County, Florida, in a portion of Sections 21, 22, 27, & 28, Township 10 South, Range 30 East. The project area is approximately 275.96 acres in total size. The proposed project is identified as Flagler County Parcel ID # 07-11-31-7037-ORPOA0002. The subject property is generally located north of Matanzas Woods Parkway, east of US Highway 1, west of Interstate 95, and south of lands associated with the Palm Coast Park DRI. The property consists of an abandoned golf course within the City of Palm Coast. Please see the attached Location Map and Aerial Map within Appendix I for details. The latitude and longitude coordinates for the approximate center of the project are 29.615 North and -81.281 West, as determined via Google Earth.

The applicant for the project is:

Matanzas GC Palm Coast, LLC
Attn: Mr. Alex Ustilovsky
200 Ocean Crest Drive, Unit # 1111
Palm Coast, FL 32137

The subject property was previously permitted as a golf course within St. Johns River Water Management District MSSW# 4-035-0003A. The golf course has been closed since 2007.

Atlantic Ecological Services (AES) conducted an Environmental Assessment (EA) on the Matanzas Woods Golf Course property (herein referred to as the subject property). The subject property was reviewed to determine habitat type's present, boundaries of habitat types, presence of or the potential for protected species, wildlife utilization of the site and other environmental constraints noted during the site visits. This EA report discusses the methods used to conduct the EA, the results thereof and includes several supplementary figures.

Mr. Jody Sisk of AES performed the wetland and protected species review on the subject property. Mr. Sisk currently holds certifications from the City of Palm Coast as a Qualified Environmental Professional, including Gopher Tortoise Agent (#19567), Wetlands (#19568), and Listed Species (#19569).

2.0 EXISTING SITE CONDITIONS

The subject property consists of disturbed uplands, wetlands, and surface water ponds associated with the former golf course. The uplands consist of remnant pine flatwoods and golf course, and the wetlands consists of multiple hardwood forested systems, mixed hardwood/pine systems, freshwater marsh, and surface water ponds.

The communities and land use areas were categorized according to the Florida Department of Transportation (FDOT) (1991) Florida Land Use, Cover and Forms Classification System (FLUCFCS). The communities and land uses observed and delineated on the subject property are described in detail below and are shown on the attached Habitat Map.

2.1 Uplands

Golf Course - Remnant (FLUCCS 182) – Approximately 133.95 acres of the property exists as the remnant fairways, greens, and associated components of the Matanzas Golf Course. These areas exist as a mix of turf grass, ruderal weeds, landscape plants and trees, parking, and associated structures.

Pine Flatwoods (FLUCCS 411) – The remaining uplands, not included in the managed golf course area, found on the subject property are considered remnant pine flatwoods. They were part of the ITT pine plantation prior to the opening of the golf course in the 1980's. Evidence of remnant row planting was identified across the site. This habitat community s approximately 98.24 acres in total size. The canopy is dominated by slash pine (*Pinus elliottii*). Some Chinese tallow (*Sapium sebiferum*), live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), and loblolly bay (*Gordonia lasianthus*) are also located within the uplands, but at much less coverage. The understory is dominated by a thick cover of saw palmetto (*Serenoa repens*). Other species found, but at a much lesser extent, include wax myrtle (*Myrica cerifera*), gallberry (*Ilex glabra*), yaupon holly (*Ilex vomitoria*), bushy broom grass (*Andropogon glomeratus*), blackberry (*Rubus* spp.), greenbriar (*Smilax* spp.), bahia grass (*Paspalum notatum*), cogon grass (*Imperata cylindrica*), and bracken fern (*Pteridium aquilinum*).

2.2 Wetlands

Mixed Wetland Hardwoods (FLUCCS 617) – Multiple mixed hardwood wetland systems are located on the subject property totaling approximately 0.2 acres. These wetlands consist primarily of a canopy of red maple (*Acer rubrum*), Chinese tallow, laurel oak, and loblolly bay. The understory includes dahoon holly (*Ilex cassine*), wax myrtle and saw palmetto.

Cypress (FLUCCS 621) – Multiple small, isolated cypress depressions totaling 2.97 acres are located on the subject property. These systems are dominated by cypress (*Taxodium* spp.). Other species include red maple, slash pine, and dahoon holly.

Wetland Mixed Forest (FLUCCS 630) – Multiple mixed hardwood and pine wetlands are located on the subject property. The wetland mixed forest communities combined equal approximately 15.09 acres in total area on the subject property. The canopy is dominated by red maple, sweetgum (*Liquidambar styraciflua*), cypress, Chinese tallow, laurel oak, loblolly bay, and slash pine. The understory includes dahoon holly, wax

myrtle, saw palmetto, shiny lyonia (*Lyonia lucida*), gallberry, and herbaceous species such as Virginia chain fern (*Woodwardia virginica*), beakrush (*Rhynchospora* spp.), and yellow-eyed grass (*Xyris* spp.).

Freshwater Marsh (FLUCCS 641) – One freshwater marsh is located on the subject property totaling approximately 5.33 acres. The marshes are dominated by St. Johns wort (*Hypericum fasciculatum*), maidencane (*Panicum hemitomon*), torpedo grass (*Panicum repens*), Carolina willow (*Salix caroliniana*), red root (*Lacnathes caroliniana*), and primrose willow (*Ludwigia peruviana*).

2.3 Surface Waters

Ponds (FLUCCS 530) – Approximately 20.18 acres of the subject property exists as surface water ponds associated with the former golf course.

3.0 SOILS

A discussion of each soil type present on the subject property is documented below. Please see the attached Soils Map within Appendix I for the location of each soil type.

Wabasso fine sand (4) – This very deep, nearly level, poorly drained soil is in broad flatwood areas. Individual areas of this soil are irregular in shape and range from 4 to 200 acres. The seasonal high water table is at a depth of 6 to 18 inches for as much as 3 months during most years. It recedes to a depth of more than 40 inches during dry periods.

Hicoria, Riviera, and Gator soils, depressional (8) – This is a very deep, nearly level, poorly drained soil found in depressions in the flatwoods. Individual areas are circular to irregular in shape and range from 3 to 1,500 acres. The undrained areas of this map unit are ponded, as much as 24 inches of water is above the surface for 6 months or more except during extended dry periods.

Myakka fine sand (11) – This is a very deep, nearly level, very poorly drained soil that is in broad flatwood areas. The areas range from 5 to 500 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months of the year. It is at a depth of 10 to 40 inches for more than 6 months of the year.

Placid, Basinger, and St. Johns soil, depressional (12) – These are very deep, poorly drained soils which are present in depressions along flatwoods. Undrained areas are ponded for long periods. They range from 3 to 400 acres in size. In most years, undrained areas are ponded for more than 6 months, and the seasonal high water table is as much as 2 feet above the surface.

Immokalee fine sand (13) – This is a poorly drained, nearly level soil on broad flats and low knolls in flatwoods. Mapped areas of this soil range from 5 to 600 acres. The

seasonal high water table is at a depth of 6 to 18 inches for 2 months and at 10 to 40 inches during periods of lower rainfall in most years under natural conditions. During extended dry periods, the water table recedes to a depth of more than 40 inches.

Valkaria-Smyrna Complex (18) – This is a very deep, nearly level, poorly drained soil on flatwoods. Areas in this soil are irregular and range from 40 to 300 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months of the year. It is at a depth of 10 to 40 inches or more during extended dry periods.

Vakaria fine sand (19) – This is a very deep, nearly level, poorly drained soil on low broad flats and in sloughs connecting depressions. Areas in this soil are irregular and range from 5 to 100 acres in size. The seasonal high water table is at a depth of 0 to 6 inches for 2 to 6 months of the year.

Smyrna fine sand (21) – This is a very deep, poorly drained soil which is present in nearly level flatwoods areas. They range from 4 to 400 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months during wet seasons and at 10 to 40 inches for more than 6 months.

Uderants, moderately wet (29) – This map unit consists of heterogeneous soil material that was removed from other soils and used in land-leveling operations as fill material. Uderants do not have an orderly sequence of soil layers. This soil makes up the areas which were excavated and filled during the construction of the city drainage system in the 1970's.

Pits (30) – This map unit consists of excavated areas from which soil and geologic material was removed for use mainly in road construction and as fill material.

Pomona fine sand (40) – This very deep, poorly drained, nearly level soil is in the broad flatwood areas. Individual areas are irregular in shape and range from 80 to 400 acres in size. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 3 months and is at a depth of 10 to 40 inches for more than 6 months in most years.

4.0 WETLANDS AND SURFACE WATERS

4.1 Methods and Jurisdiction

The wetlands on the subject property fall under the regulatory jurisdiction of the Florida Department of Environmental Protection (federal 404), St. Johns River Water Management District (state) and the City of Palm Coast (local). The criteria used to determine the presence of the boundaries of wetlands and surface waters were in accordance with Chapter 62-340 F.A.C. Approximately 23.57 acres of wetlands, 20.18 acres of surface water ponds, and 0.84 acres of surface water ditches are located on the subject property. Please see the attached Wetland Map within Appendix I.

Multiple wetlands onsite could be considered isolated and therefore not jurisdictional to the State 404 Program. Due to the isolated nature of Wetlands 2-4, 8-12, and 14-16, it is not anticipated each will meet the requirements to be considered Waters of the United States (WotUS).

4.2 Wetland Quality, Impacts, and Mitigation

The wetlands onsite are of moderate quality. The City of Palm Coast will require a 25' average/15' minimum upland buffer due to the quality of wetland. The wetland onsite was assessed utilizing the City of Palm Coast Wetland Quality Assessment Methodology (WQAM). Please see Appendix II for the attached WQAM worksheets.

If wetland impacts are proposed the wetland mitigation could be completed through onsite wetland preservation/enhancement or wetland creation, or through the purchase of mitigation credits from the Fish Tail Swamp Wetland Mitigation Bank or the Brick Road Wetland Mitigation Bank. The project and the proposed mitigation are located within the Matanzas River and Pellicer Creek basin (Basin 9). Both mitigation banks listed above have available credits within the basin.

5.0 WILDLIFE OBSERVATIONS

Wildlife observations, both direct and indirect, were made throughout the course of the site investigation. A list of species observed is provided in the following table:

Table 5.1 Wildlife species observed on the Matanzas Woods Golf Course Property in Flagler County, Florida.

Taxon	Common Name	Scientific Name	Protected*
Birds	Black vulture	<i>Coragyps atratus</i>	No
	Carolina wren	<i>Thryothorus ludovicianus</i>	No
	Common grackle	<i>Quiscalus quiscula</i>	No
	Grey catbird	<i>Dumetella carolinensis</i>	No
	Northern mockingbird	<i>Mimus polyglottos</i>	No
	Great blue heron	<i>Ardea herodias</i>	No
	White ibis	<i>Eudocimus albus</i>	No
	Wood stork	<i>Mycteria americana</i>	Yes
	Tri-colored heron	<i>Egretta tricolor</i>	Yes
Mammals	Nine-banded armadillo	<i>Dasypus novemcinctus</i>	No
	Raccoon	<i>Procyon lotor</i>	No
	Feral pig	<i>Sus scrofa</i>	No
	White-tailed deer	<i>Odocoileus virginianus</i>	No

6.0 PROTECTED SPECIES

Prior to visiting the site, a background literature search was conducted to compile a list of state and federally protected animal and plant species that could occur on the subject property. The three primary sources of literature reviewed include the Florida Fish and Wildlife Conservation Commission's (FWC) *Florida's Endangered Species, Threatened Species, And Species of Special Concern*, the United States Fish and Wildlife Service's (FWS) Threatened and Endangered Species System (TESS) database, and the Florida Department of Agriculture and Consumer Services (FDACS), Division of Plant Industry's (DPI) *Notes on Florida's Endangered and Threatened Plants*. During the site reconnaissance, observations or evidence of protected species and the likelihood of occurrence of each protected species were noted. Further review was completed following the habitat mapping and descriptions.

6.1 Protected Wildlife Species

The protected animal species with at least some likelihood of occurrence are listed in Table 6.1.1, below. The likelihood of occurrence of each species is noted in the table and those species with at least a moderate likelihood of occurrence are discussed following the table.

Table 6.1.1: Protected wildlife species with the potential to occur on the Matanzas Woods Golf Course Property in Flagler County, Florida.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FWC	FWS/NMFS		
<i>Alligator mississippiensis</i>	American alligator		T(S/A)	Low	Various aquatic habitats
<i>Dendroica kirtlandii</i>	Kirtland's warbler	E	E	Low	Migrant, utilizing various terrestrial and palustrine habitats
<i>Drymarchon corais couperi</i>	Eastern indigo snake	T	T	Mod	Wide variety of habitats
<i>Egretta caerulea</i>	Little blue heron	T		High	Marshes, ponds, lakes, meadows, streams & mangroves
<i>Egretta tricolor</i>	Tri-colored heron	T		High	Marshes, ponds, lakes, meadows, streams & mangroves
<i>Falco sparverius paulus</i>	Southeastern American kestrel	T		Mod	Wide variety of open habitats
<i>Gopherus polyphemus</i>	Gopher tortoise	T	CS	Mod	Sandhills, scrub, hammocks, dry prairies, flatwoods, & ruderal
<i>Grus canadensis pratensis</i>	Florida sandhill crane	T		Mod	Shallow wetlands, freshwater marshes and wet prairies
<i>Haliaeetus</i>	Southern bald		BGEPA	Mod	Coasts, rivers and large

<i>leucocephalus</i> <i>Mycteria</i> <i>americana</i>	eagle Wood stork	E	E	Obs	lakes in open areas Marshes, swamps, streams and mangroves
<i>Ursus americanus</i> <i>floridanus</i>	Florida black bear			Mod	Variety of forested landscapes

Those species listed as having a moderate likelihood of occurrence or higher in Table 6.1 are listed as such due to presence of suitable habitat.

Long-legged waders have a high likelihood of occurrence onsite due to the marsh and surface water ponds found on the subject property. This includes the little blue heron (*Egretta caerulea*), snowy egret (*Egretta thula*), tricolored heron (*Egretta tricolor*), and white ibis (*Eudocimus albus*). It is anticipated these species utilize the wetlands onsite for foraging and roosting. No wading bird rookeries are known or were identified on or near the subject property. Any modifications to the existing surface water ponds would include creation of stormwater ponds. Therefore, this project is not likely to adversely affect any wading bird populations.

While no wood storks (*Mycteria americana*) were observed on the subject property, wood storks have been observed routinely throughout the area. No nesting rookeries were observed. The project site is not located within a Core Foraging Area (CFA) for wood storks. Therefore, this project is not likely to adversely affect the wood stork population.

Florida sandhill cranes (*Grus canadensis pratensis*) are routinely observed in the area. No sandhill cranes were observed on the subject property during the onsite surveys. The marsh wetland and littoral zones of the surface water ponds onsite are considered potential for nesting. No nests or signs of nesting activity were identified. Prior to construction of the site a Florida sandhill crane nest survey should be completed to determine if any nesting pairs are utilizing the site.

The FWC's Eagle Nest Locator website was queried for data regarding documented southern bald eagle (*Haliaeetus l. leucocephalus*) nests in the project vicinity. The southern bald eagle is protected under the Bald and Golden Eagle Protection Act (BGEPA). Development guidelines are required for any proposed projects with 330 feet for urban areas and 660 feet for non-urban areas. No active bald eagle nests are located within 2 miles of the project area. No bald eagle nests were observed on the subject property or adjacent to its boundaries. Therefore, this project is not likely to adversely affect the southern bald eagle.

The southeastern American kestrel (*Falco sparverius paulus*) is listed as a Species of Special Concern by the FWC. The subject property provides habitat which could be conducive to utilization and nesting by the southeastern American kestrel. It is recommended that southeastern American kestrel surveys be completed prior to

development of the site. The surveys should be conducted in accordance with guidelines set forth within the publication *Ecology and Habitat Protection Needs of the southeastern American kestrel (Falco sparverius paulus) on large-scale development sites in Florida*.

A preliminary gopher tortoise (*Gopherus polyphemus*) burrow survey was conducted on the subject property. The gopher tortoise survey was conducted in accordance with the techniques outlined in the publication, *Ecology and Habitat Protection Needs of Gopher Tortoise (Gopherus polyphemus) Populations Found on Lands Slated for Development in Florida*. The gopher tortoise, listed as Threatened by the FWC, is a key component in the determination of habitat suitability for other protected species because of the large number of other animals that will use tortoise burrows for one or more of their life requisites. No potentially occupied gopher tortoise burrows were identified. Prior to construction an updated 100% gopher tortoise survey should be completed.

The eastern indigo snake (*Drymarchon corais couperi*), has a moderate likelihood to occur on the subject property due to the habitats identified. The species is a gopher tortoise commensal species due to its association and utilization of gopher tortoise burrows for their life requisites. Prior to construction a 100% gopher tortoise survey will be completed.

The American alligator (*Alligator mississippiensis*) is listed as Threatened by the FWS. Best Management Practices (BMP's) should be followed in the case of any individual American alligator entering the project area during construction will be provided ample space to allow the animal to exit the construction zone. Through this management technique, the project is not likely to adversely affect the American alligator.

Florida black bear (*Ursus americanus floridanus*) have been observed in the vicinity of the subject property along US Highway 1. No signs of Florida black bears were identified on the subject property. Any proposed project for development should adhere to the Florida Bear Smart Communities program. If the development criteria are adhered to then the project is not anticipated to adversely affect the Florida black bear.

No other protected species are anticipated to utilize the subject property.

6.2 Protected Plant Species

The protected plant species with some potential to occur on the subject property are listed in Table 6.2.1, below.

Table 6.2.1: Protected plant species with the potential to occur on the Matanzas Woods Golf Course property, in Palm Coast, Flagler County, Florida.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FDACS	FWS		
<i>Asclepias viridula</i>	Southern milkweed	T		Low	Pine flatwoods at wetland margins

<i>Calopogon barbatus</i>	Bearded grass pink	T	Low	Wet pine flatwoods, bogs
<i>Calopogon multiflorus</i>	Many-flowered grass pink	E	Low	Pine flatwoods, esp. recently burned
<i>Encyclia tampensis</i>	Butterfly orchid	CE	Low	Mangrove, cypress and hardwood swamps; hammocks
<i>Epidendrum conopseum</i>	Greenfly orchid	CE	Low	Moist hammocks, cypress and hardwood swamps; epiphytic
<i>Helianthus carnosus</i>	Lakeside sunflower	E	Low	Wet flatwoods
<i>Lilium catesbaei</i>	Catesby's lily	T	Low	Moist pine flatwoods and savannahs
<i>Lycopodiella cernua</i>	Nodding clubmoss	CE	Low	Wet pinelands
<i>Nemastylis floridana</i>	Fall-flowering ixia; celestial lily	E	Low	Swamps, marshes and wet pine flatwoods
<i>Osmunda cinnamomea</i>	Cinnamon fern	CE	Obs	Wet woods and swamps
<i>Osmunda regalis</i>	Royal fern	CE	Obs	Wet woods and swamps
<i>Platanthera blephariglottis</i>	Large white fringed orchid	T	Low	Marshes, and wet, open, grassy areas
<i>Platanthera flava</i>	Southern tubercled orchid; gypsy-spikes	T	Low	Cypress and hardwood swamps
<i>Platanthera nivea</i>	Snowy orchid; bog torch	T	Low	Wet pine flatwoods
<i>Pogonia ophioglossoides</i>	Rose pogonia	T	Low	Marshes and wet, pine flatwoods
<i>Sarracenia minor</i>	Hooded pitcherplant	T	Low	Wet, open, acid pinelands and bogs
<i>Spiranthes brevilabris</i> var. <i>floridana</i>	Florida ladies' tresses	E	Low	Pine flatwoods
<i>Spiranthes laciniata</i>	Lace-lip ladies' tresses	T	Low	Marshes and cypress swamps
<i>Spiranthes longilabris</i>	Long-lip ladies' tresses	T	Low	Marshes and wet pine flatwoods
<i>Spiranthes tuberosa</i>	Little ladies' tresses; little pearl twist	T	Low	Pine flatwoods
<i>Zephyranthes atamasca</i>	Rain lily	T	Low	Wet pine flatwoods and meadows
<i>Zephyranthes simpsonii</i>	Simpson's zephyr lily	T	Low	Wet pine flatwoods and meadows

E= Endangered; T= Threatened; CE= Commercially Exploited

No federally protected plant species are expected to occur on the subject property.

7.0 CULTURAL RESOURCES

A preliminary review of the Florida Master Site File (FMSF) was completed through the Division of Historical Resources (DHR) and the State Historic Preservation Officer (SHPO) for the subject property. One known archaeological resource and one resource group were adjacent to the subject property. US Highway 1 (FL00291) is listed as a linear resource by DHR. No significant impacts to US Highway 1 are anticipated. Davis' Store (FL00248) is listed as an archaeological resource. This resource was identified as part of the Palm Coast Park DRI. The resource is no longer in existence and is not eligible for further evaluation. Please see Appendix III for correspondence from the Florida Master Site File. The project is not anticipated to affect any cultural resources.

8.0 SUMMARY

The Matanzas Woods Golf Course property is located within the City of Palm Coast, Flagler County, Florida. The subject property consists disturbed upland, wetland, and surface water habitats. The property is approximately 275.96 acres in total size.

Multiple wetlands totalling approximately 1.86 acres and surface waters totaling approximately 23.57 acres were delineated on the subject property. In addition to the wetlands, approximately 20.18 acres of surface water ponds, and 0.84 acres of surface water ditches are located on the subject property. The wetlands on the subject property are all considered moderate quality and would therefore require a 25' average/15' minimum upland buffer by the City of Palm Coast. If wetland impacts are proposed the wetland mitigation could be completed through onsite wetland preservation/enhancement or wetland creation, or through the purchase of mitigation credits from the Fish Tail Swamp Wetland Mitigation Bank or the Brick Road Wetland Mitigation Bank.

The subject property provides potential habitat for a multitude of protected wildlife species. Further specific species surveys are recommended prior to construction of the project. Specific surveys for the gopher tortoise, Florida sandhill crane, and southeastern American kestrel should be completed.

No federally protected flora species are anticipated on the subject property.

No known cultural resources are anticipated on or adjacent to the subject property. Therefore, no impacts to cultural resources is anticipated due to development of the property.

Technical Literature References

Chafin, L.G. 2000. *Field Guide to the Rare Animals of Florida*. Florida Natural Areas Inventory, Tallahassee, Florida.

Coile, Nancy C. 1998. *Notes of Florida's Endangered and Threatened Plants*. (Rule 5B-40 Florida's Regulated Plant Index), Botany Contribution 38, 2nd Ed. Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Gainesville, Florida. 119 pp.

Cox, Jeffrey. A. 1987 *Status and Distribution of the Florida Scrub-Jay*. Florida Ornithological Society. Special Publication No. 3, Gainesville, Florida 110 pp.

Cox, James, D. Inkley, R. Kautz. 1987. *Ecology and Habitat Protection Needs of Gopher Tortoise (Gopherus polyphemus) Populations Found on Lands Slated for Large-Scale Development in Florida*. Florida Game and Freshwater Fish Commission, Nongame Wildlife Program. Technical Report No. 4. Tallahassee, Florida. 69 pp.

Deyrup, Mark, Franz, Richard 1994. *Rare and Endangered Biota of Florida, Volume IV Invertebrates*. Special Committee on Invertebrates, Florida Committee on Rare and Endangered Plants and Animals.

Division of Endangered Species. *Threatened and Endangered Species System*. Web Page Address: http://ecos.fws.gov/tess_public/TESSWebpage. United States Fish and Wildlife Service, Denver, Colorado.

Environmental Laboratory, Wetlands Research Program. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. Department of the Army, Vicksburg, Mississippi.

Florida Exotic Pest Plant Council. 2005. *List of Florida's Invasive Species*. Internet: <http://www.fleppc.org/05list.htm>. Florida Exotic Pest Plant Council.

Florida Fish and Wildlife Conservation Commission. 2004. *Florida's Endangered Species, Threatened Species, and Species of Special Concern*. Web Page Address: <http://www.wildflorida.org/imperiled/pdf/Endangered-Threatened-Special-Concern-2004.pdf>. Florida Fish and Wildlife Conservation Commission.

Gilbert, Carter R., 1992. *Rare and Endangered Biota of Florida, Volume II Fishes*. Special Committee on Fishes, Florida Committee on Rare and Endangered Plants and Animals.

Gilbert, K.M., J.D. Tobe, R.W. Cantrell, M.E. Sweeley, J.R. Cooper. 1995. *The Florida Wetlands Delineation Manual*. Florida Department of Environmental Protection, South Florida Water Management District, St. Johns River Water Management District,

Suwannee River Water Management District, Southwest Florida Water Management District, and Northwest Florida Water Management District. 198 pp.

Hipes, D. D.R. Jackson, K. NeSmith, D. Printiss, K. Brandt. 2001. *Field Guide to the Rare Animals of Florida*. Florida Natural Areas Inventory, Tallahassee, Florida.

Humphrey, Stephen R., 1992. *Rare and Endangered Biota of Florida, Volume I. Mammals*. Special Committee on Mammals, Florida Committee on Rare and Endangered Plants and Animals.

Moler, Paul E., 1992. *Rare and Endangered Biota of Florida, Volume III Amphibians and Reptiles*. Special Committee on Amphibians and Reptiles Florida Committee on Rare and Endangered Plants and Animals.

Natural Resource Conservation Service (Soil Conservation Service at time of publication). Circa 1977. *Soil Survey of Flagler County, Florida*. United States Department of Agriculture.

Rogers, James A. Jr., Kale, Herbert W. III, Smith, Henry T. 1996. *Rare and Endangered Biota of Florida Volume V. Birds*. Special Committee on Birds Florida Committee on Rare and Endangered Plants and Animals.

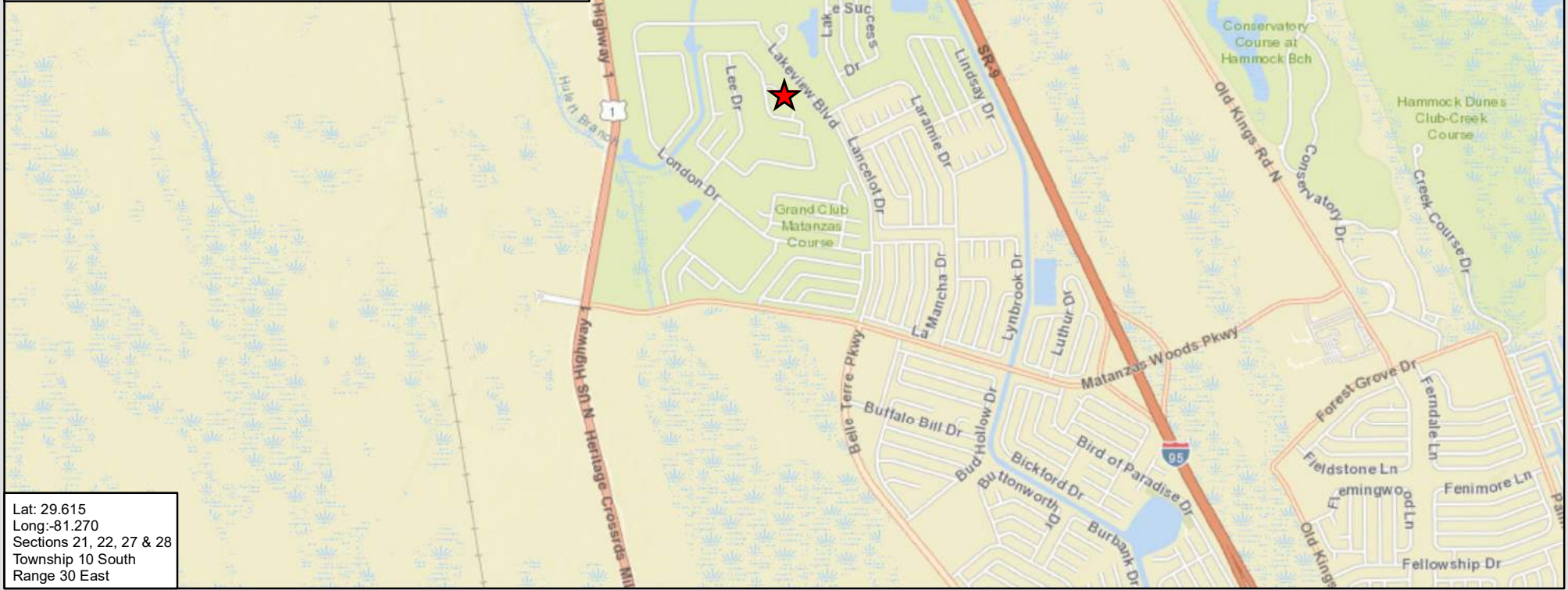
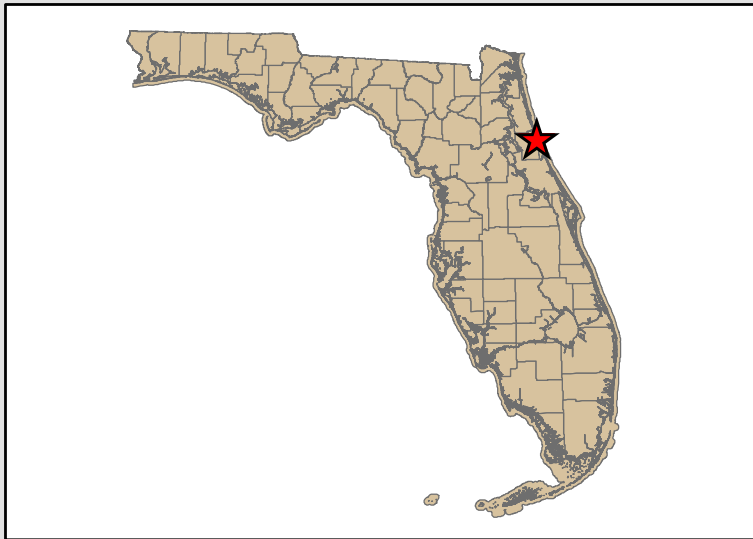
Surveying and Mapping Office, Thematic Mapping Section. Department of Transportation. 1999. *Florida Land Use, Cover and Forms Classification System* 3rd ed. State of Florida, Department of Administration. 81 pp.

Wunderlin, Richard P. 1998. *Guide to the Vascular Plants of Florida*. University Press of Florida. 804 pp.

Wunderlin, R. P., and B. F. Hansen. 2004. *Atlas of Florida Vascular Plants* (<http://www.plantatlas.usf.edu/>). [S. M. Landry and K. N. Campbell (application development), Florida Center for Community Design and Research.] Institute for Systematic Botany, University of South Florida, Tampa.

APPENDIX I

FIGURES



Lat: 29.615
Long: -81.270
Sections 21, 22, 27 & 28
Township 10 South
Range 30 East

Image Source: ESRI 2018
Date: 3-27-19

0 1,500 3,000
Feet



Location Map Matanzas Woods Golf Course Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080

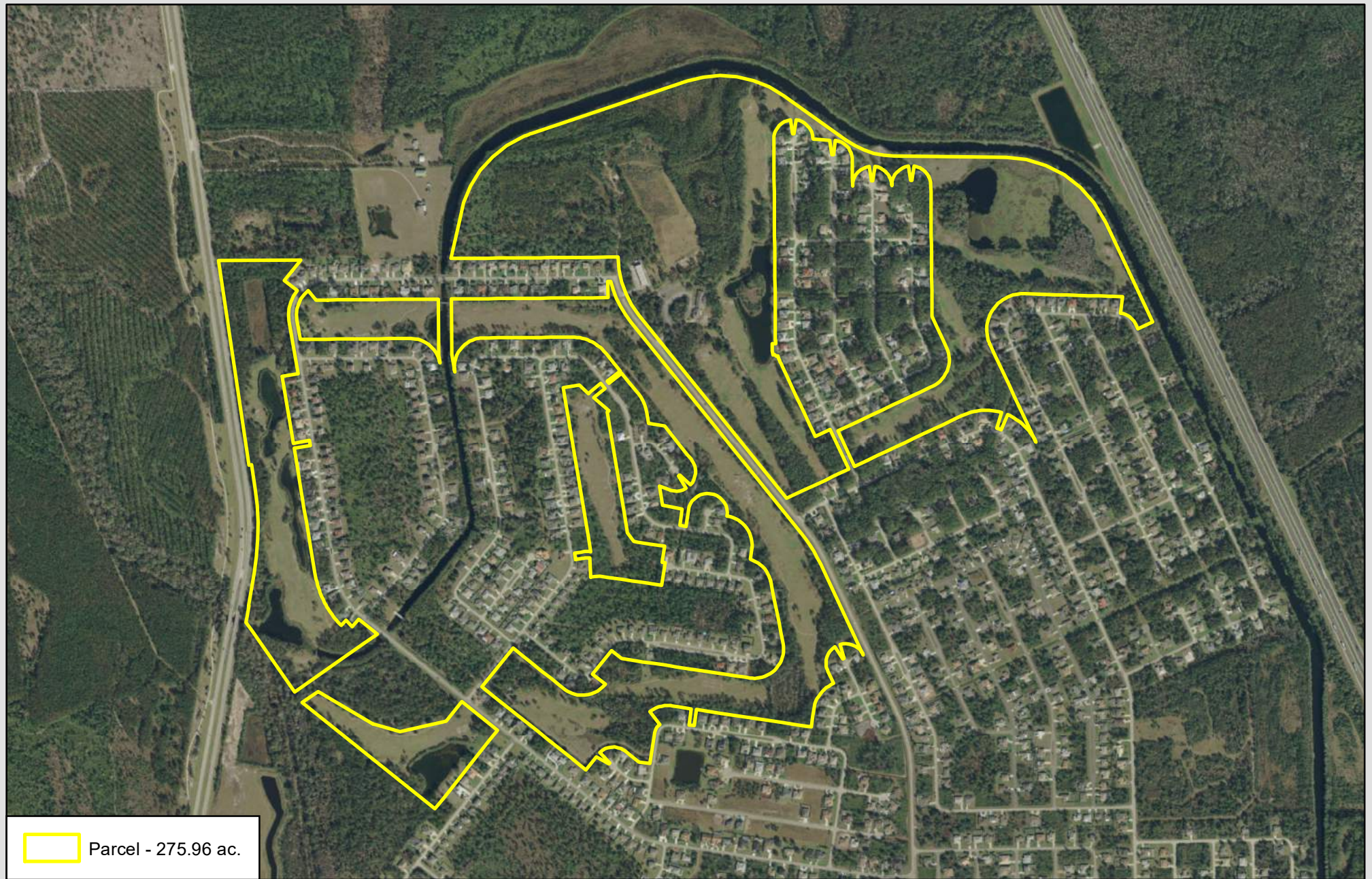


Image Source: ESRI 2017
Date: 3-23-19

0 500 1,000
Feet



Aerial Map Matanzas Woods Golf Course Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080

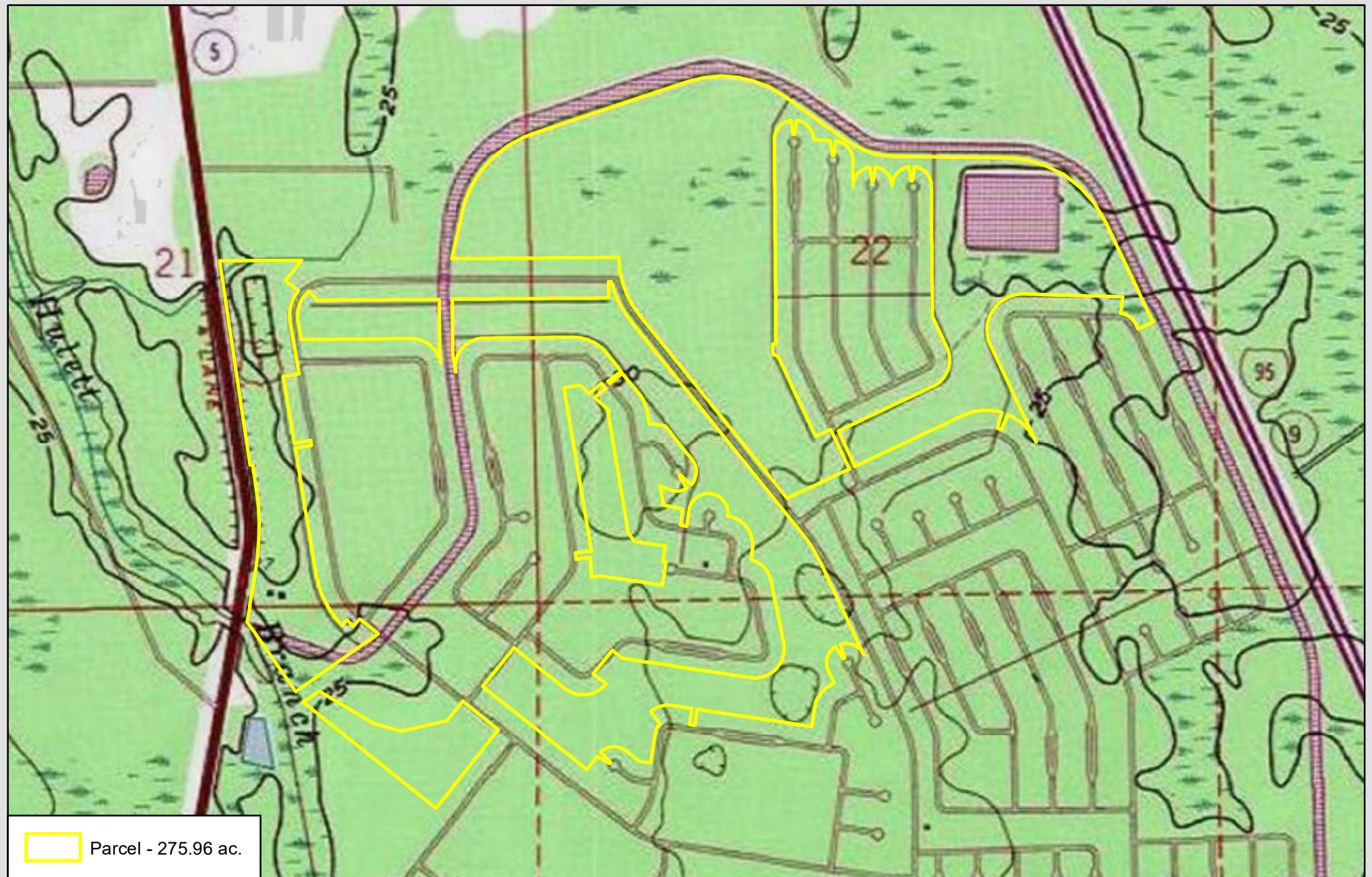


Image Source: ESRI 2017
Date: 3-27-19

0 500 1,000
Feet



Topographic Map Matanzas Woods Golf Course Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080



Image Source: ESRI 2017
Date: 3-23-19

0 500 1,000
Feet



Soil Map Matanzas Woods Golf Course Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080

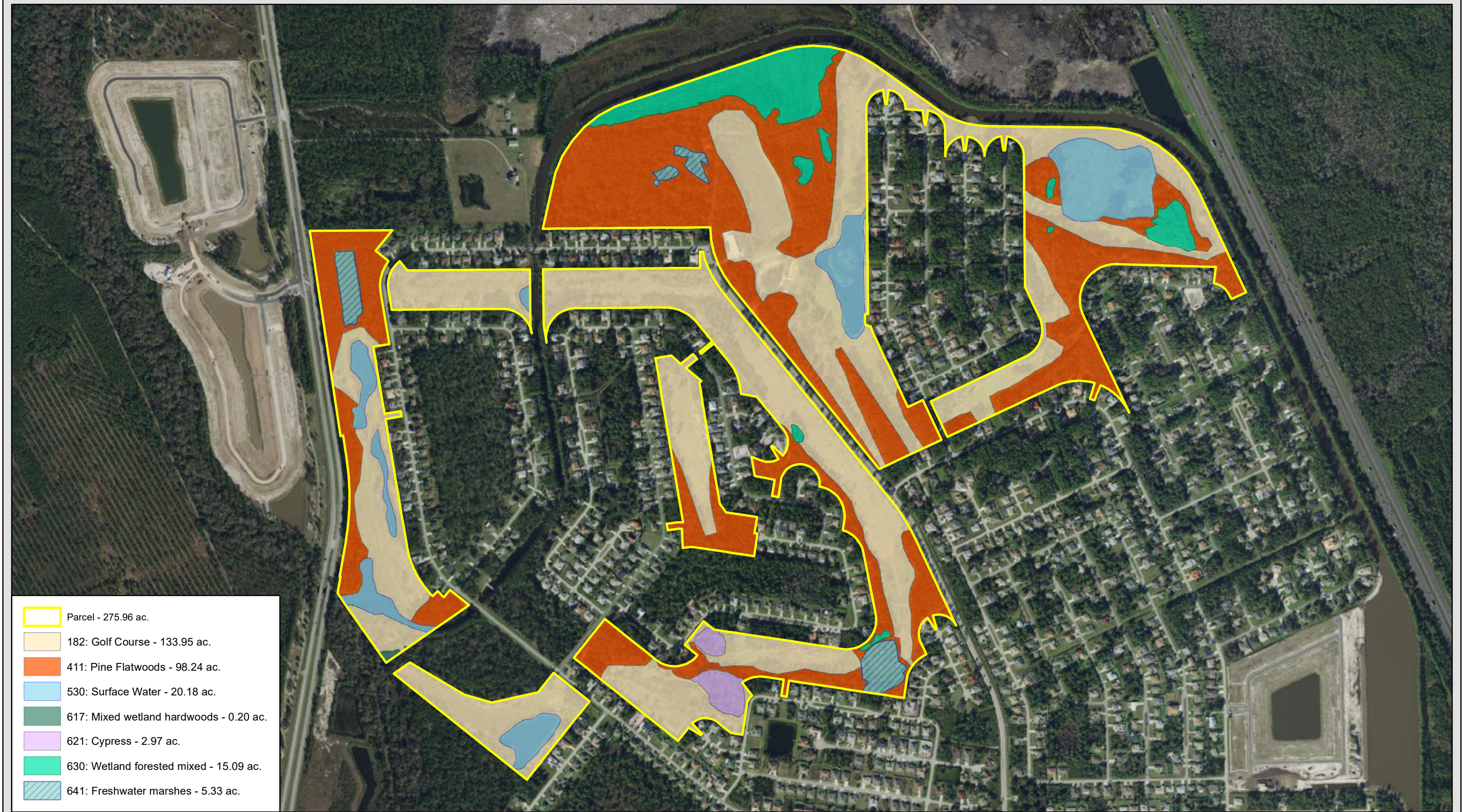


Image Source: ESRI 2019
Date: 4-19-21

0 350 700
Feet



Habitat Map
Matanzas Woods Golf Course
Flagler County, Florida



WWW.ATLANTICECO.COM
904-347-9133 | jody@atlanticeco.com
201 Basque Rd | St. Augustine, FL 32080



Wetland and Surface Water Map
Matanzas Woods Golf Course
Flagler County, Florida

APPENDIX II
HABITAT ASSESSMENTS

PART I – Qualitative Description
Wetland Quality Assessment Method

Site/Project Name Matanzas Woods Golf Course		Application Number		Assessment Area Name or Number	
FLUCCs code 617,630, 641		Further classification (optional)		Impact or Mitigation Site?	Assessment Area Size 26.20 acre
Basin/Watershed Name/Number 9 - Matanzas & Pellicer Creek		Affected Waterbody (Class)		Special Classification (i.e.OFW, AP, other local/state/federal designation of importance)	
Geographic relationship to and hydrologic connection with wetlands, other surface water, uplands The site is bound by development and roads					
Assessment area description The wetlands onsite have been impacted by the past pine silviculture, surrounding development, and fire suppression.					
Significant nearby features Roads and homes around the property			Uniqueness (considering the relative rarity in relation to the regional landscape.) N/A		
Functions Provides cover, roosting, substrate, and/or refuge; food chain support; water quality improvements, flood water storage/attenuation.			Mitigation for previous permit/other historic use N/A		
Anticipated Wildlife Utilization Based on Literature Review (List of species that are representative of the assessment area and reasonably expected to be found) Whitetail deer, bobcat, cottonmouth, Eastern diamondback rattlesnake, pigmy rattlesnake, wading birds, redshouldered hawk, vultures, various passerine birds,			Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area) Wading Birds - feeding & roosting ;		
Observed Evidence of Wildlife Utilization (List species directly observed, or other signs such as tracks, droppings, casings, nests, etc.):					
Additional relevant factors:					
Assessment conducted by: JS			Assessment date(s): 3/25/2019		

**PART II – Quantification of Assessment Area
Wetland Quality Assessment Method**

Site/Project Name Matanzas Golf Course	Application Number	Assessment Area Name - Review (Original)
Assessment Area Acreage 26.20 acre	Review (Original) Assessment conducted by: JS	Review (Original) Assessment dates: 3/25/19

Scoring Guidance	Optimal (10)	Moderate(7)	Minimal (4)	Not Present (0)
The scoring of each indicator is based on what would be suitable for the type of wetland or surface water assessed	Condition is optimal and fully supports wetland/surface water functions	Condition is less than optimal, but sufficient to maintain most wetland/surface water functions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions

Location and Landscape Support Score 6	Notes:	<u>Adjacent Landscape Description</u> Development and roads and past land uses and disturbance dramatically affect habitat and wildlife usage.
--	--------	---

Water Environment Score 6	Notes:	<u>Soils Description</u> not appropriate soil composition due to drainage and ditching found offsite <u>Hydrology Description</u> Hydrology has been affected by pine rowing, ditches, and development
---	--------	---

Community structure 1. Vegetation and/or 2. Benthic Community Score 6	Notes:	<u>Vegetation & Wildlife Notations</u> Heavy coverage of Chinese tallow. Fire suppression has affected biodiversity and age composition.
		<u>FLUCFCS** Code:</u>
		617, 621,630, 641

WQAM Score	Wetland Category Key - Application Package Requirements from Proposed Wetland Impacts		
Sum of above / 30	Minimal (0.00 - 0.40)	Moderate (0.41 - 0.70)	Optimal (0.71 - 1.0)
	Wetland Impact Analysis	Wetland Impact Analysis	Wetland Impact Analysis
	25' avg. 15' min. upland buffer	25' avg. 15' min. upland buffer	50' avg. 25' min. upland buffer
	Compensatory Mitigation	Compensatory Mitigation	Compensatory Mitigation
	State and federal permits	State and federal permits	State and federal permits
		Avoidance and Minimization Analysis	Avoidance and Minimization Analysis
			No Net Loss' Analysis

APPENDIX III
CULTURAL RESOURCE ASSESSMENT



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

March 27, 2019

Jody Sisk
Atlantic Ecological Services
904-347-9133
jody@atlanticeco.com

Parcel ID 07-11-31-7037-ORPOA-0002

In response to your inquiry of March 27, 2019, the Florida Master Site File lists one archeological resource and one resource group recorded at the designated area in Flagler County, Florida

Sections 21, 22, 27, and 28, Township 10 S, Range 30 E

When interpreting the results of our search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Eman M. Vovsi, Ph.D.
Florida Master Site File
Eman.Vovsi@DOS.MyFlorida.com



AR=1
SS=0
CM=0
RG=1
BR=0
Total=2

Cultural Resource Roster

SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
FL00248	AR	Davis' Station	Palm Coast		Not Eligible	
FL00291	RG	US-1	Palm Coast	Linear Resource	Not Eligible	

FL00149

FL00259

FL00186

FL00291

FL00248

FL00298

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

☒ Original
☐ Update
 (give site#)



ARCHAEOLOGICAL SITE FORM

FLORIDA MASTER SITE FILE

Version 2.2 3/97

Consult Guide to Archaeological Site Form for detailed instructions.

Site #8 FL248

Recorder Site# WPC Series

Field Date 00 / 00 / 03

Form Date 02 / 29 / 04

Site Name(s) Davis' StationProject Name Cultural Resource Survey of West Palm Coast, Flagler Multiple Listing (DHR only)Ownership: ☒ private-profit ☐ private-nonprofit ☐ private-individual ☐ private-unspecified ☐ city ☐ county ☐ state ☐ federal ☐ foreign ☐ Native American ☐ unknownUSGS 7.5 Map Name & Date Dinner Island NE ESPAÑOLA County FlaglerTownship 10 Range 30 Section 21 ☐ Check if Irregular Section; Qtr. Section (check all that apply): ☐ NE ☒ NW ☐ SE ☐ SWLandgrant _____ Tax Parcel # (s) 58City / Town (if within 3 mi.) Palm Coast In Current City Limits? ☐ yes ☒ no ☐ unknownUTM: Zone ☐ 16 ☐ 17 Easting _____ North _____ 0Address / Vicinity of / Route to U.S.1 bisects, adjacent to existing Palm Coast; proposed for annexation

Name of Public Tract (e.g., park) _____

SETTING *

- ☒ Land - terrestrial
☐ Cave/Sink - subterranean
☐ terrestrial
☐ aquatic
☐ intermittently flooded
☒ Wetland - palustrine
☐ usually flooded
☐ sometimes flooded
☐ usually dry
- ☐ Lake/Pond - lacustrine
☐ River/Stream/Creek - riverine
☐ Tidal - estuarine
☐ Saltwater - marine
☐ marine unspecified
☐ "high energy" marine
☐ "low energy" marine
- ☐ Other store/station

STRUCTURES - OR - FEATURES *

- ☐ aboriginal boat
☐ agric/farm building
☐ burial mound
☒ building remains
☐ cemetery/grave
☐ dump/refuse
☐ earthworks
- ☐ fort
☐ midden
☐ mill unspecified
☐ mission
☐ mound unspecified
☐ plantation
☐ platform mound
- ☐ road segment
☐ shell midden
☐ shell mound
☐ shipwreck
☐ subsurface features
☐ surface scatter
☐ well

FUNCTION *

- ☐ none specified
☐ campsite
☐ extractive site
☐ habitation (prehistoric)
☒ homestead (historic)
☐ farmstead
☐ village (prehistoric)
☐ town (historic)
☐ quarry

Aboriginal *

- ☐ Alachua
☐ Archaic, Early
☐ Archaic, Middle
☐ Archaic, Late
☐ Archaic unspecified
☐ Belle Glade I
☐ Belle Glade II
☐ Belle Glade III
☐ Belle Glade IV
☐ Belle Glade unspcif.
☐ Cades Pond
☐ Deptford
- ☐ Englewood
☐ Fort Walton
☐ Glades Ia
☐ Glades Ib
☐ Glades I unspcif.
☐ Glades IIa
☐ Glades IIb
☐ Glades IIc
☐ Glades II unspcif.
☐ Glades IIIa
☐ Glades IIIb
☐ Glades IIIc
☐ Glades III unspcif.
- ☐ Glades unspcif.
☐ Hickory Pond
☐ Leon-Jefferson
☐ Malabar I
☐ Malabar II
☐ Manasota
☐ Mount Taylor
☐ Nonwood
☐ Orange
☐ Paleoindian
☐ Pensacola
☐ Perico Island
☐ Safety Harbor
- ☐ St. Augustine
☐ St. Johns Ia
☐ St. Johns Ib
☐ St. Johns I unspecified
☐ St. Johns IIa
☐ St. Johns IIb
☐ St. Johns IIc
☐ St. Johns II unspcif.
☐ St. Johns unspcif.
☐ Santa Rosa
☐ Santa Rosa-Swift Creek
☐ Seminole: Colonization
☐ Seminole: 1st War To 2d

- ☐ Seminole: 2d War To 3d
☐ Seminole: 3d War On
☐ Seminole unspecified
☐ Swift Creek, Early
☐ Swift Creek, Late
☐ Swift Creek, unspecified
☐ Transitional
☐ Weeden Island I
☐ Weeden Island II
☐ Weeden Island unspcif.
☐ Prehistoric nonceramic
☐ Prehistoric ceramic
☐ Prehistoric unspecified

Nonaboriginal *

- ☐ First Spanish 1513-99
☐ First Spanish 1600-99
☐ First Spanish 1700-1763
☐ First Spanish unspecified
☐ British 1763-1783
☐ Second Spanish 1783-1821
☐ American Territorial 1821-45
☐ American Civil War 1861-65
☐ American 19th Century
☒ American 20th Century
☐ American unspecified
☐ African-American

☐ Other (Less common phases are not check-listed. For historic sites, also give specific dates if known.)
1940s - 1960s roadside store/station/residence

* Consult Guide to Archaeological Site Form for preferred descriptions not listed above (data are "coded fields" at the Site File).

Potentially eligible for a local register? ☐ yes: name register at right ☒ no ☐ insufficient info Name of local register if eligible: _____
 Individually eligible for National Register? ☐ yes ☒ no ☐ insufficient info
 Potential contributor to NR district? ☐ yes ☒ no ☐ insufficient info

Explanation of Evaluation (Required if evaluated; limit to 3 lines; attach full justification)

Station demolishedRecommendations for Owner or SHPO Action documentation only

DHR USE ONLY 2020/2020/2020 OFFICIAL EVALUATIONS 2020/2020/2020 DHR USE ONLY

NR DATE _____ KEEPER-NR ELIGIBILITY: ☐ yes ☐ no Date _____
 DELIST DATE _____ SHPO-NR ELIGIBILITY: ☐ yes ☒ no ☐ potentially elig. ☐ insufficient info Date 12/6/04
 LOCAL DESIGNATION: _____ Date _____
 Local office _____

National Register Criteria for Evaluation ☐ a ☐ b ☐ c ☐ d (See National Register Bulletin 15, p. 2)

ARCHAEOLOGICAL SITE FORM

Site #8 FL248

Consult Guide to Archaeological Site Form for detailed instructions.

SITE DETECTION*

- ☐ no field check ☒ exposed ground ☒ screened shovel
☒ literature search ☐ posthole digger
☒ informant report ☐ auger-size: _____
☒ remote sensing ☒ unscreened shovel

SITE BOUNDARIES*

- ☐ bounds unknown ☐ remote sensing ☒ unscreened shovel
☐ none by recorder ☒ insp exposed ground ☒ screened shovel
☒ literature search ☐ posthole tests ☐ block excavations
☒ informant report ☐ auger-size: _____ ☐ estimate or guess

Other methods; number, size, depth, pattern of units; screen size (attach site plan)

Surface observations and documentation of building debris

Extent Size (m²) 50 Depth/stratigraphy of cultural depositTemporal Interpretation* - Components (check one): ☒ single ☐ prob single ☐ prob multiple ☐ multiple ☐ uncertain ☐ unknown

Describe each occupation in plan (refer to attached large scale map) and stratigraphically. Discuss temporal and functional interpretations:

1940s - 1960s store/stationIntegrity Overall disturbance*: ☐ none seen ☐ minor ☐ substantial ☐ major ☐ redeposited ☒ destroyed-document! ☐ unknownDisturbances/threats/protective measures site destroyedSurface: area collected none m² # collection units _____; Excavation: # noncontiguous blocks _____

Total Artifacts # _____ (C)ount or (E)stimate? Surface # _____ (C) or (E) Subsurface # _____ (C) or (E)

COLLECTION SELECTIVITY*

- ☐ unknown ☐ unselective (all artifacts)
☒ selective (some artifacts)
☐ mixed selectivity

SPATIAL CONTROL*

- ☐ uncollected ☐ general (not by subarea)
☐ unknown ☐ controlled (by subarea)
☐ variable spatial control
☐ Other _____

ARTIFACT CATEGORIES* and DISPOSITIONS* (example: A bone-human)

Pick exactly one code from Disposition List ⇔ ⇔ ⇔

- _____ bone-animal _____ exotic-nonlocal
 _____ bone-human _____ glass
 _____ bone-unspecified _____ lithics-aboriginal
 _____ bone-worked ☒ metal-nonprecious
☒ brick/building debris _____ metal-precious/coin
 _____ ceramic-aboriginal _____ shell-unworked
 _____ ceramic-nonaboriginal _____ shell-worked
 _____ daub _____ Others: _____

Disposition List*

- A - category always collected
 S - some items in category collected
 O - observed first hand, but not collected
 R - collected and subsequently left at site
 I - informant reported category present
 U - unknown

Artifact Comments building debris

DIAGNOSTICS (Type or mode, and frequency: e.g., Suwanee ppk, heat-treated chert, Deptford Check-stamped, ironstone/whiteware)

- | | | |
|-------------------|-------------------|--------------------|
| 1. _____ N= _____ | 5. _____ N= _____ | 9. _____ N= _____ |
| 2. _____ N= _____ | 6. _____ N= _____ | 10. _____ N= _____ |
| 3. _____ N= _____ | 7. _____ N= _____ | 11. _____ N= _____ |
| 4. _____ N= _____ | 8. _____ N= _____ | 12. _____ N= _____ |

Nearest fresh water type* & name (incl. relic source) Hulett Branch Distance (m)/bearing 500 metersNatural community (FNAI category* or leave blank) upland pine forestLocal vegetation pine forestTopography* sand ridge Min Elevation _____ meters Max Elevation _____ metersPresent land use agricultural/planted pine

SCS soil series _____ Soil association _____

Informant(s): Name/Address/Phone/Email Dana Ste.Claire, Heritage Services, heritagesrvcs@aol.com

Describe field & analysis notes, artifacts, photos. For each, give type*(e.g., notes), curating organization*, accession #s, and short description.

Heritage Services, Inc. records; report on file with DHRManuscripts or Publications on the site (Use continuation sheet, give FMSF# if relevant) Cultural Resource Assessment Survey of the West Palm Coast Development, Flagler County, Florida; Ste.Claire, Dana 2004Recorder(s): Name/Addr./Phone/Email Dana Ste.Claire, Heritage Services, Inc.; heritagesrvcs@aol.comAffiliation* or FAS Chapter Heritage Services, Inc.

* Consult Guide to Archaeological Site Form for preferred descriptions not listed above (data are "coded fields" at the Site File).

SITE PLAN & USGS REQUIRED At 1"=300' (1:3600) or larger scale, show: site boundaries, scale, north arrow, datum, test/collection units, landmarks, mappers, date.

Hulett Branch Dump – 8FL246

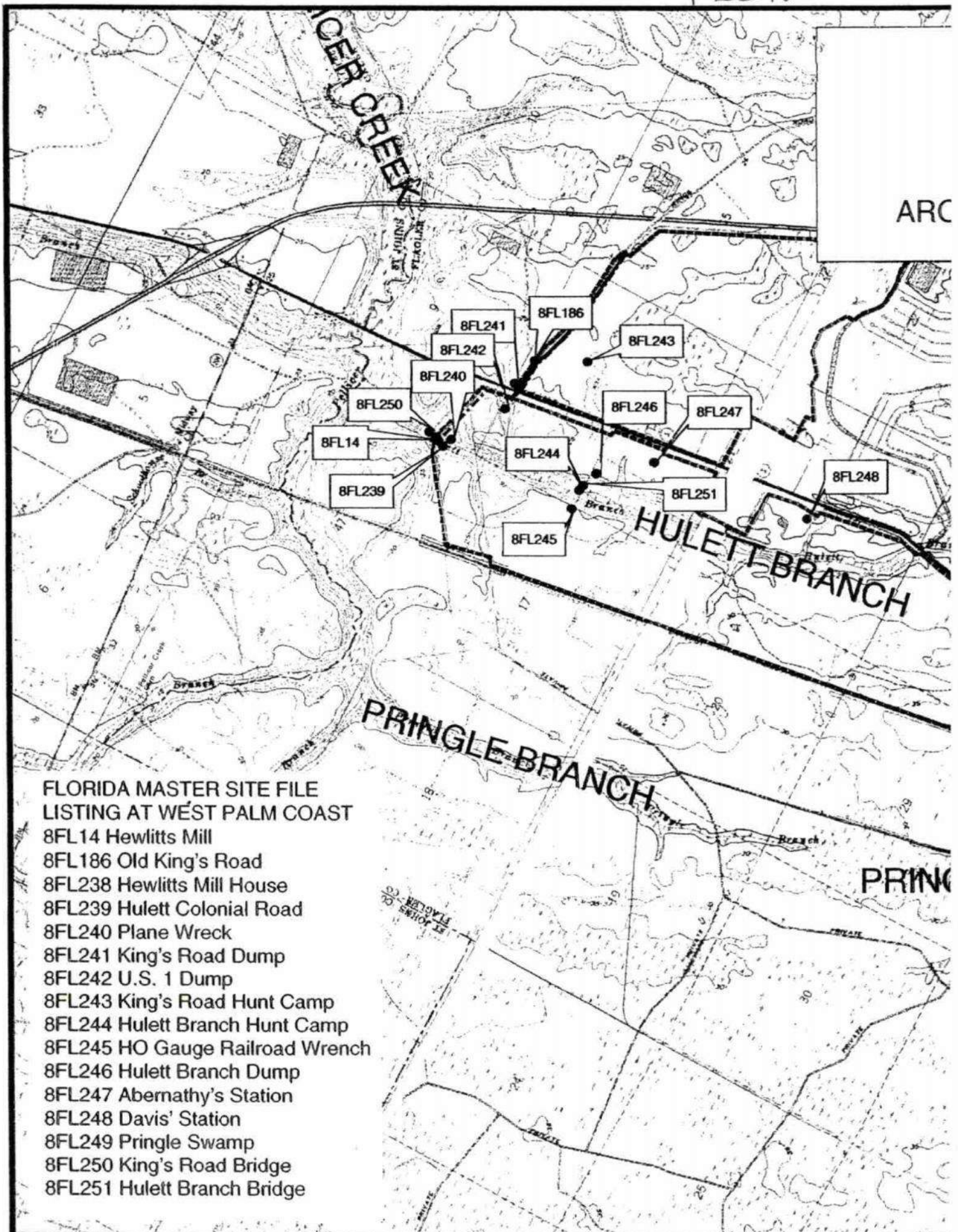
This small, spatially isolated refuse dump site was discovered during a surface inspection of a sandy fire lane in western regions of the West Palm Coast properties (see Figure 5). It is located in the northwest quarter of the southwest quarter of Section 16, Township 10 South, Range 30 East. The site was evidenced by a scatter of characteristic late 19th century bottle fragments and a few metal pieces. The refuse pit has been thoroughly displaced by the fire land cut. Efforts to locate associated features or a possibly related homestead site through subsurface testing were unsuccessful. It is surmised that the site is completely destroyed. Thus, **it is concluded that 8FL246 is not eligible for inclusion on the National Register of Historic Places.**

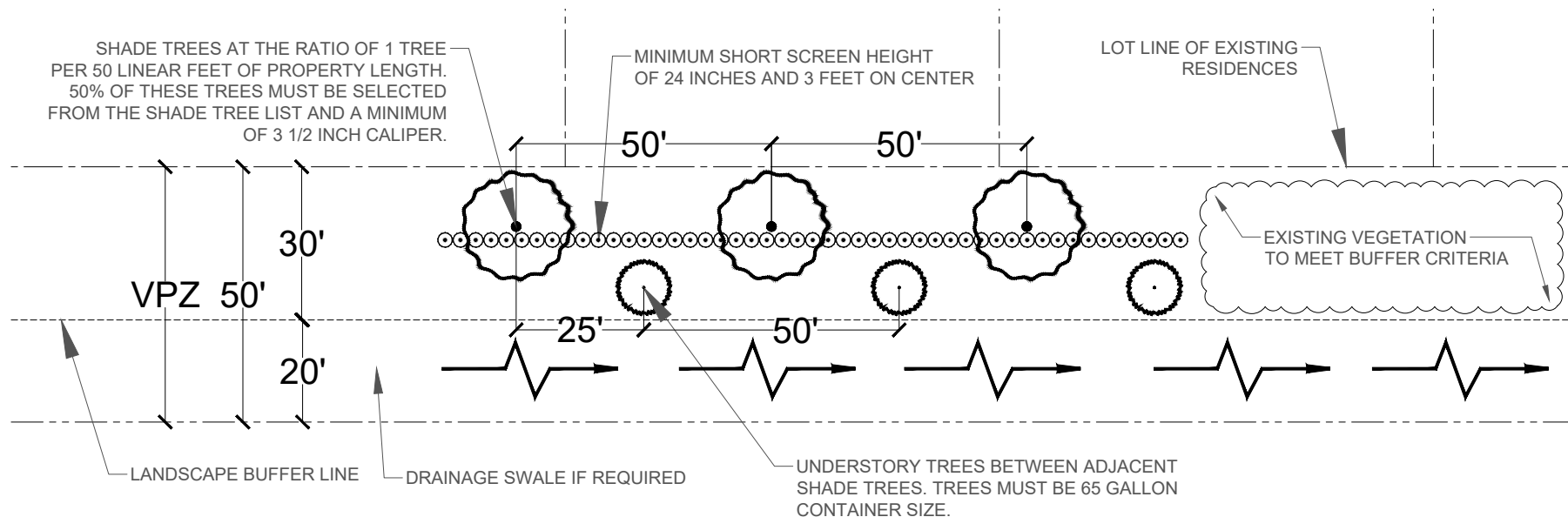
Abernathy's Station – 8FL247**Davis' Station – 8FL248**

Interviews with two local residents provided information regarding two historic sites that were located on Parcel A of West Palm Coast properties. The locations of two filling stations/general stores were identified by Dupont (2003) for the west side of U.S. 1 (the northeast quarter of the southwest quarter of Section 16, Township 10 South, Range 30 East for Abernathy's Station and the center of Section 21, Township 10 South, Range 30 East for Davis' Station. Both Abernathy's and Davis' Stations were once essential businesses to service vehicular traffic prior to the construction of I-95. Dupont stated the Ralph Abernathy filling station was opened sometime in the 1930s. He thought the Davis filling station was later, in the early 1950s. The sites of these two businesses were identified by the field reconnaissance crew at the specific areas pinpointed by Dupont on topographic and aerial maps. Field inspections reveal the remnants of structures demolished in the past decade. Structural and archaeological integrity of both sites have been greatly compromised due to the destruction of the stations, thus **it is concluded that 8FL247 and 8FL248 are not eligible for inclusion on the National Register of Historic Places.**

Pringle Swamp – 8FL249

Only one prehistoric archaeological site (8FL249), a small ceramic scatter, was discovered during the subject survey. The site is located in the northwest quarter of the northwest quarter of Section 10, Township 11 South, Range 30 East (see Figure 5). The site was evidenced by two pottery sherds: a St. Johns Plain fragment and a St. Johns Check-Stamped fragment. Based on site density and diagnostic artifacts, it is surmised that the ceramics represent an isolated prehistoric hinterland activity, possible hunting, during the late St. Johns cultural periods (ca. post A.D. 800).

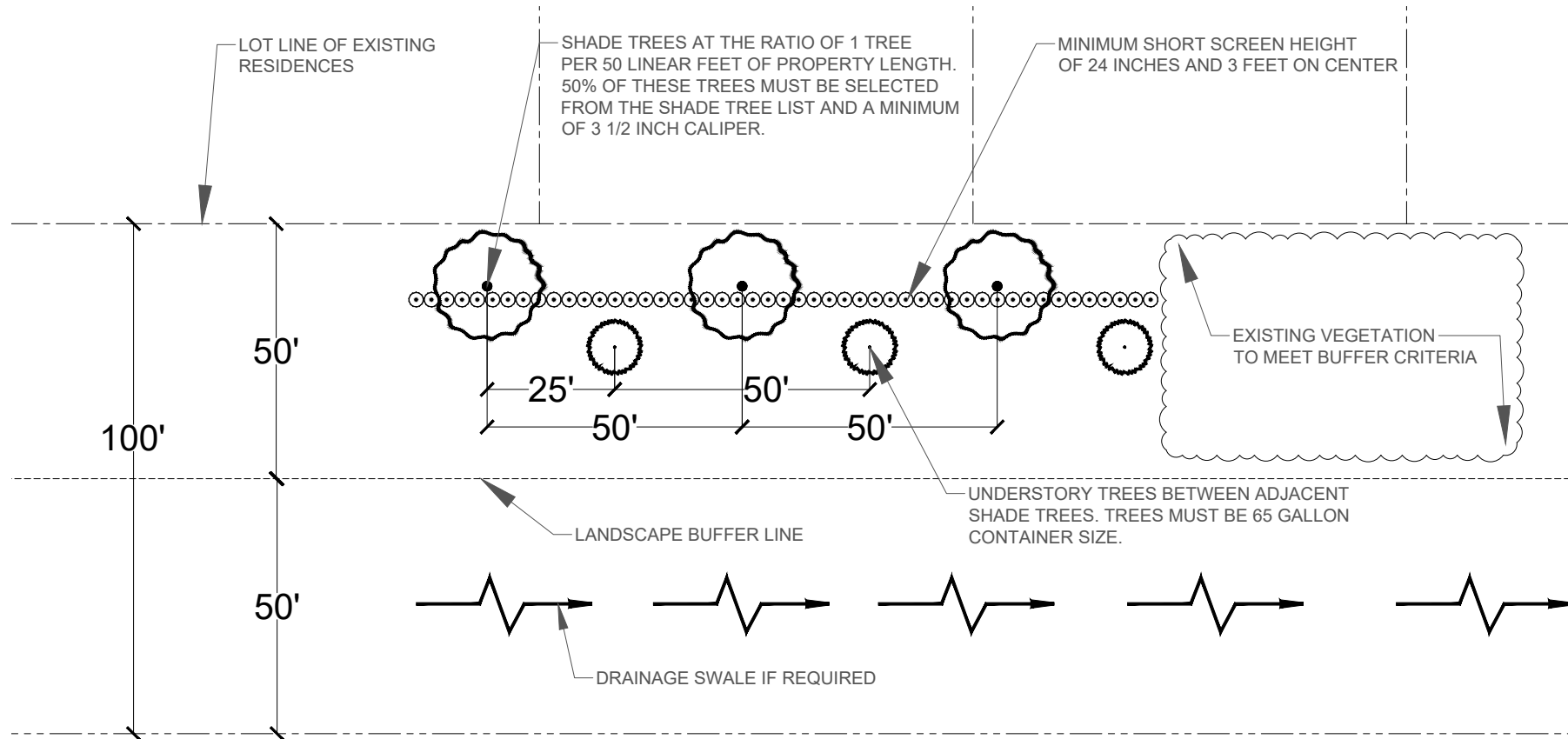




TRACT 3 : 50FT VPZ ILLUSTRATION

Tract 3 50FT VP2 Illustration See Landscape Plan





TRACT 9 : 100FT VPZ ILLUSTRATION

Fracture 100 F-1 VP2 Illustration See Landscape Plan



Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal
Kareen Movsesyan
Meredith Wearsch
Mark Hall
Eric R. Sloan, *of-counsel*

*Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com*



145 City Place, Suite 301
Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

*2 Camino Del Mar
Palm Coast, FL 32137*

*By Appointment Only:
57 W. Granada Blvd.
Ormond Beach, FL 32174*

April 2, 2026

**RE: Lakeview Estates
Matanzas GC Palm Coast, LLC
Parcel Identification Number: 07-11-31-7037-0RP0A-0002
07-11-31-7037-0RP0A-0011
07-11-31-7037-0RP0A-0140**

To Whom It May Concern:

Matanzas GC Palm Coast, LLC, a Florida limited liability company is the owner of approximately 182 acres located in the L Section of Palm Coast (formerly known as the Matanzas Golf Course) and as further demonstrated on the attached map identified on **Exhibit "A"**.

Currently, the owner has an application into the City of Palm Coast for the First Amendment to the Master Planned Development Agreement. The intent of the application to amend is to allow for development on Tract 3 and amend the allowed uses on Tract 8 along U.S. Highway 1. This Amendment will also incorporate the dedication by the developer to the City of a park. This request is consistent with the City's comprehensive plan and land development regulations.

As required by City Code, we will be having a neighborhood meeting on **Tuesday, April 14, 2026 at 6:00 p.m. at the Cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast, Florida 32137** (see attached **Exhibit "B"** with directions on how to enter the school) to answer any of your questions. It is open to the public.

Sincerely yours,

Michael D. Chiumento III



MATANZAS WOODS
DEVELOPMENT TRACTS

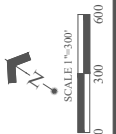
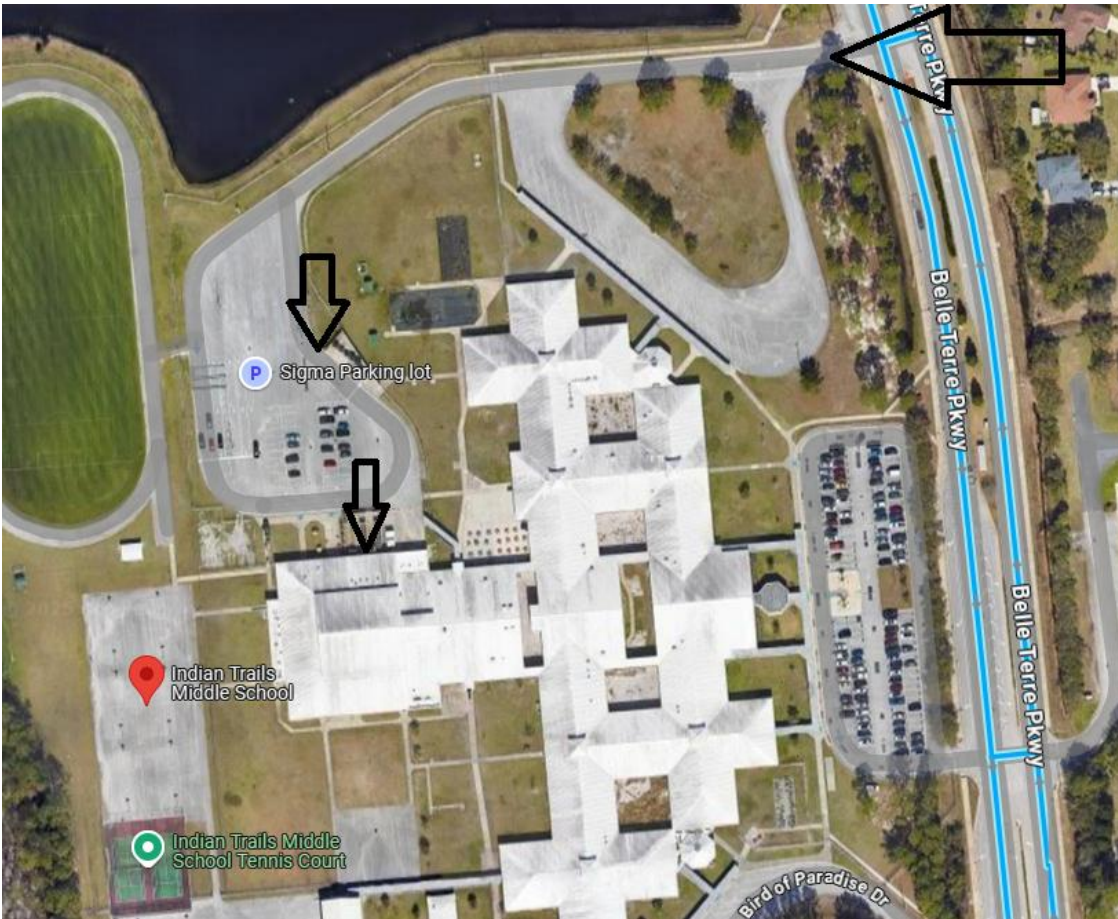


EXHIBIT "B"

Enter at northern gate of Indian Trails and park in the Sigma Parking lot.



Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
Vincent L. Sullivan
Diane A. Vidal, P.A.*
Kareen Movsesyan
Sydney N. Stoneburner
Eric R. Sloan
Thomas R. Pycraft*
Christy Earls
Paul H. Threatt



145 City Place, Suite 301
Palm Coast, FL 32164
Tel. (386) 445-8900
Fax: (386) 445-6702

2 Camino Del Mar
Palm Coast, FL 32137

57 W. Granada Blvd.
Ormond Beach, FL 32174

Michael D. Chiumento III
Managing Partner
Michael3@legalteamforlife.com

Proudly serving Flagler and Volusia Counties for over 50 years

April 30, 2026

City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164
Via E-Mail Only

**RE: Lakeview Estates
Matanzas GC Palm Coast, LLC
Parcel Identification Number: 07-11-31-7037-0RP0A-0002
07-11-31-7037-0RP0A-0011
07-11-31-7037-0RP0A-0140**

Dear Sir or Madam:

On Tuesday, April 14, 2026 the Applicant, Matanzas GC Palm Coast, LLC conducted a neighborhood information meeting held at the Cafeteria (Room 511 & 512) of Indian Trails Middle School, 5505 Belle Terre Parkway, Palm Coast, Florida 32137. As noted by the attached sign-in sheet, more than fifty (50) people from the public attended. Present at the meeting were myself, applicant representative and City Planner.

During the neighborhood meeting, the attendees asked several questions regarding the aforementioned application. Below is a reproduction of those questions/concerns and the Applicant's response in *italics* directly beneath the question.

- **Will this project increase density beyond what is currently allowed or expected?**

The rezoning request is being evaluated in accordance with the City's Comprehensive Plan and Land Development Code. Any proposed density will remain within the parameters established or approved through the rezoning process and will not exceed what is ultimately authorized by the City.

- **How will existing viewshed protections be preserved or modified?**

Site design will take into account applicable buffering, setbacks, and landscaping requirements to help preserve visual character. Any modifications to existing viewshed conditions would be subject

to City review and compliance with adopted standards.

- **Are any structures or improvements planned directly adjacent to or behind my property?**

Specific site layout details are still being refined. Future development plans will comply with all required setbacks, buffering, and compatibility standards to ensure appropriate transitions between uses.

- **Which parcels or tracts are proposed for development, and what are their current designations?**

The rezoning application identifies the subject parcels under consideration. All current and proposed land use and zoning designations are documented in the application materials submitted to the City for review.

- **Will you commit to continued investigation and remediation of any arsenic or environmental contamination issues?**

Any environmental concerns will be addressed in accordance with applicable state and federal regulations. Appropriate assessments and, if necessary, remediation efforts will be conducted to ensure the property meets required safety standards.

- **Do you intend to convey any remaining portions of the property to the City of Palm Coast?**

There are no commitments at this time regarding conveyance of additional property. Any such action would be coordinated with the appropriate governing agencies if it becomes relevant.

- **Will any undeveloped portions of the property be placed into a permanent conservation easement?**

The potential for conservation areas or easements will be evaluated as part of the overall development planning process and in coordination with City requirements and environmental considerations.

- **How will utilities (water, sewer, stormwater, electric) be extended and managed for this development?**

Utility infrastructure will be designed and constructed in coordination with the City and relevant service providers. All systems will meet applicable capacity, design, and regulatory requirements.

- **What analysis has been performed regarding potential impacts on surrounding property values?**

Property value impacts are influenced by a variety of market factors. The project will be designed to meet City standards and compatibility requirements, which are intended to support orderly and beneficial development.

- **Do you dispute or acknowledge concerns that the project may negatively affect nearby property values?**

We understand that property value concerns are important to residents. While outcomes can vary, the project will adhere to City regulations and design standards intended to promote compatibility and protect community character.

- **Will there be new or modified access points to U.S. Highway 1, and how will traffic be managed?**

Access and traffic circulation will be evaluated through required traffic studies and coordinated with the appropriate transportation agencies. Any improvements or modifications will be subject to agency approval.

- **What measures will be implemented to address flooding or stormwater impacts in the area?**

Stormwater management systems will be designed in accordance with local and state regulations

to ensure proper drainage, retention, and water quality treatment, minimizing impacts to surrounding properties.

- **How will local wildlife and habitat displacement be addressed?**

Environmental features and habitat considerations will be evaluated during the planning process. Development will comply with applicable environmental regulations and incorporate mitigation measures where required.

- **What provisions are being made for school transportation and student safety?**

The project will coordinate with the local school district regarding transportation needs. Roadway and pedestrian infrastructure will be designed to meet safety standards applicable to school access.

- **How will anticipated population increases affect school capacity and overcrowding?**

School capacity is managed by the local school district. Any impacts will be addressed through the district's planning processes, and applicable impact fees or requirements will be met.

- **What impact will this project have on local taxes or assessments?**

The project is expected to contribute to the local tax base. Any applicable impact fees or assessments will be paid in accordance with City and County requirements.

- **What is the timeline for development of any proposed park or recreational facilities?**

If recreational amenities are included, their timing will be aligned with the overall development phasing plan and subject to City review and approval.

- **Who will be responsible for funding, constructing, and maintaining the park?**

Responsibility for funding, construction, and maintenance will be determined as part of the development approvals and may involve the developer, a homeowners' association, or other entities as approved by the City.

Sincerely,



Michael D. Chiumento III
Attorney
MDC/cm

**Lakeview Estates
Matanzas GC Palm Coast, LLC**

NEIGHBORHOOD MEETING – TUESDAY April 14, 2026

NAME	ADDRESS	PHONE NUMBER	E-MAIL ADDRESS
Angelo Crispin	49 Londonderry Dr.	347 239 9942	operatoracris@yahoo.com
ALBA SCALISE	240 London Dr.	845-202-0919	PE SCALISE @Gmail.com.
Kenneth Leaning	232 London Dr.		Kenniii01.04@yahoo.com
Michelle Leaning	232 London Dr.		mlpteach4@yahoo.com
John Furling	35 London Dr.		John8of9@aol.com
Diane Furlong	35 London Dr.		dcut56@gmail.com
Luz CURRAS	205 London Dr.	914-744-3741	LuzCURRAS@gmail.com
Karla Lehmann	32 Leidel Dr		Karcar14@hotmail.com
Amy Beaver	73 Lancelot Drive	386-302-7220	
Celeste J. Lyon	75 Lancelot Drive	832-439-0539	

Lorraine DeArmott	130 Laramie Drive	410-322-3640	LA Boushell@gmail.com
Michael DeArmott	130 Laramie	443 466 3736	dearmott7@yahoo.com
ALEX GREEN	60 LANCELOT DR.	610-637-9291	ALEXGREEN1@gmail.com
Peter/Sandy Cavaliere	125 LARAMIE DR	(386) 453-4431	petercavaliere@bellsouth.net
Mary Thomas	119 London DR	(772) 240-8710	marytea57@gmail.com
Art White	119 London DR	(772) 678-2433	arw757@yahoo.com
Amy Jean Skidmore	56 Leidel Dr.	(888) 899-5982	amyjcanFL@gmail.com
Sandy Hitchens	62 Leidel Dr	843-492-1645	sandy.hitchens@yahoo.com
Lorraine Call	53 Leidel Dr.	917-751-1622	callml@outlook.com
Deborah O'Neal	132 London Dr.	386 302-2833	Oprime2dlo@gmail.com
Ginger Taylor	130 London DR.	215-802-2838	—
JAIRO CASTRO	1 LEIDEL DRIVE	917-678-4868	jainoski@gmail.com

Mark KirKelie & Barbara	9 Lee Pl.	615-498-0622	mkirkelie@bellsouth.net
Jeffrey + Shandy Ward Phyllis Kelle Phyllis	45 Londonderry Dr 208 London Dr	402-699-6160	jsward0708@gmail.com priscilla@gmail.com
RAYMOND SPIEWAK	70 LEE	(508) 330-8775	rjspiewak@gmail.com
Bill + Nelya Olivier	30 Leide/Dr	315-922-8635	tdub1963@yahoo.com
DIANA MINOTTI	207 London	386-237-3233	dianadmta@gmail.com
PERRY MURANO	207 London	386-237-2140	perrydmta@gmail.com
Yves Frederic	59 Lee Dr	386-366-3856	Judolover_99@yahoo.com
K Denise Halle	5 Lake Charles lane	732-406-0359	dtowell123@gmail.com
Davina + Fernando Leitzelar	74 Lee Dr	207-228-4693	dfleitzelar@yahoo.com
GARY BIEDERMAN N	30 MATANZAS LAKES DR	828 778 9506	BIEDERMAN63@GMAIL.COM
George Melo	6 Lewisdale	917-295-1799	GMFJC2010@gmail.com

NAME	ADDRESS	PHONE #	E MAIL
JACK & NANCY CAYOINETE	103 LONDON DR.	386-445-5607	nancy.cayote nancycayote@gmail.com
RICHARD B. RICCARDI	224 LONDON DR	201 362 5210	RichStHinds@yahoo
Keith Flynn	47 Londonderry	386-503-3525	Kflynn@moriveland.net
^{Ellen} Richard Stucky	193 London Dr.	386-445-1364	STVCBUSTEE@AOL.COM
Donna Stack	2 Lake Success Place	718 309 7555	ddstack4307@gmail.com
Lauren Piemontese	157 London Dr.	570-449-9123	lpiemo05@gmail.com
Ann Doherty	155 London Dr.	352-485-9595	Storecamps@gmail.com
Kiana Stew Williams	190 London Dr	386-864-0927	KWilliams33036@yahoo
GENE WAGGAMAN	53 LONDONDERRY	203-249-1961	EWAGGAMAN@GMAIL.COM
Shawn Schich	55 Londonderry Dr	919 961 4650	JAVAC88@gmail.com
Corinne Schich	55 Londonderry Dr	904-806-8060	cdolan.corinne@yahoo.com

[illegible]



NOTIFICATION AFFIDAVIT FOR OFFICIAL ZONING MAP AMENDMENT (REZONING)

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this ____ day of May, 20 26 personally appeared
Thomas Davidson who after providing personally known 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 # _____

✓ 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 seven (7) days before the hearing date advertising the date, time, and location of
the City Council hearing.

[Signature]
Signature of Responsible Party

Thomas Davidson
Printed Name

145 City Pl. Ste 301, PalmCoast
Mailing Address

[Signature]
Signature of Person Taking Acknowledgement

Caroline McNeil
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.

ORDINANCE NO. 2021-01
LAKEVIEW ESTATES MPD
DEVELOPMENT AGREEMENT
APPLICATION #4150

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR AN AMENDMENT TO 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 280.6 +/- ACRES OF CERTAIN REAL PROPERTY PREVIOUSLY KNOWN AS THE MATANZAS GOLF COURSE AND GENERALLY LOCATED BETWEEN 0.5 TO 1.25 MILES NORTH OF MATANZAS WOODS PARKWAY, WEST OF I-95, AND EAST OF US HIGHWAY 1, AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A" FROM MASTER PLANNED DEVELOPMENT WITHOUT A DEVELOPMENT AGREEMENT TO LAKEVIEW ESTATES MASTER PLANNED DEVELOPMENT (MPD) WITH A DEVELOPMENT AGREEMENT AS PER SECTION 2.09 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; BY ALLOWING INSTITUTIONAL USES ALONG US HIGHWAY 1; CLUSTERED RESIDENTIAL USES AT AN OVERALL DENSITY OF UP TO ONE DWELLING UNIT PER ACRE WITH TOWNHOMES IN THE AREA LOCATED SOUTH OF LONDON DRIVE AND WEST OF LONDONDERRY DRIVE AND SINGLE-FAMILY HOMES OVER THE REMAINDER OF THE RESIDENTIALLY USED PROPERTY; AND ESTABLISHING VIEW PROTECTION ZONES AND WETLAND CONSERVATION AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Subject Property on the City's original zoning map in 1999/2000 had a Flagler County zoning designation of Urban Single-Family Residential (R-1B); and

WHEREAS, the Golf Course Community (GCC) Zoning District was created when the initial chapters of the Unified Land Development Code were adopted by Palm Coast through Ordinance 2005-33; and

WHEREAS, the Golf Course Community Zoning District was converted to the Master Planned Development (MPD) Zoning District by Palm Coast through Ordinance 2008-23; and

WHEREAS, the Subject Property ceased to operate as a golf course in or around 2007, and since that time, has not been used for any purpose other than vacant land; and

WHEREAS, the Subject Property has Future Land Use Map (FLUM) designations of Greenbelt and Conservation.

WHEREAS, Matanzas GC Palm Coast, LLC (“Owner”) is the Owner of the 280.6 +/- acres of property further described in “Attachment A”(“Subject Property”) and has agreed to enter into the Lakeview Estates Master Plan Development Agreement, attached hereto as “Attachment B” (“Development Agreement”); and

WHEREAS, the Owner has requested to amend the Master Planned Development Zoning District by adding a Development Agreement in order to allow for 8.3 +/- acres of institutional uses along US Highway 1 and clustered homes at a density of up to one unit per acre on the balance of the land designated Greenbelt on the Future Land Use Map; and

WHEREAS, the Planning and Land Development Regulation Board (“PLDRB”) and City Staff of the City of Palm Coast have recommended approval of this Ordinance and the Development Agreement, as modified by the PLDRB, and the PLDRB has found the requested changes and Development Agreement consistent with the City of Palm Coast Comprehensive Plan; and

WHEREAS, the City Council has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of City staff, and the recommendation of the Planning and Land Development Regulation; and

WHEREAS, the City Council of the City of Palm Coast, as the governing body of the City, pursuant to the authority vested in Chapter 163, 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 (Ordinance No. 2008-23) have been satisfied; and

WHEREAS, the City Council of the City of Palm Coast held duly noticed public hearings on the proposed amendment and Development Agreement set forth herein and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and 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) which voted to recommend approval at its regularly scheduled meeting conducted on November 18, 2020, and after complete deliberation, the City Council hereby finds the requested change consistent with the City of Palm Coast Comprehensive Plan, and that sufficient, competent and substantial evidence supports the proposed rezoning as set forth hereunder; and

WHEREAS, the Owner has fully complied with the requirements of City of Palm Coast Unified Land Development Code and the MPD Zoning District by agreeing to the MPD Development Agreement to permit the approved changes; and

WHEREAS, the City Council of the City of Palm Coast hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

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. MPD Rezoning. The Palm Coast City Council, pursuant to the Land Development Code of the City of Palm Coast hereby rezones the Subject Property from Master Planned Development without a Development Agreement to Lakeview Estates Master Planned Development Agreement ("MPD") and enacts this Ordinance creating the Lakeview Estates MPD Development Agreement, attached hereto as "Attachment B," for the property generally located between 0.5 and 1.25 miles north of Matanzas Woods Parkway, west of Interstate 95 and east of US Highway 1, legally described in "Attachment A" attached hereto.

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 5th day of January 2021.

Adopted on second reading after due public notice and hearing City of Palm Coast this 19th day of January 2021.

CITY OF PALM COAST, FLORIDA

M Holland

MILISSA HOLLAND, MAYOR

ATTEST:

Virginia Smith

VIRGINIA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

William E. Reischmann, Jr.

WILLIAM E. REISCHMANN, JR.
CITY ATTORNEY



Attachments:

Attachment A – Legal Description

Attachment B – MPD Development Agreement

G:\Docs\Cities\Palm Coast\Ordinances\STANDARD FORMS REVIEW\FINAL FORMS\MPD Amendment Ordinance Template 3-2-18 CDR.doc

ATTACHMENT "A"
LEGAL DESCRIPTION

MATANZAS WOODS GOLF COURSE:

Reserved Parcel "A", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northeast corner of Block 165 of said Plat of Lakeview; thence North 89°30'56" East 21.68 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 349.56 feet, a radius of 800.00 feet, a central angle of 25°02'07" and a chord bearing South 26°22'21" East, 346.78 feet to a point of tangency; thence South 38°53'25" East 2087.61 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 266.63 feet, a radius of 1120.00 feet, a central angle of 13°38'23" and a chord bearing South 32°04'13" East, 265.99 feet to a point of tangency; thence South 25°15'02" East 772.55 feet to a point of cusp; thence northwesterly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 66°04'26" West 196.12 feet to a point; thence South 16°53'50" East 110.00 feet to a point on a curve; thence westerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing South 64°44'57" West 11.62 feet to a point; thence North 33°36'15" West 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 15°34'21" West 196.12 feet to a point of tangency; thence South 25°15'02" East 100.25 feet to a point on a curve; thence southwesterly along a curve to the left having an arc length of 217.30 feet, a radius of 280.98 feet, a central angle of 44°18'38" and a chord bearing South 42°35'39" West 211.92 feet to a point of tangency; thence South 08°35'49" West 179.39 feet; thence North 81°24'11" West 913.66 feet; thence South 08°35'49" West 125.00 feet; thence North 81°24'11" West 40.00 feet; thence North 08°35'49" East 125.00 feet; thence North 81°24'11" West 125.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 180.00 feet, a radius of 225.00 feet, a central angle of 45°50'12" and a chord bearing South 75°40'43" West, 175.24 feet to a point; thence South 37°14'23" East, 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 77.08 feet, a radius of 100.00 feet, a central angle of 44°09'48" and a chord bearing South 30°40'43" West 75.19 feet to a point of tangency; thence South 08°35'49" West, 237.34 feet; thence North 81°24'11" West 87.50 feet; thence North 51°24'11" West 130.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 87°46'25" West, 196.12 feet to a point; thence South 43°02'58" East 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'26" and a chord bearing South 38°35'49" West 11.62 feet to a point; thence North 59°45'24" West 110.00 feet; thence South 38°35'49" West 128.21 feet; thence North 51°24'11" West 1018.03 feet; thence North 38°35'49" East 380.00 feet;

thence South 51°24'11" East 500.00 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00, a central angle of 90°00'00" and a chord bearing North 83°35'49" East, 318.20 feet to a point; thence North 51°24'11" West 125.00 feet; thence North 38°35'49" East 230.92 feet; thence South 51°24'11" East 100.00 feet; thence South 81°24'11" East 993.30 feet to a point of curvature; thence northeasterly along a curve to the left having an arc length of 431.48 feet, a radius of 225.00 feet, a central angle of 109°52'35" and a chord bearing North 43°39'32" East, 368.34 feet to a point of tangency; thence North 11°16'46" West 478.51 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 245.29 feet, a radius of 225.00 feet, a central angle of 62°27'41" and a chord bearing North 42°30'36" West, 233.32 feet to a point; thence North 08°35'49" East 77.01 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing North 36°24'11" West 318.20 feet to a point; thence westerly along a curve to the left having an arc length of 446.47 feet, a radius of 150.00 feet, a central angle of 170°32'16" and a chord bearing North 76°40'19" West 298.98 feet to a point of tangency; thence South 08°35'49" West 149.66 feet; thence North 81°24'11" West 50.00 feet; thence North 08°35'49" East 125.00 feet; thence North 78°43'26" West 153.29 feet; thence North 09°33'43" West 148.11 feet; thence South 69°50'14" East 67.79 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 146.25 feet, a radius of 150.00 feet, a central angle of 55°51'48" and a chord bearing North 87°23'42" East, 140.53 feet to a point; thence North 30°32'12" West 110.00 feet to a point on a curve; thence northeasterly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 51°06'35" East 11.62 feet to a point; thence South 47°14'37" East 110.00 feet to a point on a curve; thence northerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'48" and a chord bearing North 01°55'59" East 196.12 feet to a point of tangency; thence North 38°53'25" West 326.21 feet; thence North 80°07'23" West 122.65 feet; thence North 09°33'42" West 80.00 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 166.36 feet, a radius of 325.00 feet, a central angle of 29°19'42" and a chord bearing North 24°13'34" West, 164.55 feet to a point of tangency; thence North 38°53'25" West 200.00 feet; thence South 51°06'35" West 125.00 feet; thence North 38°53'25" West 20.00 feet; thence North 51°06'35" East 125.00 feet; thence North 38°53'25" West 178.81 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 292.66 feet, a radius of 325.00 feet, a central angle of 51°35'39" and a chord bearing North 64°41'14" West, 282.87 feet to a point of tangency; thence South 89°30'56" West 678.94 feet to a point of curvature; thence southwesterly along a curve to the left having an arc length of 389.08 feet, a radius of 225.00 feet, a central angle of 99°04'39" and a chord bearing South 39°58'37" West, 342.38 feet to a point of cusp; thence North 09°33'43" West 137.22 feet; thence North 00°29'04" West 425.00 feet; thence North 89°30'56" East 1200.00 feet; thence North 00°29'04" West 125.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "C", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northwest corner of said Reserved Parcel "C"; thence North 89°26'28" East 630.08 feet; thence South 38°43'02" West 202.91 feet; thence South 51°40'07" East 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 250.77 feet, a radius of 300.00 feet; a central angle of 47°53'36" and a chord bearing South 14°23'05" West 243.53 feet to a point of tangency; thence South 09°33'43" East 403.87 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 520.00 feet, thence North 80°26'17" East 125.00 feet; thence South 09°33'43" East 40.00 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 980.61 feet to a point of curvature; thence southerly along a curve to the left having an arc length of 441.04 feet, a radius of 725.00 feet, a central angle of 34°51'17" and a chord bearing South 26°59'21" East, 434.27 feet to a point; thence North 45°35'00" East 55.00 feet; thence South 44°25'00" East 67.22 feet; thence North 39°51'14" East 73.36 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 13.16 feet, a radius of 600.00 feet; a central angle of 01°15'25" and a chord bearing South 50°46'29" East 13.16 feet to a point of tangency; thence South 51°24'11" East 170.76 feet; thence South 54°59'31" West 770.58 feet; thence North 35°00'29" West 649.53 feet to a point on the east right of way line of U.S. Highway No.1; thence northerly along said right of way line of the following six courses; run North 09°59'31" East 128.08 feet; thence South 89°43'01" West 5.08 feet; thence North 09°59'31" East 253.32 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 655.06 feet, a radius of 2030.05 feet, a central angle of 18°29'18" and a chord bearing North 00°44'52" East, 652.23 feet to a point of tangency; thence North 08°29'47" West 179.58 feet; thence South 81°30'12" West 20.00 feet; thence North 08°29'47" West 1583.88 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "D" Lake View - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most northerly corner of said Reserved Parcel "D"; thence South 38°53'28" East 93.32 feet; thence North 89°30'56" East 936.80 feet; thence South 00°29'04" East 432.94 feet; thence South 09°33'42" East 57.28 feet to a cusp point; thence northwesterly along a curve to the left having an arc length of 317.78 feet, a radius of 225.00 feet; a central angle of 80°55'21" and a chord bearing North 50°01'23" West 292.02 feet to a point of tangency; thence South 89°30'56" West 846.10 feet; thence North 09°33'43" West 149.00 feet to a point of curvature; thence northerly along a curve to the right having an arc length of 254.23 feet, a radius of 240.00 feet, a central angle of 60°41'38" and a chord bearing North 20°47'06" East, 242.51 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows: From a POINT OF BEGINNING, being the most southerly corner at said Reserved Parcel "E"; thence North 64°44'58" East 526.36 feet; thence North 25°15'02" West 335.20 feet; thence South 64°44'58" West 125.00 feet; thence North 25°15'02" West 620.00 feet to a point of curvature; thence northwesterly along a curve to the right having an arc length of 60.46 feet, a radius of 425.00 feet, a central angle of 08°09'02" and a chord bearing North 21°10'31" West, 60.41 feet to the southeasterly corner of a parcel described in Official Records Book [492, pages 936-939](#); thence northerly along the boundary of said parcel described in Official Records Book [492, pages 936-939](#) for the following five courses; thence South 72°54'00" West 10.00 feet; thence North 53°38'13" West 20.65 feet; thence South 05°01'26" West 11.50 feet; thence North 10°42'21" West 31.82 feet; thence North 01°05'36" East 53.63 feet; thence North 85°41'45" East 24.67 feet to the boundary of above said Reserved Parcel "2", being a point on a curve; thence northerly along a curve to the right having an arc length of 28.33 feet, a radius of 425.00 feet; a central angle of 03°49'11" and a chord bearing North 02°23'39" West 28.33 feet to a point of tangency; thence North 00°29'04" West 1536.30 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point; thence South 85°19'06" East 128.73 feet; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 202.47 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of

16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 1003.67 feet; thence South 25°15'02" East 260.04 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 19°44'58" West, 318.20 feet to a point of tangency; thence South 64°44'58" West 800.00 feet; thence South 25°15'02" East 300.00 feet; thence North 64°44'58" East 910.00 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'11" and a chord bearing North 85°37'33" East, 302.90 feet to a point; thence South 16°30'09" West 125.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 34.00 feet, a radius of 300.00 feet, a central angle of 06°29'36" and a chord bearing South 70°15'03" East 33.98 feet to a point; thence North 22°59'45" East 125.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'13" and a chord bearing South 46°07'39" East 302.91 feet to a point of cusp; thence North 25°15'02" West 822.28 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 561.16 feet, a radius of 275.00 feet, a central angle of 116°54'59" and a chord bearing North 33°12'28" East, 468.74 feet to a point of tangency; thence South 88°20'03" East 756.56 feet; thence South 07°23'44" West 126.38 feet to a point of on a curve; thence easterly along a curve to the right having an arc length of 150.15 feet, a radius of 150.00 feet, a central angle of 57°21'14" and a chord bearing South 53°55'39" East 143.96 feet to a point of tangency; thence South 25°15'02" East 40.00 feet; thence North 64°44'58" East 125.00 feet to the easterly line of Belle Terre Waterway; thence North 25°15'02" West along said easterly line of Belle Terre Waterway for a distance of 862.29 feet to a point of curvature; thence depart said boundary line of said Reserved Parcel "2" and run westerly along the southerly line of Jefferson Davis Waterway for the following four courses: run westerly along a curve to the left having an arc length of 921.97 feet, a radius of 825.00 feet, a central angle of 64°01'49" and a chord bearing North 57°15'57" West, 874.74 feet to a point of tangency; thence North 89°16'51" West 858.76 feet to a point of curvature; thence westerly along a curve to the right having an arc length of 411.10 feet, a radius of 675.00 feet, a central angle of 34°53'44" and a chord bearing North 71°49'59" West, 404.78 feet to a point of tangency; thence North 54°23'07" West 585.58 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 177.30 feet, a radius of 825.00 feet, a central angle of 12°18'47" and a chord bearing North 60°32'31" West, 176.96 feet to a point on the westerly boundary of said Reserved Parcel "2"; thence southerly and westerly along said westerly boundary of said Reserved Parcel "E" for the following seven courses: South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southeasterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 331.52 feet, a radius of 720.00 feet, a

central angle of 26°22'53" and a chord bearing South 25°41 '59" East 328.59 feet to a point of tangency; thence South 38°53'25" East 1801.29 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Part of Government Sections 21 and 22, Township 10 South, Range 30 East, Flagler County, Florida being that part of PARCEL NO. 2 of the property described in Official Records Book [142, pages 278-279](#), lying south of Jefferson Davis Waterway and being more particularly described as follows:

From a POINT OF REFERENCE being a point on the easterly boundary line of the above described PARCEL NO. 2, said point being the northwest corner of Reserved Parcel "2" as shown on the recorded plat of Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida; thence South 29°30'56" West along the easterly boundary of said PARCEL NO. 2 being also along the westerly boundary of said Reserved Parcel "E" for a distance of 390.35 feet to the POINT OF BEGINNING; thence continue along the easterly and southerly boundary of said PARCEL NO. 2 being also along the westerly and northerly boundary of said Reserved Parcel "E" for the following seven courses: run South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southwesterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence northerly along a curve to the right having an arc length of 151.10 feet, a radius of 720.00 feet, a central angle of 12°01'28" and a chord bearing North 06°29'48" West 150.83 feet to a point; thence South 89°30'56" West 1280.00 feet to the northwest corner of Block 164 of said plat of Lakeview; thence North 12°53'48" East along the southerly line of said Jefferson Waterway for a distance of 297.66 feet to a point on a curve; thence northeasterly along a curve to the right having an arc length of 913.19 feet, a radius of 825.00 feet, a central angle of 63°25'15" and a chord bearing North 39°41'03" East 867.28 feet to a point of tangency; thence North 71°23'41" East 1251.37 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 603.42 feet, a radius of 825.00 feet; a central angle of 41°54'25" and a chord bearing South 87°39'07" East, 590.05 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

All of that land vacated in the Subdivision Plat Of Lakeview - Section 37 Palm Coast Map Book 13 Pages 1 through 29, per Resolution 95-56 as recorded in Official Records Book 538 at Pages 1611 through 1613, Public Records of Flagler County, Florida, being described as follows:

BEGINNING at the southwesterly corner of Lot 22, Block 143 of the aforesaid Lakeview - Section 37; thence North 80°26'17" East a distance of 49.47 feet to a point of curvature of a curve to the right; thence northeasterly along said curve having a radius of 300.00 feet, a central angle of 14°34'59" an arc of 76.36 feet and a chord bearing North

87°43'47" East, 76.15 feet to a point on a non-tangent line; thence North 09°33'43" West, a distance of 1273.40 feet; thence North 80°26'17" East a distance of 124.48 feet; thence South 47°01'13" East a distance of 97.49 feet to a point on a non-tangent curve; thence northeasterly along a curve to the right having a radius of 150.00 feet; a central angle of 08°07'48", an arc length of 21.28 feet and a chord bearing North 47°02'41" East, 21.27 feet to a point of tangency; thence North 51°06'35" East a distance of 100.00 feet; thence South 38°53'25" East a distance of 50.00 feet; thence South 51°06'35" West a distance of 100.00 feet to a point of curvature; thence southwesterly along a curve to the left having a radius of 100.00 feet, central angle of 05°43'46", an arc length of 10.00 feet and a chord bearing South 48°14'42" West, 10.00 feet to a point on a non-tangent line; thence South 50°07'21" East a distance of 153.93 feet; thence South 51°06'35" West a distance of 20.25 feet; thence South 09°33'43" East a distance of 936.00 feet; thence South 35°36'55" East a distance of 82.42 feet; thence South 81°24'11" East a distance of 240.00 feet; thence South 08°35'49" West a distance of 125.00 feet; thence South 81°24'11" East a distance of 27.55 feet to a point on a non-tangent curve; thence southwesterly along curve to the left having a radius of 40.00 feet, a central angle of 77°21'52", an arc of 54.01 feet and a chord bearing South 08°35'49" West 50.00 feet to a point on a non-tangent line; thence North 81°24'11" West a distance of 4.59 feet; thence South 08°35'49" West a distance of 125.00 feet; thence North 81°24'11" West a distance of 480.00 feet; thence South 84°38'20" West a distance of 69.97 feet; thence North 03°00'11" West a distance of 144.02 feet to a point on a non-tangent curve; thence southwesterly along a curve to the left having a radius of 250.00 feet, a central angle of 13°34'27", an arc of 59.23 feet and a chord bearing South 87°13'31" West, 59.09 feet to a point of tangency; thence South 80°26'17" West a distance of 51.03 feet to a point on a non-tangent curve; thence northwesterly along a curve to the left having a radius of 200.00 feet, a central angle of 07°10'51" an arc of 25.07 feet and a chord bearing North 05°58'17" West 25.05 feet to a point of tangency; thence North 09°33'43" West a distance of 25.00 feet to the POINT OF BEGINNING, the above described parcel of land is situated in Section 22, Township 10 South, Range 30 East, Flagler County, Florida.

ALSO INCLUDING:

Part of Reserved Parcel "R-1", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most easterly corner of said Reserved Parcel "R-1"; thence South 38°35'49" West along the southeasterly line of said Reserved Parcel "R-1" for a distance of 767.47 feet; thence North 51°24'11" West 1300.81 feet to the most westerly corner of said Reserved Parcel "R-1"; thence North 54°59'31" East, 148.96 feet; thence South 59°22'19" East 485.17 feet; thence South 73°43'22" East 217.49 feet; thence North 77°17'42" East 363.21 feet; thence North 38°35'49" East 191.24 feet; thence South 51°24'11" East 350.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E" according to the Subdivision Plat Lakeview Section 37, Palm Coast, recorded in Map Book 13, Pages 1 Through 29, of the Public Records of Flagler County, Florida, being more particularly described as follows: A POINT OF REFERENCE being the northeast corner of Lot 1, Block 75; thence North 25°15'02" West along the west line of Belle Terre Waterway a distance of 862.29 feet to THE POINT OF BEGINNING; thence departing Belle Terre Waterway (as platted) 921.97 feet along the arc of a curve to the left (concave southerly) have a central angle of 64°01'49", a radius of 825.00 feet, a chord bearing of North 57°15'57" West and a chord distance of 874.74 feet to a point of tangency, thence North 89°16'51" West a distance of 858.76 feet to a point of curvature; thence 411.10 feet along the arc of a curve to the right (concave northerly) having a central angle of 34°53'44", a radius of 675.00 feet, a chord Bearing of North 71°49'59" West and a chord distance of 404.78 feet to the end of said curve being a point on the boundary of Jefferson Davis Waterway as recorded in Official Records Book [549, Pages 966](#) through 990, of the Public Records of Flagler County, Florida; thence North 35°36'53" East along said waterway a distance of 30.00 feet to a point on a non-tangent curve; thence easterly 392.83 feet along the arc of a curve to the left (concave northerly) having a central angle of 34°53'44", a radius of 645.00 feet, a chord bearing of South 71°49'59" East and a chord distance of 386.79 feet to a point of tangency; thence South 89°16'51" East a distance of 858.76 feet to a point of curvature; thence 955.50 feet along the arc of a curve to the right concave southwesterly having a central angle of 64°01'49", a radius of 855.00 feet, a chord bearing of South 57°15'57" East and a chord distance of 906.54 feet to the end of said curve; thence South 64°44'58" West a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5), BEING A PORTION OF LONDON WATERWAY, LAKEVIEW SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 26, LOCATED IN GOVERNMENT SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
AS A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF ASHWOOD WATERWAY (A 300 FOOT RIGHT-OF-WAY) PER SAID LAKEVIEW SECTION 37, WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1, (STATE ROAD 5, A 175 FOOT RIGHT-OF-WAY AT THIS POINT); THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 35°00'29" EAST ALONG SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY FOR A DISTANCE OF 649.53 FEET TO THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING SAID ASHWOOD WATERWAY LINE NORTH 54°59'31" EAST ALONG THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY FOR A DISTANCE OF 770.58 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LONDON DRIVE, (A 60 FOOT RIGHT-OF-WAY), PER SAID LAKEVIEW-SECTION 37; THENCE DEPARTING THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY SOUTH 51°24'11" EAST ALONG SAID RIGHT-

OF-WAY LINE FOR A DISTANCE OF 104.24 FEET TO THE SOUTHERLY LINE OF SAID LONDON WATERWAY; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 54'59'31" WEST ALONG SAID SOUTHERLY LINE OF LONDON WATERWAY FOR A DISTANCE OF 800.00 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY; THENCE NORTH 35°00'29" WEST ALONG SAID ASHWOOD WATERWAY LINE FOR A DISTANCE OF 100.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

ATTACHMENT "B"
MPD DEVELOPMENT AGREEMENT

(This page intentionally left blank. Attachment begins next page.)

Michael D. Chiumento III, Esq.
Chiumento Dwyer Hertel Grant
145 City Place, Suite 301
Palm Coast, FL 32164

Return to:
City Clerk
City Hall
160 Lake Avenue
Palm Coast, FL 32164

----- [SPACE ABOVE THIS LINE FOR RECORDING DATA] -----

LAKEVIEW ESTATES

MASTER PLAN DEVELOPMENT AGREEMENT

THIS MASTER PLAN DEVELOPMENT AGREEMENT, (herein referred to as the "Development Agreement") is made and executed this 19th day of January, 2021, by and between the **CITY OF PALM COAST**, a Florida municipal corporation (herein referred to as the "City"), whose address is 160 Lake Avenue, Palm Coast, Florida, 32164, and the owner of the subject property, **MATANZAS GC PALM COAST, LLC**, a Florida limited liability company (herein referred to from time-to-time as the "Owner" regardless of whether singular or plural ownership status) whose address is 200 Ocean Crest Drive, Unit 111, Palm Coast, Florida 32137.

WITNESSETH:

WHEREAS, the Owner is the fee simple title owner of certain real property consisting of 280.6 +/- acres located in the City of Palm Coast, Flagler County, Florida, more particularly described in the legal description attached hereto as **Exhibit "A"** and incorporated herein ("Subject Property"); and

Ordinance 2021- 01
Lakeview Estates MPD Development Agreement

WHEREAS, the Subject Property ceased to operate as a golf course in or around 2007, and since said time, has not been used for any purpose other than vacant land; and

WHEREAS, the Subject Property has Future Land Use Map (FLUM) designations of Greenbelt and Conservation.

WHEREAS, the Owner requests approval for a Master Planned Development (“MPD”) on the Subject Property, subject to the conditions set forth in this Development Agreement; and

WHEREAS, the Owner voluntarily agrees with the conditions, terms, and restrictions hereinafter recited, and has agreed voluntarily to their imposition as an incident to development of the Subject Property; and

WHEREAS, the City of Palm Coast Planning and Land Use Regulations Board (PLDRB) and the City of Palm Coast City Council (“City Council”) find that this Development Agreement is consistent with the City’s Comprehensive Plan (2035) (the “Comprehensive Plan”) and Unified Land Development Code (LDC) and that the conditions, terms, restrictions, and requirements set forth herein are necessary for the protection of the public health, safety, and welfare of the citizens of the City; and

WHEREAS, the City Council further finds that this Development Agreement is consistent with and an exercise of the City’s powers under the Municipal Home Rule Powers Act; Article VIII, Section 2(b) of the Constitution of the State of Florida; Chapter 166, Florida Statutes; the City of Palm Coast City Charter; other controlling law; and the City’s police powers; and

WHEREAS, additional conditions of approval may also be included within the minutes of relevant meetings of the (PLDRB) and City Council. Furthermore, any

representations or promises made by the Owner during the zoning review and approval process for the Project (whether oral or in writing) shall also be additional conditions of approval if deemed appropriate by the City; and

WHEREAS, this is a non-statutory Development Agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 -163.3243, Florida Statutes.

NOW, THEREFORE, it is hereby resolved and agreed by and between the City and the Owner that the Owner's application for a Master Planned Development is approved subject to the Development Agreement's following terms and conditions:

SECTION 1. RECITALS.

The above recitals are true and correct and are incorporated herein by this reference and form a material part of this Development Agreement upon which the City and the Owner have relied.

SECTION 2. REPRESENTATIONS OF OWNER.

(a) The Owner hereby represents and warrants to the City that the Owner is the fee simple record title owner of the Subject Property in accordance with the title opinion or title certification provided by the Owner to the City issued by an attorney or title insurance company licensed to provide services in the State of Florida with said title opinion or certification showing all liens, mortgages, and other encumbrances not satisfied or released of record relative to the Subject Property.

(b) The Owner represents and warrants to the City that it has the power and authority to enter into and consummate the terms and conditions of this Development Agreement; that all acts, approvals, procedures, and similar matters required in order to authorize this Development Agreement have been taken, obtained or followed, as the

case may be; that this Development Agreement and the proposed performance of this Development Agreement by the Owner is not an ultra vires act; and that, upon the execution of this Development Agreement by the parties, this Development Agreement shall be valid and binding upon the parties hereto and their successors in interest.

(c) The Owner hereby represents to the City that all required joinders and consents have been obtained and set forth in a properly executed form on this Development Agreement. Unless otherwise agreed to by the City, all liens, mortgages, and encumbrances not satisfied or released of record must be subordinated to the terms of this Development Agreement and joinders must be executed by any mortgagees. It is the responsibility of the Owner to ensure that said subordinations and joinders occur in a form and substance acceptable to the City Attorney prior to the City's execution of this Development Agreement. If the Owner fails to attain the joinder and consent, then the Owner shall lose all rights and benefits deriving hereunder.

SECTION 3. APPROVAL OF MASTER PLAN DEVELOPMENT

(a) The City Council at its business meeting of January 5, 2021, approved a Master Plan Development for the Subject Property subject to the terms and conditions of this Development Agreement.

(b) The Owner acknowledges that if this Development Agreement is ever terminated, the approval shall be deemed null and void and the land uses approved for the Subject Property shall no longer be permitted, unless otherwise approved by the City Council.

(c) The current provisions of the LDC, as may be amended from time-to-time, shall be applicable to the Subject Property unless otherwise specifically stated herein.

Any City Code provision not specifically so identified will not be affected by the terms of this Development Agreement, and will be subject to enforcement and change under the same criteria as if no Development Agreement were in effect.

SECTION 4. PROJECT DESCRIPTION.

The Subject Property has two Comprehensive Plan FLUM designations, Greenbelt on approximately 276.3 +/- acres and Conservation on approximately 4.3 +/- acres. The current MPD zoning on the property will be maintained and this Development Agreement shall govern all development on the Subject Property as defined herein. Consistent with the Comprehensive Plan and the Greenbelt FLUM, residential units may be developed at one unit per acre. Institutional uses proposed on Greenbelt FLUM acreage shall be deducted from the one-unit per acre residential unit calculations. The Project proposes 8.3 +/- acres of Greenbelt FLUM for institutional uses within the Greenbelt FLUM. As a result, 268 residential units are permitted to be clustered within the remaining 268.0 +/- acres of Greenbelt FLUM. The Owner may develop a residential and institutional development as depicted on the Lakeview Estates Conceptual Master Plan, attached hereto as **Exhibit “B”** and as further defined herein (“Project”). **Exhibit “B-1”** through **Exhibit “B-8”** further define the project and illustrate allowable uses within each Tract. The uses on each Tract (shall be as follows which are consistent with the Conceptual Site Plan:

TRACT	USE	LDC Designation to be used for Development Standards purposes only
1	Uses on this tract will be single-family residential homes along with View Protection Zones (VPZ), wetland preservation, stormwater pond creation, and community amenities including exterior storage of	SFR-1

	boats and RVs exclusively for residents residing in the community that will be totally screened from view from off-site properties, Lakeview Boulevard and London Drive.	
2	Uses on this tract primarily consist of View Protection Zones, wetlands, natural buffers, and stormwater ponds. In addition, the property is limited to single family residential dwellings view protection zones, natural buffers, and stormwater ponds.	SFR-2 and P&G
3	This tract is designated as View Protection Zones and natural buffers.	P&G
4	Uses on this tract primarily consist of View Protection Zones/conservation, and wetlands. The property is limited to single family residential dwellings.	SFR-2 and P&G
5	This Tract is designated as a View Protection Zone/conservation.	P&G
6	This Tract is designated as a View Protection Zone	P&G
7	Uses on this tract primarily consist of View Protection Zone and an existing pond. The property is limited to single family residential dwellings.	SFR-2 and P&G
8	Use of this Tract is limited to townhouses, single-family, View Protection Zones, and existing pond. FLUM areas designated Conservation shall be field verified prior to development and the boundaries between the Greenbelt and Conservation areas shall be modified accordingly on the FLUM.	MFR-1 ¹ , SFR-1 and P&G
9	Use of this Tract will be limited to 8.3 acres of institutional uses meeting the PSP zoning standards except the maximum building height shall be 35 feet and there shall be a minimum View Protection Zone of 150 feet in width along its eastern property line where it abuts the rear of all existing platted residential lots. All remaining areas include View Protection Zones, new and existing ponds, and natural buffers.	PSP and P&G
10	Use of this Tract is limited to single family residential units with View Protection Zones.	SFR-2

¹ There is a height limitation of thirty-five (35) feet for townhouses, a minimum living area of 1,000 sq. ft. with at least a one-car garage per unit and a minimum setback of 150' from all existing single-family platted lots imposed on this use.

1. TRACT 1: Tract 1 shall be permitted to develop into a single family detached residential community consistent with the City's SFR-1 zoning district

standards. This community will contain its own private amenities which may include a club house, pools, activities room, exercise trails and self-storage of boats and recreational vehicles limited to residents use only. It shall have two (2) entrances onto Lakeview Drive. Stormwater ponds will be developed on site to contain all runoff as required by Federal, State and City rules. In the areas that abut existing residential platted lots, a View Protection Zone ("VPZ") will be required (See Section 10.7). Prior to application for Subdivision Master Plan or Site Plan Approval, an applicant shall ensure that the VPZ is designed in such a fashion that it maintains the Lot Owners' view of the Subject Property consistent with the City's Land Development Code (LDC). Also prior to the above-mentioned application, an applicant shall demonstrate that Tract 1 is or shall be free from environmental hazards and safe for human occupation as regulated by Federal, State and local law including, but not limited to, the Florida Department of Environmental Protection ("FDEP"). The existing golf course maintenance building may be utilized during construction of the residential community on Tract 1 but shall be removed prior to completion of the infrastructure for the residential community.

2. TRACT 2: Tract 2 shall be maintained as a VPZ except for the area depicted on Exhibit "B-2" Tract Plan for single family residential lots. The single family residential area shall be developed consistent with the SRF-2 zoning district standards. As a condition of approval of these lots, a VPZ shall be provided to specifically address the adjacent existing single-family platted lots.
3. TRACT 3: Tract 3 is designated as VPZ and natural buffers.

4. TRACT 4: Tract 4 shall be mostly preserved as a natural area through the use of VPZs and Conservation Easements over existing wetlands. The on-site wetlands are intended to be preserved and, if impacted, avoidance and minimization techniques will be required pursuant to Federal, State and local law. Consistent with Exhibit "B-4" Tract Plan, some single-family residential lots may be developed consistent with the SFR-2 zoning designation standards, however they will be required to provide a VPZ if behind existing platted residential lots.
5. TRACT 5: Tract 5 shall be a VPZ. No development shall be permitted on Tract 5.
6. TRACT 6: Tract 6 shall be a VPZ.
7. TRACT 7: Tract 7 shall be maintained as a VPZ except for the areas depicted on Exhibit "B-6" Tract Plan for single family residential lots. The single family residential areas shall be developed consistent with the SRF-2 zoning district and shall provide a VPZ behind existing platted residential lots.
8. TRACT 8: Tract 8 shall be permitted to be developed consistent with the development standard for the LDC zoning classification of MFR-1 but limited to townhouses. Single-family homes could also be developed using the SFR-1 standards. Notwithstanding said designation, no development on this tract shall exceed thirty-five (35) feet in height. All townhouse development on Tract 8 shall be set back a minimum of 150 feet from any existing single-family platted lot. The existing pond shall be preserved for the benefit of adjacent property owners. The area designated Conservation on the FLUM can be field verified by the Owner through all applicable governmental

agencies and areas designated as uplands may be reclassified to Greenbelt on the FLUM and then utilized for residential purposes.

9. TRACT 9: The easterly 150 feet of Tract 9 that is located behind existing residential platted lots located along the westerly side of London Drive shall be maintained as a VPZ to ensure protection of natural areas. Stormwater areas are also permitted on Tract 9. PSP (institutional) uses with a height limit of 35 feet will be permitted on 8.3 acres of the remaining area. Prior to making any application for development, the Owner shall prepare a conceptual site plan and hold a neighborhood meeting consistent with the requirements of the LDC. Any development application for Tract 9 shall require final action by the PLDRB.
10. Tract 10: Tract 10 shall be permitted to develop single family detached residential units consistent with the LDC SFR-2 zoning district standards. Additionally, a VPZ is required to be provided as shown on the Exhibit "B-8" Tract Plan.
11. In addition to the above, Tracts 1, 8 and 9 of the Project shall be integrated internally and externally by a series of pedestrian pathways and roadways and developed in conformance with the LDC and this Development Agreement.
12. All common areas, VPZ, stormwater ponds and natural areas shall be maintained by a POA or third party determined acceptable to the City.

SECTION 5. FUTURE LAND USE MAP (FLUM).

The future land use designation for the Subject Property is primarily Greenbelt. More specifically about 276.3 +/- acres are designated Greenbelt and the remaining 4.3 +/- acres are designated Conservation. Policy 1.1.1.2 of the Comprehensive Plan establishes the density and intensity for each land use category and zoning district. The density for

Greenbelt is one dwelling unit/acre. Density calculations are not permitted for Conservation areas or Greenbelt lands utilized for PSP (institutional) uses.

SECTION 6. APPROVAL OF CONCEPTUAL PLAN AND DEVELOPMENT

REVIEW PROCESS.

(a) The City Council, at its regular meeting on January 19, 2021, adopted Ordinance 2021-_____ for a Master Planned Development affecting the Subject Property subject to the terms and conditions of this Development Agreement.

(b) The Owner acknowledges if this Development Agreement is ever terminated, the approval shall be deemed null and void and the land uses approved for the Subject Property shall no longer be permitted, unless otherwise approved by the City Council.

(c) The provisions of the then current LDC shall be applicable to the Subject Property unless otherwise specifically stated herein. Any City Code provision not specifically identified will not be affected by the terms of this Development Agreement and will be subject to enforcement as if no Development Agreement were in effect.

(d) The Conceptual Site Plan, Exhibit "B", generally depicts the layout of the Project and delineates the approximate property boundaries, streets, property lines, general location of lots and intended uses. Exhibits B-1 through B-8 depict the layout of the Project in more detail and where a conflict exists between Exhibit "B" and Exhibits B-1 through B-8, the more detailed Exhibits B-1 through B-8 shall govern.

SECTION 7. MODIFICATIONS TO THE CONCEPTUAL SITE PLAN.

Modifications to the exact location and number of lots, roadways, primary sidewalk/pathway system, and other improvements may be requested by the Owner and

approved by the Land Use Administrator during review of construction documents, site plans, or Subdivision Master Plan for the Project or portions thereof, as long as the development standards contained in this Development Agreement are maintained. Moreover, the Land Use Administrator is authorized to approve those modifications to the Conceptual Site Plan as allowed by Code, and any construction documents, and Subdivision Master Plan for the Subject Property or portions thereof provided that: (1) The location of the VPZs are not reduced or relocated, (2) The maximum building height is not exceeded, (3) Property setbacks and landscape buffers are not modified, and (4) the approved plans maintain the development standards in this Development Agreement. In accordance with the Land Development Code, future neighborhood meetings may be required. Distance notification requirements will be from the applicable development tract consistent with the neighborhood meeting requirements.

SECTION 8. PERMITTED USES.

ALL USES ON THE PROPERTY SHALL BE CONSISTENT WITH THIS AGREEMENT AND SPECIFICALLY SECTION 4, ABOVE. NOTWITHSTANDING SUCH, THE OWNER AGREES TO FULLY COMPLY WITH THE FOLLOWING USE RESTRICTIONS ON THE SUBJECT PROPERTY. THE OWNER MUST DEVELOP THE SUBJECT PROPERTY CONSISTENT WITH THE CONCEPTUAL SITE PLAN, EXCEPT AS OTHERWISE PROVIDED IN SECTION 8 OF THIS DEVELOPMENT AGREEMENT.

8.1 USE RESTRICTIONS.

(a) Any use of any portion of the Subject Property not designated in Section 4 (inclusive of all exhibits included therein), on the Conceptual Site Plan shall be prohibited.

(b) Except as provided elsewhere in this Development Agreement, any modification to the Development Agreement that proposes a change of uses approved herein, increases the intensity or types of development, or removes, decreases or modifies the location of a VPZ shall require the approval of the City Council, following the review and recommendation of the PLDRB.

8.2 VEHICULAR/NON-VEHICULAR AND PEDESTRIAN ACCESS,
PARKING AND INTERCONNECTIVITY.

(a) The Conceptual Plan integrates pedestrian, bicycle, and vehicular traffic circulation systems within, and outside of, the Subject Property and with adjacent rights-of-ways. All uses shall have access to a roadway but are not required to front on a dedicated road. The City shall be granted access to all roadways to ensure that public safety is maintained.

(b) There shall be at a minimum two (2) methods of entrance and exit consistent with the City's Comprehensive Plan and LDC.

SECTION 9. LAND DEVELOPMENT CODE NON-APPLICABILITY.

The development of the Project shall proceed in accordance with the terms of this Development Agreement. In the event of an inconsistency between the terms of this Development Agreement and the LDC, the terms of this Development Agreement shall prevail except as it pertains to MPD regulations within the LDC. In the event of an inconsistency between the terms of this Development Agreement and the Conceptual Site Plan, the terms of this Development Agreement shall prevail. Where specific requirements are not contained in this Development Agreement, the LDC shall apply but

only to the extent that it does not conflict with the provisions of this Development Agreement or the general intent of the Conceptual Site Plan.

SECTION 10. FACILITY COMMITMENTS.

(a) Unless otherwise described elsewhere in this Development Agreement, the Owner agrees that the City is not responsible for the construction or creation of public facilities or capacity to facilitate the development of the Subject Property. No building permits or development permits shall be issued for the Subject Property unless adequate capacity of concurrency monitored facilities are available concurrent with the impact on said facilities by the Project.

(b) PRIVATE AND PUBLIC IMPROVEMENTS: The Owner, its successors, and assigns, agree to construct, at a minimum, the following on-site improvements, at their sole and exclusive expense, as a condition of this Development Agreement and in addition to the payment of all impact fees relating to the development of the Subject Property, unless otherwise provided for herein; parking areas; roads, utilities; master stormwater system; sidewalks; lighting; recreational facilities, and perimeter buffer landscaping. In addition to the foregoing on-site improvements, the Owner must complete any required remediation of contamination in accordance with FDEP/State regulations and provide a performance bond to the City for the remediation work. Bonds for the work described herein shall be in a form acceptable by the City. The Owner agrees that the City has shown an essential nexus between a legitimate City interest and the conditions, if any, imposed herein. The Owner further agrees that all proposed conditions are roughly proportional to the impact the development will have upon the public, based upon an individualized determination by the City that the required

conditions are related in both nature and extent to the impacts of the proposed Project.

Nothing herein shall be deemed a prohibited exaction under Fla. Stat. 70.45, and Owner agrees it has not suffered any damages under that statute.

(c) SIDEWALKS AND PEDESTRIAN PATHS: The Owner shall provide a system of sidewalks on the tracts with direct access from Lakeview Boulevard to ensure that pedestrians maintain easy and safe access to all uses as depicted on the Conceptual Site Plan. The Owner shall provide community sidewalks that are a minimum of five (5) feet wide on only one side of the internal roadway system on Tract 1 as may be required. Owner shall be obligated to provide sidewalks on the portion of the Tract 9 property that abuts US Highway 1. Owner shall not be obligated to provide sidewalks on the scattered single-family lots with direct access from Lee Drive, Leidel Drive, London Drive, Lake Success Drive, Lindsay Drive, or Lewis Drive.

(d) ACCESS: Ingress and egress needed for the Project shall be provided, constructed, and maintained by Owner, its successors, and assigns.

(f) MOWING: The Owner, or a POA, shall continue to pick up trash and mow the rights-of-way that are adjacent to the Subject Property along Lakeview Boulevard, Leaver Drive, London Drive, and Lake Success Drive.

SECTION 11. DEVELOPMENT STANDARDS.

11.1 PARKING: Parking requirements shall be consistent with the LDC.

11.2 OPEN SPACE: Minimum open space shall be forty percent (40%) of the Subject Property's gross area. Open space is defined in the LDC and includes on-site stormwater ponds and all open space within the Property. Flexibility to the minimum open space requirements shall be as provided by the LDC, which may include, but not be

limited to, green building principles, land donation, or other mechanisms that would justify a lower percentage of open space, if approved by the Land Use Administrator. Open space shall be maintained by either the actual owner of the property, a POA, or other method satisfactory to the Owner and the City.

11.3 WATER/WASTEWATER: The Project is located wholly within the City limits and is therefore within the City's water and wastewater service areas. All permanent uses within the Project will be served by the City. The City shall be the service provider for potable water and wastewater service for the Project. The City is under no obligation to accept the dedication of any facility.

11.4 TRANSPORTATION CONCURRENCY: Transportation concurrency shall be addressed during the Preliminary Plat or Technical Site Plan process.

11.5 STORMWATER AND DRAINAGE:

(a) The Owner, or a POA, shall be responsible for designing, permitting, constructing, and maintaining the means of conveyance of stormwater runoff from the Project to the stormwater facility including, but not limited to, all stormwater lines, ditches, culverts, and other stormwater facilities that are necessary to convey the stormwater runoff to the Stormwater Facility (the "Owner's Stormwater System").

(b) The Owner shall grant any and all drainage and utility easements to the City which are deemed necessary to serve the public utilities.

(c) The Owner shall construct a stormwater management system that provides treatment and attenuation as required by St. Johns River Water Management District ("SJRWMD") and the City's LDC. Best Management Practices ("BMPs") shall be used during and after construction to minimize erosion and sedimentation and to properly

manage runoff for both stormwater quantity and quality. BMPs shall be in accordance with the FDEP and Florida Department of Transportation ("FDOT") design standards and details.

(d) Stormwater piping, swales, and ditches shall be designed to convey a ten (10)-year, twenty-four (24)-hour storm event. Stormwater detention facilities shall be designed to meet water quality and attenuation requirements by SJRWMD and the City's LDC.

(e) Existing drainage conveyance along the northern property line, as indicated on the Conceptual Site Plan, shall be maintained through the use of drainage swales and/or storm drainage piping.

11.6 LANDSCAPING: All landscaping and irrigation shall comply with the LDC.

11.7 VIEW PROTECTION ZONES (VPZ): The Conceptual Site Plan provides for areas designated as View Protection Zones which shall protect a property owner's view of the Subject Property pursuant to Section 3.03.04(J) of the LDC. VPZs shall be designed and approved by the City prior to any site plan, Subdivision Master Plan or plat approval. Prior to the approval of any residential or institutional designation on Tracts 1, 2, 8 or 9, the Owner shall utilize the following VPZ guidelines in order to minimize adverse impacts on any abutting single-family residentially zoned areas:

- Views of the Subject Property from the rear yards of all existing platted lots located within any residentially zoned districts directly abutting the Subject Property shall be maintained. Peripheral (i.e. side) views from these lots may

be impacted by new development and new development may be visible from existing development;

- Views of the Subject Property from existing platted lots located within any residentially zoned area located across a right-of-way or a water body from the site shall be maintained to the maximum extent practical; and
- A VPZ must be established in one of the following ways:
 - 1) The VPZ must be included in a subdivision plat of the Subject Property and designated as a natural buffer area, with the responsibility for maintenance on the Owner, POA or other entity determined acceptable to the City; or
 - 2) The Owner must record a conservation easement over the VPZ area.
- All VPZ areas must be maintained in a natural state. Vegetation removal and mowing is prohibited, except to the extent these activities are undertaken to remove fire or safety hazards. Should removal activities be required due to a hazard, documentation of the hazard must be provided to the City prior to any vegetation removal and the applicable City approvals/permits granted.

11.8 LIGHTING: All lighting shall be designed to minimize light pollution to off-site properties and to comply with the LDC.

11.9 FIRE PROTECTION: Fire protection requirements for the Project will be met through a system of fire hydrants installed on the Subject Property by the Owner in accordance with City standards. The locations of fire hydrants shall be shown on all construction documents, site plans, or preliminary plats. The water requirements for the fire system will be served by the City's Utility Department. The Project shall comply

with the City's fire protection requirements. The City will provide fire protection services to the Project in accordance with established local response agreements.

11.10 UTILITIES: The Owner shall be responsible for any and all costs associated with the extension of existing City utilities to the Subject Property that may be required to serve this Project. All internal utility lines for the Project shall be placed underground.

11.11 INTERCONNECTIVITY AND ACCESS: All units within the Subject Property shall be interconnected by roadways and sidewalks as called for by the City's Comprehensive Plan. Tract 1 shall provide two points of access onto Lakeview Boulevard.

11.12 RESOURCE PROTECTION:

(a) Except as depicted on the Conceptual Site Plan and in this Development Agreement, the Owner shall comply with the resource protection requirements of the LDC.

(b) Natural upland buffers may be required by Chapter 10 of the LDC.

11.13 WETLANDS: An Environmental Assessment for the Subject Property was performed. All wetlands identified on **Exhibit "B"** shall be conserved and shall not be impacted with exception to the wetlands located on the north side of Tract 1. Owner and City shall, in good faith, determine if it is feasible, reasonable, and necessary for the health, safety, and welfare of the public to impact the wetlands to the north of Tract 1 to expand the City's stormwater capacity.

11.14 LOW IMPACT DEVELOPMENT PRACTICES: To further conservation practices identified in the LDC, the Project shall incorporate into the construction,

operation, and maintenance of all facilities, conservation strategies to include but not be limited to:

- (a) Water Conservation:
 - i. Native, drought tolerant plant materials;
 - ii. St. Johns River Water Management District Florida Water Star program for protection of water resources;
 - iii. Turf grass – Irrigated area(s) shall not exceed 50% of landscape areas;
 - iv. Separate irrigation zones shall be required for turf, non-turf areas; and
 - v. Landscape areas shall not be irrigated using high-volume irrigation systems unless high pressure compensating spray heads are utilized.

All irrigation systems shall employ, at minimum, a rain shut-off device such as a soil moisture sensor or smart irrigation system capable of analyzing and ascertaining weather conditions and time of year. These restrictions shall be clearly stated in the Project's Covenants, Conditions and Restrictions ("CC&Rs"), should they be created.

11.15 PROHIBITION OF DISCHARGES: The Owner shall comply with the City of Palm Coast Code of Ordinances, Article VI, Prohibition of Discharges, and all applicable Local, State, Federal, and City water quality laws, rules, regulations, and ordinances.

11.16 STORMWATER POLLUTION PREVENTION: A stormwater pollution prevention plan shall be attached to and incorporated into the construction and permit

documents pursuant to the requirements of applicable Federal, State, and City regulations.

11.17 WILDLIFE PROTECTION: In the event that listed species have been determined to be residing on, or otherwise be significantly dependent on the Subject Property, the Owner shall obtain the necessary permits from the Florida Fish and Wildlife Conservation Commission and other applicable agencies. Activities associated with listed flora and fauna and shall comply with the LDC. Bear Smart Community principles shall be integrated into design and operations. The intent is to minimize human-animal conflicts from black bear and other species that may be drawn to area attractants.

11.18 SIGNAGE: The Owner may construct signage consistent with the LDC after receiving necessary permits.

11.19 MODEL HOMES: Up to five model homes on Tract 1 can be constructed, occupied, and operated under Section 4.19.02 of the LDC. Sales and leasing activities shall be limited to properties located within the Project. Construction and Certificates of Occupancies shall be issued consistent with the City and state rules, regulations, and codes.

11.20 POLLUTANTS: Prior to issuance of any development permit, the Owner shall ensure there are no environmental hazards affecting any development located on the Subject Property and that the Subject Property is safe for human occupation. Contaminant assessment activities including soil and or groundwater sampling shall be conducted by a qualified professional that is authorized to assess and make recommendations for such activities per Florida Department of Environmental Protection standards and shall be consistent with applicable Florida Statutes. Upon

application for a Site Plan or Subdivision Master Plan, the Owner shall provide the City with all studies or reports required by Federal and State agencies, including but not limited to the FDEP and the Army Corp of Engineers. If soil or groundwater contamination is above State concentration levels, remedial action in accordance with FDEP standards shall be accomplished prior to construction activities within the affected area. No project identified on the Concept Plan may occur without strict compliance with this section.

11.21 SCHOOLS: Prior to the approval of any development plan of Tract 1, 3 or 8, the Owner shall coordinate with the Flagler County School District for the location and dedication of a bus stop if necessary.

SECTION 12. PHASING OF DEVELOPMENT.

(a) The Subject Property may be developed in multiple phases. Prior to the issuance of any permit for any phase of the Project (and prior to any construction of any improvement, building, or structure on the Subject Property), the Owner shall submit a Subdivision Master Plan or Site Plan for the relevant phase. Each tract of the Project will include infrastructure to support the proposed uses, including water and wastewater service, drainage, roads, vehicular, and pedestrian access facilities. All infrastructure necessary to support each phase that is constructed on the Subject Property shall be constructed concurrently with, or prior to construction of that phase of the Project, as approved by the City, and prior to the issuance of building permits for that phase. Adequate emergency vehicle access and turnarounds shall be provided at all times. No clearing of land may occur until Preliminary Plat or Site Plan approval is provided for that specific phase of development.

(b) Roadways shall be constructed concurrently with development of adjacent lots to insure that contiguous roadways are available at all times prior to the issuance of any building permits for that phase. To avoid unnecessary construction and repair costs, internal sidewalks may be constructed adjacent to each lot at the time the home is constructed and prior to the Certificate of Occupancy, and each home's building permit shall be conditioned on this requirement.

(c) The Subdivision Process: Subdivision of the property shall comply with Chapter 177, Florida Statutes and the City's Unified Land Development Regulations. The Conceptual Site Plan depicts the general layout of the Project and the various Tracts which are, as of the date of this Agreement, under unified title. Subsequent transfer of title to any Tract or other portion of the Property may be transferred in its entirety without platting if in compliance with Chapter 177, Florida Statutes. No infrastructure improvements may be made until approved by the City and other governing agencies.

SECTION 13. LOT AND BUILDING STANDARDS.

13.1 LOT DIMENSIONAL STANDARDS: All development Standards shall comply with the City of Palm Coast's LDC and those standards provided in Section 4 of this Agreement. If there is a conflict between the two, the standards provided in Section 4 shall control.

13.2 ARCHITECTURE: Shall be consistent with the City's LDC.

SECTION 14. LIST OF OUTSTANDING PERMITS/APPROVALS AND PROPER SEQUENCING.

(a) The failure of the Development Agreement to address any specific City, County, State, or Federal permit, condition, term, or restriction shall not relieve the

Owner of the requirement of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

(b) All required City, County, State, or Federal permits shall be obtained prior to commencement of construction. This Development Agreement is not Preliminary Plat or Site Plan approval and the Owner remains responsible for complying with all provisions of the Land Development Code unless provided elsewhere in this Development Agreement.

SECTION 15. DEVELOPMENT FEES.

The Owner acknowledges and agrees that the City has enacted citywide impact fees and may in the future increase the amount of those fees. Except as provided for herein regarding park system impact fees, the Owner acknowledges that the Subject Property shall be subject to all fees in effect at the time of permitting.

SECTION 16. COMMON AREAS AND MAINTENANCE.

For all common areas, to ensure the long-term ownership, maintenance, and control of those areas, prior to the issuance of any building permit and before recording the final plat, the Owner shall maintain or establish a POA, in accordance with Florida law, comprised of the owners of lots or parcels with the development. The POA documentation shall be subject to the prior reasonable review of the City to ensure adequate provisions for the ongoing care and maintenance of the common areas. The documentation, whether contained in a deed restriction or otherwise, shall provide for the permanent maintenance of the Common Areas by the POA, minimum insurance requirements for the Association, adequate mechanisms to force financial participation by members of the POA, and restrictions on the ability to amend these requirements without

the City's approval. The City shall not be required to accept ownership or maintenance of any of the Project's common elements including but not limited to landscaping and buffers.

SECTION 17. BREACH, ENFORCEMENT, ALTERNATIVE DISPUTE, AND CONFLICT RESOLUTION.

(a) In the event of a breach hereof by either party hereto, the other party hereto shall have all rights and remedies allowed by law, including the right to specific performance of the provisions hereof.

(b) In the event that a dispute arises under this Development Agreement, and the City and Owner are unable to resolve the issues, the parties shall attempt to resolve all disputes informally. In the event of a failure to informally resolve all disputes, the City and Owner agree to engage in mediation before a certified Circuit Court mediator selected by the parties. In the event that the parties fail to agree to a mediator, a certified mediator will be selected solely by the City. The parties shall equally pay all costs of mediation.

(c) In the event of conflict between the terms of this Development Agreement and the LDC, the provisions of this Development Agreement shall prevail.

SECTION 18. NOTICES.

(a) All notices required or permitted to be given under this Development Agreement must be in writing and must be delivered to the City or the Owner at its address set forth below (or such other address as may be hereafter be designated in writing by such party).

(b) Any such notice must be personally delivered or sent by certified mail, overnight courier, facsimile, or telecopy.

(c) Any such notice will be deemed effective when received (if sent by hand delivery, overnight courier, telecopy, or facsimile) or on that date which is three (3) days after such notice is deposited in the United States mail (if sent by certified mail).

(d) The parties' addresses for the delivery of all such notices are as follows:

As to the City: City Manager
160 Lake Avenue
Palm Coast, FL 32164

As to the Owner: Matanzas GC Palm Coast, LLC.
200 Ocean Crest Drive, Unit 111
Palm Coast, FL 32137

With copies to: Michael D. Chiumento III, Esq.
Chiumento Dwyer Hertel Grant
145 City Place, Suite 301
Palm Coast, FL 32164

SECTION 19. SEVERABILITY.

The terms and provisions of this Development Agreement are not severable and in the event any portion of this Development Agreement shall be found to be invalid or illegal, then the entire Development Agreement shall be null and void.

SECTION 20. SUCCESSORS AND ASSIGNS.

(a) This Development Agreement and the terms and conditions hereof shall be binding upon and inure to the benefit of the City and Owner and their respective successors-in-interest. The terms and conditions of this Development Agreement similarly shall be binding upon the Subject Property and shall run with the land and the title to the same.

(b) This Development Agreement touches and concerns the Subject Property.

(c) The Owner has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Agreement.

SECTION 21. GOVERNING LAW, VENUE, AND COMPLIANCE WITH LAW.

(a) This Development Agreement shall be governed by and construed in accordance with the laws of the State of Florida and the Code of Ordinances of the City of Palm Coast.

(b) Venue for any dispute shall be in the Seventh Judicial Circuit Court in and for Flagler County, Florida.

(c) The Owner shall fully comply with all applicable Local, State, and Federal environmental regulations and all other laws of similar type or nature.

(d) This Development Agreement shall not limit the future exercise of the police powers of the City to enact ordinances, standards, or rules regulating development generally applicable to the entire area of the City, such as requiring compliance with the City capital facilities plan, parks master plan (including parks and trail dedications), utility construction and connections, mandating utility capacities, requiring street development, or other such similar land development regulations and requirements.

(e) If State or Federal laws are enacted after execution of this Development Agreement which are applicable to and preclude the parties' compliance with this Development Agreement, this Development Agreement shall be modified or revoked as necessary to comply with the relevant law.

(f) This Development Agreement shall also not be construed to prohibit the City from adopting lawfully imposed impact fees applicable to the Owner and the development of the Conceptual Plan authorized hereunder.

SECTION 22. TERM / EFFECTIVE DATE.

(a) This Development Agreement shall be effective upon approval by the City Council and execution of this Development Agreement by all parties (the “Effective Date”).

(b) This Development Agreement provides an initial timeframe of seven (7) years to commence development from the Effective Date.

(c) Should development not commence within the initial established timeframe, the term of this Development Agreement may be modified by action of the City Council, at City Council’s discretion. Failure to obtain an extension shall cause the zoning of all lands encumbered to revert to the previous equivalent zoning designation.

SECTION 23. RECORDATION.

Upon approval by the City Council and execution of this Development Agreement by all parties, this Development Agreement and any and all amendments hereto shall be recorded by the City with the Clerk of the Circuit Court of Flagler County within fourteen (14) days after its execution by the City, and the Development Agreement shall run with the land. The Owner shall pay the costs to record this Development Agreement.

SECTION 24. THIRD PARTY RIGHTS.

This Development Agreement is not a third-party beneficiary contract, and shall not in any way whatsoever create any rights on behalf of any third party.

SECTION 25. SPECIFIC PERFORMANCE / TIME IS OF THE ESSENCE.

(a) Strict compliance shall be required with each and every provision of this Development Agreement. The parties agree that each has the remedy of specific performance of these obligations.

(b) Time is of the essence to this Development Agreement and every right or responsibility required herein shall be performed within the times specified.

SECTION 26. ATTORNEYS' FEES.

In the event of any action to enforce the terms of this Development Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees, paralegals' fees, and all costs incurred, whether the same be incurred in a pre-litigation negotiation, litigation at the trial, or appellate level.

SECTION 27. FORCE MAJEURE.

The parties agree that in the event that the failure by either party to accomplish any action required hereunder within a specific time period ("Time Period") constitutes a default under terms of this Development Agreement, and if any such failure is due to any unforeseeable or unpredictable event or condition beyond the control of such party, including, but not limited to: acts of God, acts of government authority (other than the City's own acts), acts of public enemy or war, terrorism, riots, civil disturbances, power failure, shortages of labor or materials, injunction or other court proceedings beyond the control of such party, or severe adverse weather conditions ("Uncontrollable Event"); then notwithstanding any provision of this Development Agreement to the contrary, that failure shall not constitute a default under this Development Agreement and any Time Period prescribed hereunder shall be extended by the amount of time that such party was unable to perform solely due to the Uncontrollable Event.

SECTION 28. INDEMNIFICATION.

The Owner shall indemnify for and save the City harmless from and against any and all liability, claims for damages and suits for any injury to any person or persons, or damages to any property of any kind whatsoever arising out of in any way connected with the Owner's development of the Subject Property as provided in this Development Agreement. This agreement by the Owner to indemnify and hold the City harmless shall include, but not be limited to: all charges, expenses, and costs, including reasonable attorneys' fees, both at trial and on appeal, incurred by the City on account of or by reason of such injuries, damages, liability, claims, suits, or losses and all damages arising therefrom.

SECTION 29. ENFORCEMENT; CITY'S RIGHT TO TERMINATE DEVELOPMENT AGREEMENT.

(a) This Development Agreement shall continue to be enforceable, unless lawfully terminated, notwithstanding any subsequent changes in any applicable law.

(b) The failure by the Owner to perform each and every one of its obligations hereunder shall constitute a default, entitling the City to pursue whatever remedies are available to it under Florida law or equity, including, without limitation, an action for specific performance and/or injunctive relief, or alternatively, the termination of this Development Agreement. Prior to the City filing any action or terminating this Development Agreement as a result of a default under this Development Agreement, the City shall first provide the Owner written notice of said default. Upon receipt of said notice, the Owner shall be provided a thirty (30) day period in which to cure the default to the reasonable satisfaction of the City prior to the City filing an action or terminating

this Development Agreement. If thirty (30) days is not considered by the parties to be a reasonable period in which to cure the default, the cure period shall be extended to such cure period acceptable to the City, but in no case shall that cure period exceed ninety (90) days from initial notification of default. Upon termination of the Development Agreement, the Owner shall immediately be divested of all rights and privileges granted hereunder.

SECTION 30. CAPTIONS.

Sections and other captions contained in this Development Agreement are for reference purposes only and are in no way intended to describe, interpret, define, or limit the scope, extent or intent of this Development Agreement, or any provision hereof.

SECTION 31. EXHIBITS.

Each exhibit referred to and attached to this Development Agreement is an essential part of this Development Agreement. The exhibits and any amendments or revisions thereto, even if not physically attached hereto, shall be treated as if they are part of this Development Agreement.

SECTION 32. INTERPRETATION.

(a) The Owner and the City agree that all words, terms, and conditions contained herein are to be read in concert, each with the other, and that a provision contained under one (1) heading may be considered to be equally applicable under another in the interpretation of this Development Agreement.

(b) This Development Agreement shall not be construed more strictly against either party on the basis of being the drafter thereof, and both parties have contributed to the drafting of this Development Agreement.

SECTION 34. FURTHER ASSURANCES.

Each party agrees to sign any other and further instruments and documents consistent herewith as may be necessary and proper to give complete effect to the terms of this Development Agreement.

SECTION 35. COUNTERPARTS.

This Development Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one (1) and the same document.

SECTION 36. MODIFICATIONS, AMENDMENTS AND NON-WAIVER.

(a) Unless provided for elsewhere in this Development Agreement, (1) Amendments to and waivers of the provisions herein shall be made by the parties only in writing by formal amendment, and (2) This Development Agreement shall not be modified or amended except by written agreement executed by all parties hereto and upon approval of the City Council of the City of Palm Coast.

(b) Failure of any party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

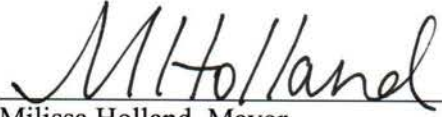
SECTION 37. ENTIRE AGREEMENT AND EFFECT ON PRIOR AGREEMENTS.

This Development Agreement constitutes the entire agreement between the parties and supersedes all previous oral discussions, understandings, and agreements of any kind and nature, as between the parties relating to the subject matter of this Development Agreement.

IN WITNESS WHEREOF, the Parties have executed this Development Agreement on the dates set forth below.

CITY OF PALM COAST,

FLORIDA


Milissa Holland, Mayor

ATTEST:

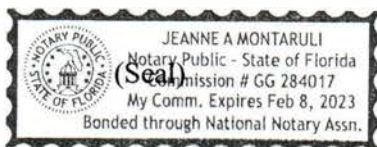

Virginia A. Smith, City Clerk

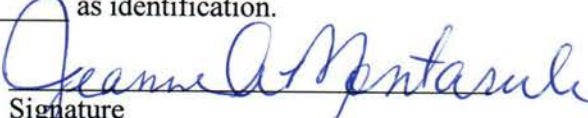
APPROVED AS TO FORM AND LEGALITY:

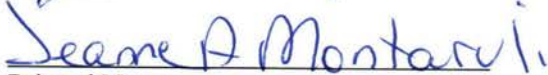

William E. Reischmann, Jr., Esq.
City Attorney

STATE OF FLORIDA)
COUNTY OF FLAGLER)

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2021, by **Milissa Holland**, Mayor of the **City of Palm Coast, Florida**, who is ☐ personally known to me or ☐ has produced _____ as identification.




Signature


Printed Name

Title or Rank

Serial Number / Commission Number

WITNESSES:

"OWNER"


Vincent L. Sullivan

Matanzas GC Palm Coast, LLC., a Florida
limited liability company

(print)


Caroline McNeil

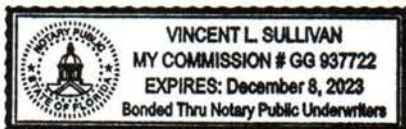
By: 
Alexander Ustilovsky, Manager

(print)

STATE OF FLORIDA)
COUNTY OF FLAGLER)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10 day of February, 2021, by **Alexander Ustilovsky**, Manager, of **Matanzas GC Palm Coast, LLC** a Florida limited liability company, on behalf of the company, who is ☒ personally known to me or ☐ has produced _____ as identification.

(Seal)




Signature

Vincent L. Sullivan
Printed Name

Notary
Title or Rank

GG937722
Serial Number / Commission Number

EXHIBIT "A"

MATANZAS WOODS GOLF COURSE:

Reserved Parcel "A", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northeast corner of Block 165 of said Plat of Lakeview; thence North 89°30'56" East 21.68 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 349.56 feet, a radius of 800.00 feet, a central angle of 25°02'07" and a chord bearing South 26°22'21" East, 346.78 feet to a point of tangency; thence South 38°53'25" East 2087.61 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 266.63 feet, a radius of 1120.00 feet, a central angle of 13°38'23" and a chord bearing South 32°04'13" East, 265.99 feet to a point of tangency; thence South 25°15'02" East 772.55 feet to a point of cusp; thence northwesterly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 66°04'26" West 196.12 feet to a point; thence South 16°53'50" East 110.00 feet to a point on a curve; thence westerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing South 64°44'57" West 11.62 feet to a point; thence North 33°36'15" West 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 15°34'21" West 196.12 feet to a point of tangency; thence South 25°15'02" East 100.25 feet to a point on a curve; thence southwesterly along a curve to the left having an arc length of 217.30 feet, a radius of 280.98 feet, a central angle of 44°18'38" and a chord bearing South 42°35'39" West 211.92 feet to a point of tangency; thence South 08°35'49" West 179.39 feet; thence North 81°24'11" West 913.66 feet; thence South 08°35'49" West 125.00 feet; thence North 81°24'11" West 40.00 feet; thence North 08°35'49" East 125.00 feet; thence North 81°24'11" West 125.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 180.00 feet, a radius of 225.00 feet, a central angle of 45°50'12" and a chord bearing South 75°40'43" West, 175.24 feet to a point; thence South 37°14'23" East, 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 77.08 feet, a radius of 100.00 feet, a central angle of 44°09'48" and a chord bearing South 30°40'43" West 75.19 feet to a point of tangency; thence South 08°35'49" West, 237.34 feet; thence North 81°24'11" West 87.50 feet; thence North 51°24'11" West 130.00 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 87°46'25" West, 196.12 feet to a point; thence South 43°02'58" East 110.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'26" and a chord bearing South 38°35'49" West 11.62 feet to a point; thence North 59°45'24" West 110.00 feet; thence South 38°35'49" West 128.21 feet; thence North 51°24'11" West 1018.03 feet; thence North 38°35'49" East 380.00 feet; thence South 51°24'11" East 500.00 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00, a central angle of

90°00'00" and a chord bearing North 83°35'49" East, 318.20 feet to a point; thence North 51°24'11" West 125.00 feet; thence North 38°35'49" East 230.92 feet; thence South 51°24'11" East 100.00 feet; thence South 81°24'11" East 993.30 feet to a point of curvature; thence northeasterly along a curve to the left having an arc length of 431.48 feet, a radius of 225.00 feet, a central angle of 109°52'35" and a chord bearing North 43°39'32" East, 368.34 feet to a point of tangency; thence North 11°16'46" West 478.51 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 245.29 feet, a radius of 225.00 feet, a central angle of 62°27'41" and a chord bearing North 42°30'36" West, 233.32 feet to a point; thence North 08°35'49" East 77.01 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing North 36°24'11" West 318.20 feet to a point; thence westerly along a curve to the left having an arc length of 446.47 feet, a radius of 150.00 feet, a central angle of 170°32'16" and a chord bearing North 76°40'19" West 298.98 feet to a point of tangency; thence South 08°35'49" West 149.66 feet; thence North 81°24'11" West 50.00 feet; thence North 08°35'49" East 125.00 feet; thence North 78°43'26" West 153.29 feet; thence North 09°33'43" West 148.11 feet; thence South 69°50'14" East 67.79 feet to a point of curvature; thence easterly along a curve to the left having an arc length of 146.25 feet, a radius of 150.00 feet, a central angle of 55°51'48" and a chord bearing North 87°23'42" East, 140.53 feet to a point; thence North 30°32'12" West 110.00 feet to a point on a curve; thence northeasterly along a curve to the left having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 51°06'35" East 11.62 feet to a point; thence South 47°14'37" East 110.00 feet to a point on a curve; thence northerly along a curve to the left having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'48" and a chord bearing North 01°55'59" East 196.12 feet to a point of tangency; thence North 38°53'25" West 326.21 feet; thence North 80°07'23" West 122.65 feet; thence North 09°33'42" West 80.00 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 166.36 feet, a radius of 325.00 feet, a central angle of 29°19'42" and a chord bearing North 24°13'34" West, 164.55 feet to a point of tangency; thence North 38°53'25" West 200.00 feet; thence South 51°06'35" West 125.00 feet; thence North 38°53'25" West 20.00 feet; thence North 51°06'35" East 125.00 feet; thence North 38°53'25" West 178.81 feet to a point of curvature; thence northwesterly along a curve to the left having an arc length of 292.66 feet, a radius of 325.00 feet, a central angle of 51°35'39" and a chord bearing North 64°41'14" West, 282.87 feet to a point of tangency; thence South 89°30'56" West 678.94 feet to a point of curvature; thence southwesterly along a curve to the left having an arc length of 389.08 feet, a radius of 225.00 feet, a central angle of 99°04'39" and a chord bearing South 39°58'37" West, 342.38 feet to a point of cusp; thence North 09°33'43" West 137.22 feet; thence North 00°29'04" West 425.00 feet; thence North 89°30'56" East 1200.00 feet; thence North 00°29'04" West 125.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "C", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the northwest corner of said Reserved Parcel "C"; thence North 89°26'28" East 630.08 feet; thence South 38°43'02" West 202.91 feet; thence South 51°40'07" East 125.00 feet to a point on a curve; thence southerly along a curve to the left having an arc length of 250.77 feet, a radius of 300.00 feet; a central angle of 47°53'36" and a chord bearing South 14°23'05" West 243.53 feet to a point of tangency; thence South 09°33'43" East 403.87 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 520.00 feet, thence North 80°26'17" East 125.00 feet; thence South 09°33'43" East 40.00 feet; thence South 80°26'17" West 125.00 feet; thence South 09°33'43" East 980.61 feet to a point of curvature; thence southerly along a curve to the left having an arc length of 441.04 feet, a radius of 725.00 feet, a central angle of 34°51'17" and a chord bearing South 26°59'21" East, 434.27 feet to a point; thence North 45°35'00" East 55.00 feet; thence South 44°25'00" East 67.22 feet; thence North 39°51'14" East 73.36 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 13.16 feet, a radius of 600.00 feet; a central angle of 01°15'25" and a chord bearing South 50°46'29" East 13.16 feet to a point of tangency; thence South 51°24'11" East 170.76 feet; thence South 54°59'31" West 770.58 feet; thence North 35°00'29" West 649.53 feet to a point on the east right of way line of U.S. Highway No.1; thence northerly along said right of way line of the following six courses; run North 09°59'31" East 128.08 feet; thence South 89°43'01" West 5.08 feet; thence North 09°59'31" East 253.32 feet to a point of curvature; thence northerly along a curve to the left having an arc length of 655.06 feet, a radius of 2030.05 feet, a central angle of 18°29'18" and a chord bearing North 00°44'52" East, 652.23 feet to a point of tangency; thence North 08°29'47" West 179.58 feet; thence South 81°30'12" West 20.00 feet; thence North 08°29'47" West 1583.88 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Reserved Parcel "D" Lake View - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most northerly corner of said Reserved Parcel "D"; thence South 38°53'28" East 93.32 feet; thence North 89°30'56" East 936.80 feet; thence South 00°29'04" East 432.94 feet; thence South 09°33'42" East 57.28 feet to a cusp point; thence northwesterly along a curve to the left having an arc length of 317.78 feet, a radius of 225.00 feet; a central angle of 80°55'21" and a chord bearing North 50°01'23" West 292.02 feet to a point of tangency; thence South 89°30'56" West 846.10 feet; thence North 09°33'43" West 149.00 feet to a point of curvature; thence northerly along a curve to the right having an arc length of 254.23 feet, a radius of 240.00 feet, a central angle of 60°41'38" and a chord bearing North 20°47'06" East, 242.51 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows: From a POINT OF BEGINNING, being the most southerly corner at said Reserved Parcel "E"; thence North 64°44'58" East 526.36 feet; thence North 25°15'02" West 335.20 feet; thence South 64°44'58" West 125.00 feet; thence North 25°15'02" West 620.00 feet to a point of curvature; thence northwesterly along a curve to the right having an arc length of 60.46 feet, a radius of 425.00 feet, a central angle of 08°09'02" and a chord bearing North 21°10'31" West, 60.41 feet to the southeasterly corner of a parcel described in Official Records Book [492, pages 936-939](#); thence northerly along the boundary of said parcel described in Official Records Book [492, pages 936-939](#) for the following five courses; thence South 72°54'00" West 10.00 feet; thence North 53°38'13" West 20.65 feet; thence South 05°01'26" West 11.50 feet; thence North 10°42'21" West 31.82 feet; thence North 01°05'36" East 53.63 feet; thence North 85°41'45" East 24.67 feet to the boundary of above said Reserved Parcel "2", being a point on a curve; thence northerly along a curve to the right having an arc length of 28.33 feet, a radius of 425.00 feet; a central angle of 03°49'11" and a chord bearing North 02°23'39" West 28.33 feet to a point of tangency; thence North 00°29'04" West 1536.30 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point; thence South 85°19'06" East 128.73 feet; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 202.47 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet, a central angle of 81°38'47" and a chord bearing North 40°20'20" East, 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet a central angle of 16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of cusp; thence northeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing North 40°20'20" East 196.12 feet to a point; thence South 08°50'16" East 110.00 feet to a point; thence easterly along a curve to the right having an arc length of 11.66 feet, a radius of 40.00 feet, a central angle of

16°42'25" and a chord bearing North 89°30'57" East 11.62 feet to a point; thence North 07°52'09" East 110.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 213.75 feet, a radius of 150.00 feet; a central angle of 81°38'47" and a chord bearing South 41°18'27" East 196.12 feet to a point of tangency; thence South 00°29'04" East 1003.67 feet; thence South 25°15'02" East 260.04 feet to a point of curvature; thence southerly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 19°44'58" West, 318.20 feet to a point of tangency; thence South 64°44'58" West 800.00 feet; thence South 25°15'02" East 300.00 feet; thence North 64°44'58" East 910.00 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'11" and a chord bearing North 85°37'33" East, 302.90 feet to a point; thence South 16°30'09" West 125.00 feet to a point on a curve; thence easterly along a curve to the right having an arc length of 34.00 feet, a radius of 300.00 feet, a central angle of 06°29'36" and a chord bearing South 70°15'03" East 33.98 feet to a point; thence North 22°59'45" East 125.00 feet to a point on a curve; thence southeasterly along a curve to the right having an arc length of 309.71 feet, a radius of 425.00 feet, a central angle of 41°45'13" and a chord bearing South 46°07'39" East 302.91 feet to a point of cusp; thence North 25°15'02" West 822.28 feet to a point of curvature; thence northeasterly along a curve to the right having an arc length of 561.16 feet, a radius of 275.00 feet, a central angle of 116°54'59" and a chord bearing North 33°12'28" East, 468.74 feet to a point of tangency; thence South 88°20'03" East 756.56 feet; thence South 07°23'44" West 126.38 feet to a point of on a curve; thence easterly along a curve to the right having an arc length of 150.15 feet, a radius of 150.00 feet, a central angle of 57°21'14" and a chord bearing South 53°55'39" East 143.96 feet to a point of tangency; thence South 25°15'02" East 40.00 feet; thence North 64°44'58" East 125.00 feet to the easterly line of Belle Terre Waterway; thence North 25°15'02" West along said easterly line of Belle Terre Waterway for a distance of 862.29 feet to a point of curvature; thence depart said boundary line of said Reserved Parcel "2" and run westerly along the southerly line of Jefferson Davis Waterway for the following four courses: run westerly along a curve to the left having an arc length of 921.97 feet, a radius of 825.00 feet, a central angle of 64°01'49" and a chord bearing North 57°15'57" West, 874.74 feet to a point of tangency; thence North 89°16'51" West 858.76 feet to a point of curvature; thence westerly along a curve to the right having an arc length of 411.10 feet, a radius of 675.00 feet, a central angle of 34°53'44" and a chord bearing North 71°49'59" West, 404.78 feet to a point of tangency; thence North 54°23'07" West 585.58 feet to a point of curvature; thence westerly along a curve to the left having an arc length of 177.30 feet, a radius of 825.00 feet, a central angle of 12°18'47" and a chord bearing North 60°32'31" West, 176.96 feet to a point on the westerly boundary of said Reserved Parcel "2"; thence southerly and westerly along said westerly boundary of said Reserved Parcel "E" for the following seven courses: South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southeasterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence southeasterly along a curve to the left having an arc length of 331.52 feet, a radius of 720.00 feet, a

central angle of 26°22'53" and a chord bearing South 25°41 '59" East 328.59 feet to a point of tangency; thence South 38°53'25" East 1801.29 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

Part of Government Sections 21 and 22, Township 10 South, Range 30 East, Flagler County, Florida being that part of PARCEL NO. 2 of the property described in Official Records Book [142, pages 278-279](#), lying south of Jefferson Davis Waterway and being more particularly described as follows:

From a POINT OF REFERENCE being a point on the easterly boundary line of the above described PARCEL NO. 2, said point being the northwest corner of Reserved Parcel "2" as shown on the recorded plat of Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida; thence South 29°30'56" West along the easterly boundary of said PARCEL NO. 2 being also along the westerly boundary of said Reserved Parcel "E" for a distance of 390.35 feet to the POINT OF BEGINNING; thence continue along the easterly and southerly boundary of said PARCEL NO. 2 being also along the westerly and northerly boundary of said Reserved Parcel "E" for the following seven courses: run South 29°30'56" West 419.65 feet; thence South 14°30'56" West 66.19 feet; thence South 00°29'04" East 810.00 feet to a point of curvature; thence southwesterly along a curve to the right having an arc length of 353.43 feet, a radius of 225.00 feet, a central angle of 90°00'00" and a chord bearing South 44°30'56" West, 318.20 feet to a point of tangency; thence South 89°30'56" West 659.20 feet to a point on a curve; thence northerly along a curve to the right having an arc length of 151.10 feet, a radius of 720.00 feet, a central angle of 12°01'28" and a chord bearing North 06°29'48" West 150.83 feet to a point; thence South 89°30'56" West 1280.00 feet to the northwest corner of Block 164 of said plat of Lakeview; thence North 12°53'48" East along the southerly line of said Jefferson Waterway for a distance of 297.66 feet to a point on a curve; thence northeasterly along a curve to the right having an arc length of 913.19 feet, a radius of 825.00 feet, a central angle of 63°25'15" and a chord bearing North 39°41'03" East 867.28 feet to a point of tangency; thence North 71°23'41" East 1251.37 feet to a point of curvature; thence easterly along a curve to the right having an arc length of 603.42 feet, a radius of 825.00 feet; a central angle of 41°54'25" and a chord bearing South 87°39'07" East, 590.05 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

All of that land vacated in the Subdivision Plat Of Lakeview - Section 37 Palm Coast Map Book 13 Pages 1 through 29, per Resolution 95-56 as recorded in Official Records Book 538 at Pages 1611 through 1613, Public Records of Flagler County, Florida, being described as follows:

BEGINNING at the southwesterly corner of Lot 22, Block 143 of the aforesaid Lakeview - Section 37; thence North 80°26'17" East a distance of 49.47 feet to a point of curvature of a curve to the right; thence northeasterly along said curve having a radius of 300.00 feet, a central angle of 14°34'59" an arc of 76.36 feet and a chord bearing North

87°43'47" East, 76.15 feet to a point on a non-tangent line; thence North 09°33'43" West, a distance of 1273.40 feet; thence North 80°26'17" East a distance of 124.48 feet; thence South 47°01'13" East a distance of 97.49 feet to a point on a non-tangent curve; thence northeasterly along a curve to the right having a radius of 150.00 feet; a central angle of 08°07'48", an arc length of 21.28 feet and a chord bearing North 47°02'41" East, 21.27 feet to a point of tangency; thence North 51°06'35" East a distance of 100.00 feet; thence South 38°53'25" East a distance of 50.00 feet; thence South 51°06'35" West a distance of 100.00 feet to a point of curvature; thence southwesterly along a curve to the left having a radius of 100.00 feet, central angle of 05°43'46", an arc length of 10.00 feet and a chord bearing South 48°14'42" West, 10.00 feet to a point on a non-tangent line; thence South 50°07'21" East a distance of 153.93 feet; thence South 51°06'35" West a distance of 20.25 feet; thence South 09°33'43" East a distance of 936.00 feet; thence South 35°36'55" East a distance of 82.42 feet; thence South 81°24'11" East a distance of 240.00 feet; thence South 08°35'49" West a distance of 125.00 feet; thence South 81°24'11" East a distance of 27.55 feet to a point on a non-tangent curve; thence southwesterly along curve to the left having a radius of 40.00 feet, a central angle of 77°21'52", an arc of 54.01 feet and a chord bearing South 08°35'49" West 50.00 feet to a point on a non-tangent line; thence North 81°24'11" West a distance of 4.59 feet; thence South 08°35'49" West a distance of 125.00 feet; thence North 81°24'11" West a distance of 480.00 feet; thence South 84°38'20" West a distance of 69.97 feet; thence North 03°00'11" West a distance of 144.02 feet to a point on a non-tangent curve; thence southwesterly along a curve to the left having a radius of 250.00 feet, a central angle of 13°34'27", an arc of 59.23 feet and a chord bearing South 87°13'31" West, 59.09 feet to a point of tangency; thence South 80°26'17" West a distance of 51.03 feet to a point on a non-tangent curve; thence northwesterly along a curve to the left having a radius of 200.00 feet, a central angle of 07°10'51" an arc of 25.07 feet and a chord bearing North 05°58'17" West 25.05 feet to a point of tangency; thence North 09°33'43" West a distance of 25.00 feet to the POINT OF BEGINNING, the above described parcel of land is situated in Section 22, Township 10 South, Range 30 East, Flagler County, Florida.

ALSO INCLUDING:

Part of Reserved Parcel "R-1", Lakeview - Section 37 Palm Coast Park at Palm Coast, as recorded in Map Book 13, pages 1 through 29, Public Records of Flagler County, Florida, being more particularly described as follows:

From a POINT OF BEGINNING, being the most easterly corner of said Reserved Parcel "R-1"; thence South 38°35'49" West along the southeasterly line of said Reserved Parcel "R-1" for a distance of 767.47 feet; thence North 51°24'11" West 1300.81 feet to the most westerly corner of said Reserved Parcel "R-1"; thence North 54°59'31" East, 148.96 feet; thence South 59°22'19" East 485.17 feet; thence South 73°43'22" East 217.49 feet; thence North 77°17'42" East 363.21 feet; thence North 38°35'49" East 191.24 feet; thence South 51°24'11" East 350.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A parcel of land being a portion of Reserved Parcel "E" according to the Subdivision Plat Lakeview Section 37, Palm Coast, recorded in Map Book 13, Pages 1 Through 29, of the Public Records of Flagler County, Florida, being more particularly described as follows: A POINT OF REFERENCE being the northeast corner of Lot 1, Block 75; thence North 25°15'02" West along the west line of Belle Terre Waterway a distance of 862.29 feet to THE POINT OF BEGINNING; thence departing Belle Terre Waterway (as platted) 921.97 feet along the arc of a curve to the left (concave southerly) have a central angle of 64°01'49", a radius of 825.00 feet, a chord bearing of North 57°15'57" West and a chord distance of 874.74 feet to a point of tangency, thence North 89°16'51" West a distance of 858.76 feet to a point of curvature; thence 411.10 feet along the arc of a curve to the right (concave northerly) having a central angle of 34°53'44", a radius of 675.00 feet, a chord Bearing of North 71°49'59" West and a chord distance of 404.78 feet to the end of said curve being a point on the boundary of Jefferson Davis Waterway as recorded in Official Records Book [549, Pages 966](#) through 990, of the Public Records of Flagler County, Florida; thence North 35°36'53" East along said waterway a distance of 30.00 feet to a point on a non-tangent curve; thence easterly 392.83 feet along the arc of a curve to the left (concave northerly) having a central angle of 34°53'44", a radius of 645.00 feet, a chord bearing of South 71°49'59" East and a chord distance of 386.79 feet to a point of tangency; thence South 89°16'51" East a distance of 858.76 feet to a point of curvature; thence 955.50 feet along the arc of a curve to the right concave southwesterly having a central angle of 64°01'49", a radius of 855.00 feet, a chord bearing of South 57°15'57" East and a chord distance of 906.54 feet to the end of said curve; thence South 64°44'58" West a distance of 30.00 feet to the POINT OF BEGINNING.

ALSO INCLUDING:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD 5), BEING A PORTION OF LONDON WATERWAY, LAKEVIEW SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 26, LOCATED IN GOVERNMENT SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
AS A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF ASHWOOD WATERWAY (A 300 FOOT RIGHT-OF-WAY) PER SAID LAKEVIEW SECTION 37, WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1, (STATE ROAD 5, A 175 FOOT RIGHT-OF-WAY AT THIS POINT); THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 35°00'29" EAST ALONG SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY FOR A DISTANCE OF 649.53 FEET TO THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING SAID ASHWOOD WATERWAY LINE NORTH 54°59'31" EAST ALONG THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY FOR A DISTANCE OF 770.58 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LONDON DRIVE, (A 60 FOOT RIGHT-OF-WAY), PER SAID LAKEVIEW-SECTION 37; THENCE DEPARTING THE NORTHWESTERLY LINE OF SAID LONDON WATERWAY SOUTH 51°24'11" EAST ALONG SAID RIGHT-

OF-WAY LINE FOR A DISTANCE OF 104.24 FEET TO THE SOUTHERLY LINE OF SAID LONDON WATERWAY; THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 54°59'31" WEST ALONG SAID SOUTHERLY LINE OF LONDON WATERWAY FOR A DISTANCE OF 800.00 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY LINE OF ASHWOOD WATERWAY; THENCE NORTH 35°00'29" WEST ALONG SAID ASHWOOD WATERWAY LINE FOR A DISTANCE OF 100.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

EXHIBIT "B"

LAKEVIEW ESTATES CONCEPTUAL SITE PLAN



EXHIBIT "B-1"

TRACT 1

LAKEVIEW ESTATES TRACT PLAN

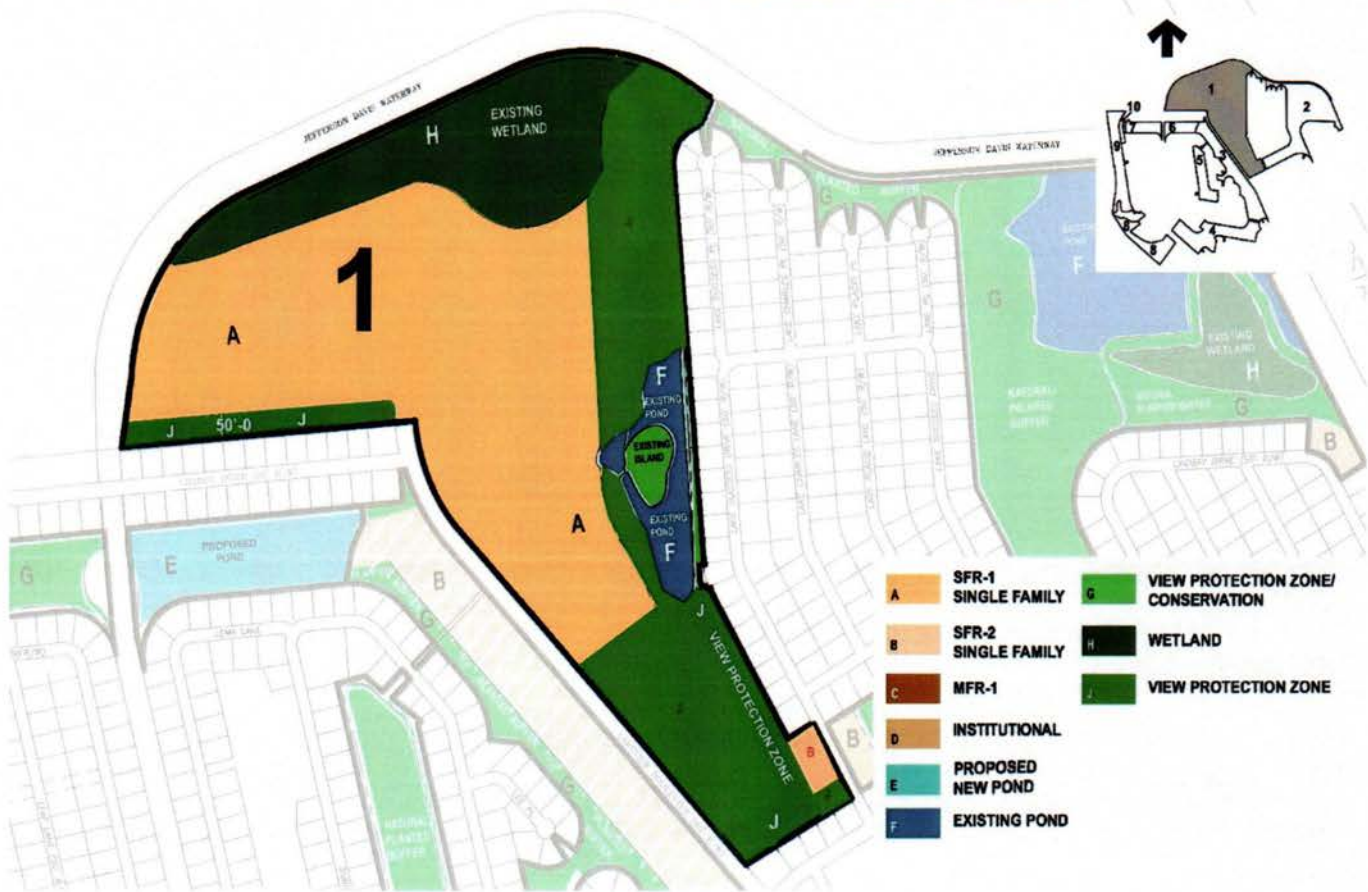


EXHIBIT "B-2"

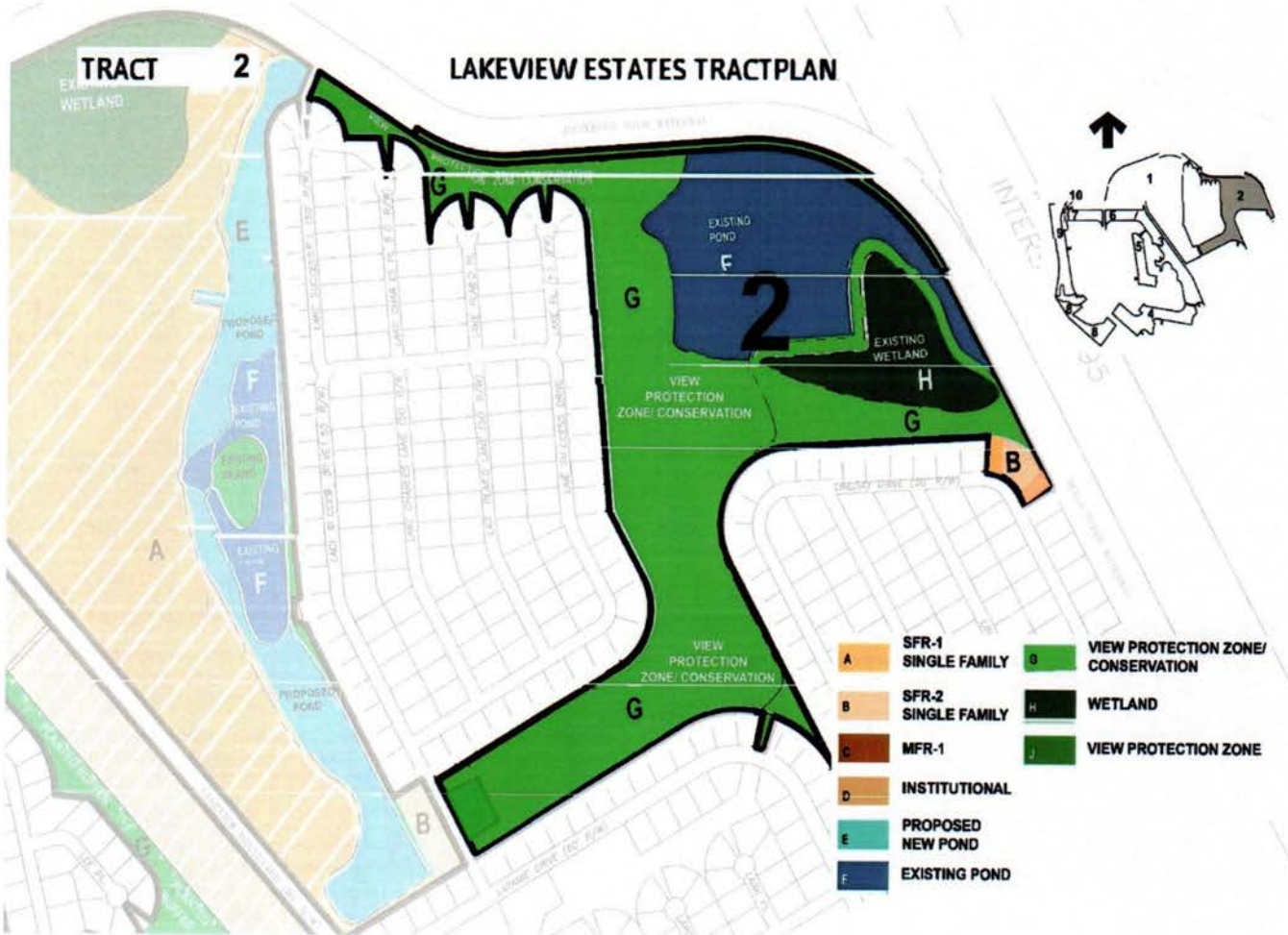


EXHIBIT "B-3"

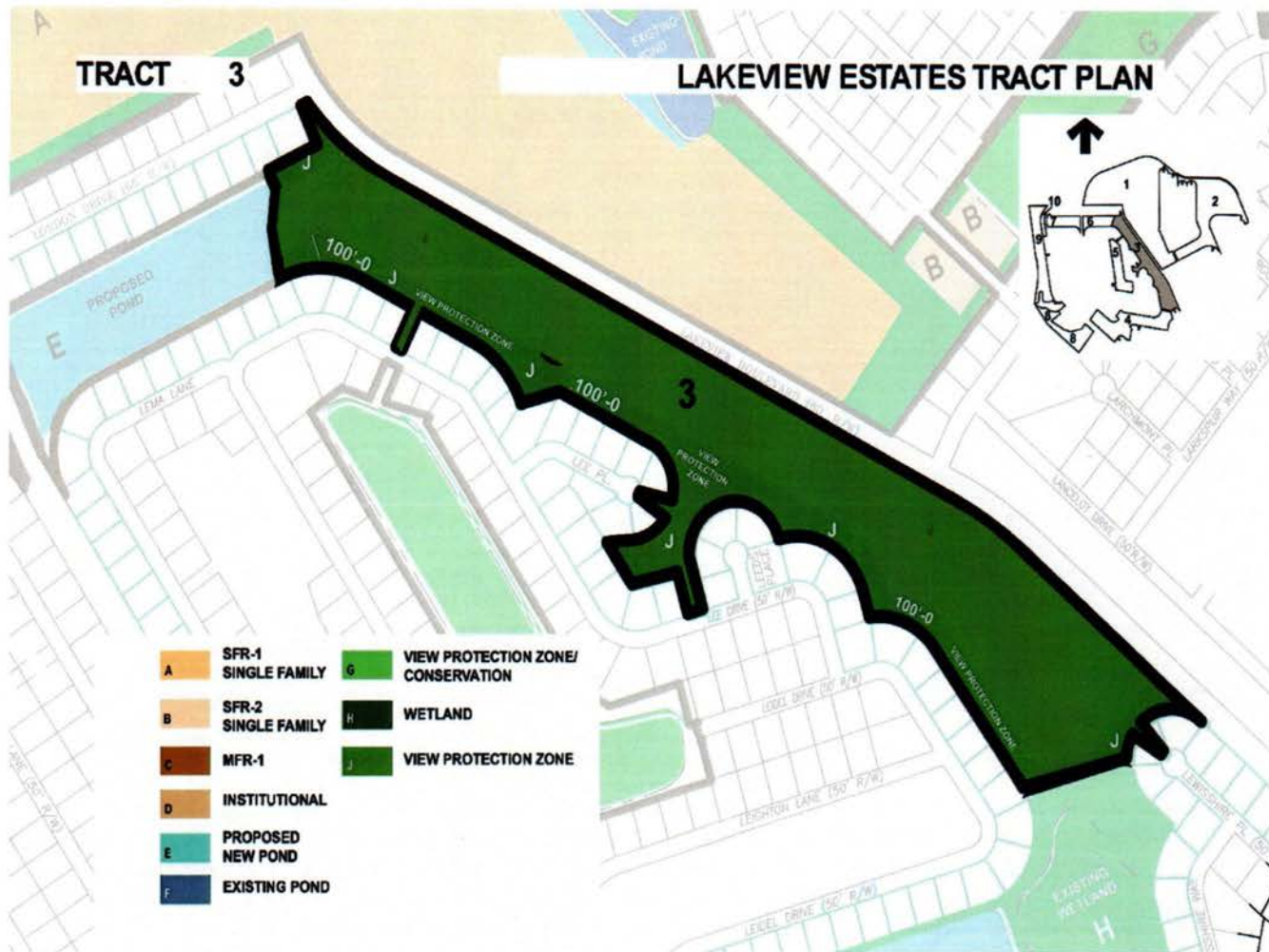


EXHIBIT "B-4"



EXHIBIT "B-5"



EXHIBIT "B-6"

TRACTS 6 & 7

LAKEVIEW ESTATES TRACT PLAN

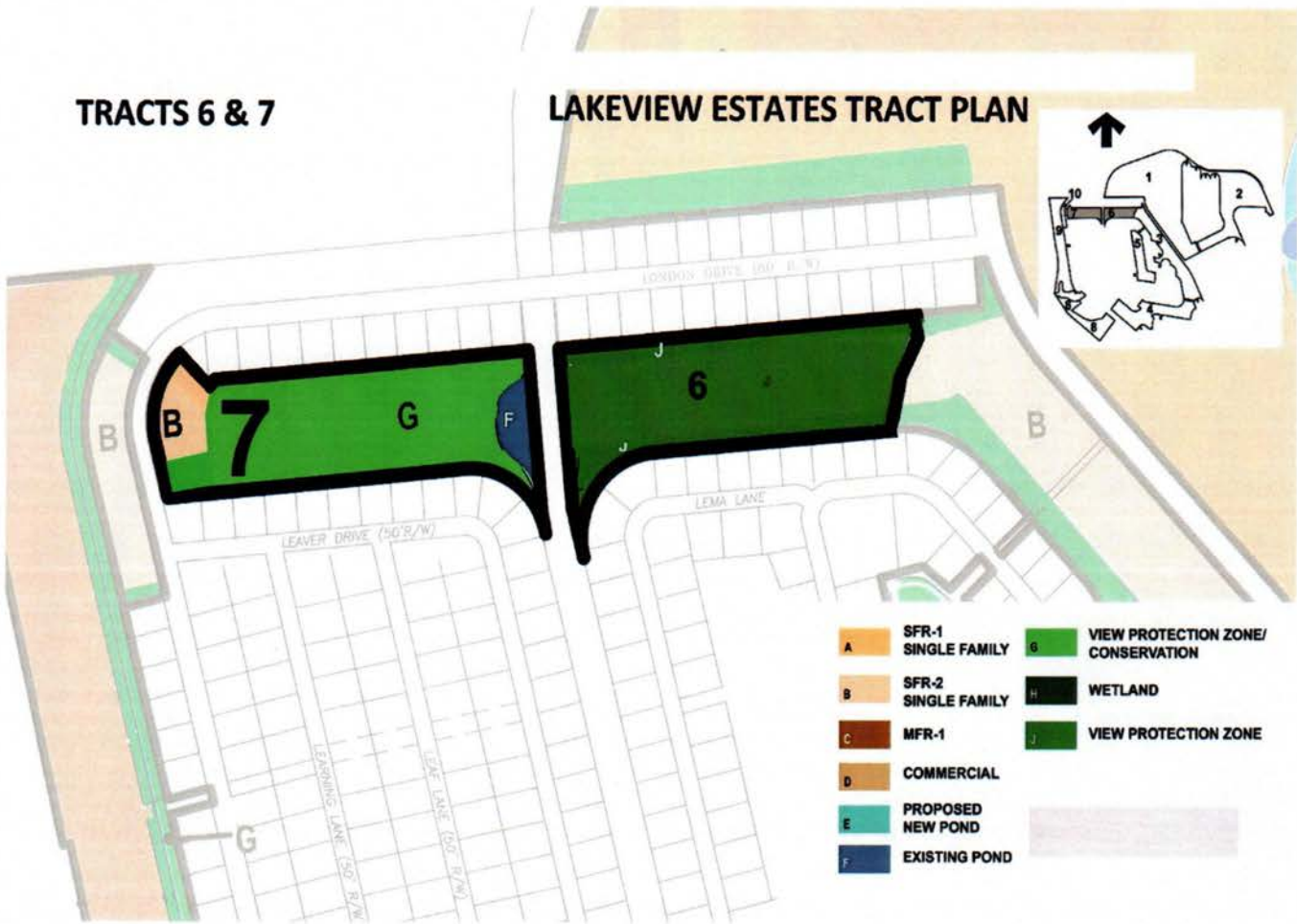


EXHIBIT "B-7"



EXHIBIT "B-8"

