City of Palm Coast, Florida
Agenda Item

Agenda Date: October 20, 2026

Agenda Item:
I.3

Department COMMUNITY DEVELOPMENT **Division** PLANNING	**Amount** **Org/Account #**

Subject: ORDINANCE 2026-XX LAKEVIEW ESTATES COMPREHENSIVE PLAN AMENDMENT APPLICATION # 5576

Presenter: **Michael Hanson, A.I.C.P, Senior Planner**

Attachments:

1. Power Point Presentation
2. Ordinance
3. Staff Report
4. Business Impact Estimate
5. Map Series
6. Applicant Cover Letter, Application, Corp ID, Owner Authorization
7. Applicant FLUM Analysis, FLUM Traffic Report, Environmental Report
8. Boundary Survey, Title Opinion Tract 9
9. Public Notice Documentation
10. Recorded Lakeview Estates MPD Ordinance

Original Background:

Request: This Future Land Use Map (FLUM) amendment has a companion Master Planned Development (MPD) Agreement amendment requesting the subject ±20-acre site be rezoned to permit General Commercial (COM-2) uses limited to a maximum height of 35 feet. Additionally, the COM-2 uses will be limited to not permit special exceptions for mini-warehouses, office warehouses, or self-storage on the site. The MPD amendment also requests changes to other tracts within the MPD which do not affect the FLUM amendment.

Michael Chiumento III of Chiumento Law, as agent for Matanzas GC Palm Coast LLC, is proposing to redesignate a ±20-acre portion of vacant land located on the east side of US Highway 1, approximately ±3,300 feet north of its intersection with Matanzas Woods Parkway from Greenbelt to Mixed Use in order for the applicant to develop a ±20 acre portion of Tract 9 for commercial uses.

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 (meeting the Public Semi-Public zoning district) on Tract

9 after an environmental assessment reduced ±4.3 acres of potential land to be conserved to ±0.2 acres.

Since then, the developer has received approvals for 200 single-family residential units in Tract 1; 12 single-family residential units scattered on Tract 1, 2, 4, and 7; and most recently 9 single-family residential units on Tract 10. This results in the overall project maintaining residential entitlements for 51 dwelling units.

In 2024, the applicant requested the proposed FLUM amendment and companion MPD amendment. The proposed FLUM amendment would redesignate a ±20-acre portion of Tract 9 to Mixed Use. Mixed use allows a density of 15 du per acre. It is advisable to include a site specific limiting policy to ensure that the FLUM amendment does not create more density for the overall development than currently permitted. With this in place, and the development of the 20-acre tract as commercial uses, the remaining overall density entitlement for the project will be 39 du per acre.

This application has taken a significant amount of time as staff waited on multiple resubmittals from the applicant in order to make a complete application. Staff had originally requested a Transportation Impact Analysis (TIA) for the FLUM amendment area, which the applicant has requested through City Administration the ability to defer submitting the TIA until the Technical Site Plan application to develop Tract 9 for commercial uses. In place of the analysis that the TIA would bring, the applicant has requested a site specific limiting policy that caps the maximum daily trips of the subject area to what is currently allowed by the most intense use allowed in the Greenbelt FLUM designation.

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. Since then, staff has been contacted by several of the surrounding residents with clarifying questions about the applicant's requests.

<u>Proposed Comprehensive Plan Text Amendment:</u> 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. 07-11-31-7037-0RP0A-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:

1. 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.
2. Density Cap: Residential density shall be capped to producing no more than one dwelling unit per acre.

<u>Planning and Land Development Regulation Board Meeting:</u> 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.

City Council First Read: City Council heard this item at its September 1st meeting, and it was continued until the September 15th meeting. City Council voted to approve the Comprehensive Plan Amendment with a vote of three to one. Four members of the public spoke at the September 1st meeting, and two members of the public spoke at the September 15th meeting.

Updated Background: No changes to the Comprehensive Plan Amendment.

This is a Quasi-Judicial Item, please disclose all ex-parte communication.

Recommended Action:
THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD RECOMMENDS THAT CITY COUNCIL FIND APPLICATION #5576 CONSISTENT WITH THE COMPREHENSIVE PLAN AND APPROVE THE COMPREHENSIVE PLAN AMENDMENT FROM GREENBELT TO MIXED USE, SUBJECT TO THE CONCURRENT ADOPTION OF FLUE POLICY 1.1.2.5 LIMITING THE SITE'S DEVELOPMENT POTENTIAL.

City Council
Public Hearing

Lakeview Estates
FLUM and MPD Amendment
AR # 5575 & 5576

Revised 10/8/2026

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

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

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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.

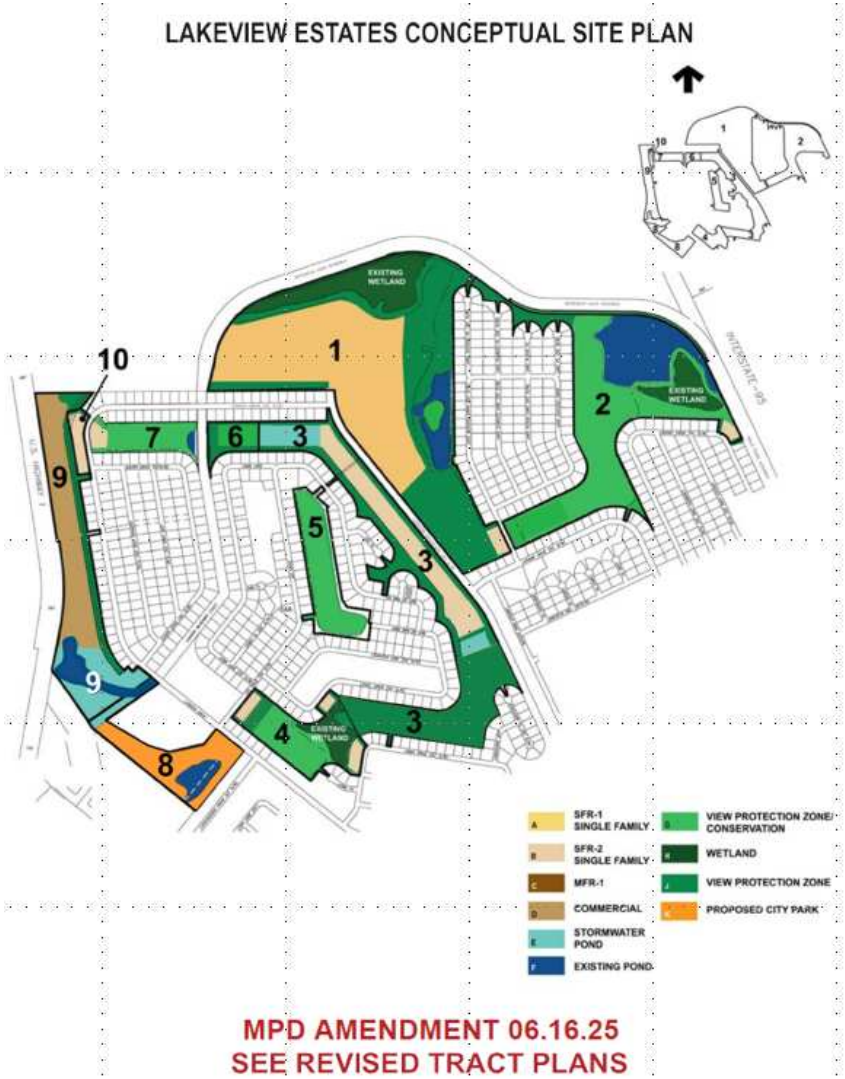
Lakeview Estates
Master Planned Development Amendment
Analysis & Recommendation
AR # 5575

Updated for 9.15 Council Meeting

Proposed Conceptual Map Changes 9-1 to 9-15

MPD Amendment

Tract Map Comparison





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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 ±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.

Updated for 9.15 Council Meeting

MPD Amendment

MPD DA Changes

9-1 to 9-15 versions

Following the City Council Meeting on 9/1/2026 the applicant has modified the proposed MPD Development Agreement Amendment and associated exhibits.

1. City Community Park: The applicant has added language to ensure the owner shall demonstrate that arsenic levels on Tract 8 are under limits for human occupation as regulated by Federal, State, and Local regulations prior to conveyance of the Tract to the City.
2. Project Description: Now includes a line providing the to date utilization of the residential entitlements (221) and remaining balance (39, assuming the FLUM amendment is approved).
3. Tract utilization table for Tract 9 is also updated to limit commercial uses to a cap of 250,000 square feet (SF) of development, and provides a new exhibit (Exhibit “C” to the MPD which provides clarification on the COM-2 uses the applicant is seeking.
4. Text for Tract 3 has been reworded to clarify that potential development on Tract 3 shall maintain a minimum 50-foot View Protection Zone (VPZ), and ensures that the VPZ may not be cleared during development of the tract.

Changes continue on next slide.

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Updated for 9.15 Council Meeting

MPD Amendment

MPD DA Changes

9-1 to 9-15 versions

5. Text for Tract 9 has been reworded to reference the intensity cap of 250,000 SF. Additionally, language has been provided to allow for potential waiver reductions to the landscaping buffers adjacent to US-1 and parking requirements. Such waivers are worded to follow existing LDC requirements for landscape betterment plans (approved by PLDRB), or parking flexibility studies based on Institute of Traffic Engineers' Parking Manual (administratively approved by the LUA in the LDC). These potential waivers are designed to ensure that the 100' VPZ on Tract 9 is maintained.
6. Section 4 – 13 added.

   "Prior to filing any application for development of Tract 3 or Tract 9, the Owner shall either (1) place a conservation easement over portions of the Subject Property prohibited from being developed ("Undeveloped Property") with the terms of such easement in a form acceptable to the City's LUA or (2) convey the Undeveloped Property pursuant to a mutually agreeable purchase and sale agreement approved by the LUA."

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Updated for 10.20 Council Meeting

MPD Amendment

MPD DA Changes 10-20 version

1. Section 4 – 13 amended.
   "Prior to filing any application for development of Tract 3 or Tract 9, the Owner shall either (1) place a conservation easement over portions of the Subject Property prohibited from being developed ("Undeveloped Property") with the terms of such easement in a form acceptable to the City's LUA or (2) convey the Undeveloped Property pursuant to a mutually agreeable purchase and sale agreement approved by the LUA." →
   "Prior to filing any application for development of Tract 3 or Tract 9, the Owner shall convey the Undeveloped Property pursuant to a mutually agreeable purchase and sale agreement approved by the LUA."

Changes continue on next slide.

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Updated for 10.20 Council Meeting

MPD Amendment

MPD DA Changes 10-20 version

2. Section 4 – 14 added.

"Existing vegetative screening in all View Protection Zones (VPZ) shall be maintained in perpetuity with no land clearing activities, except for those deemed necessary by the City for emergency services. Any other clearing activities within the VPZ is prohibited. In the event of any non-exempted clearing activities occurs, the property owner shall be required to replant the VPZ with a like for like replacement based on the diameter inches of trees cleared, with minimum replanting of trees of at least six (6) inches in diameter at breast height (dbh). The Land Use Administrator shall have approval of replacement species and spacing. Any tree replacement within a VPZ shall be made using native drought tolerant species. Further, tree removal or land clearing activities within the VPZ that are not exempted per this subsection shall be subject Code Enforcement action as prescribed in the City's Code of Ordinances, including administrative fines and liens as outlined in Section 2-211 of the Code of Ordinances, with fines accruing at a rate of $1,000 per day for first violation, and $5,000 per day for subsequent violations, until such violations are resolved."

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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.*

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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.*

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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.

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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.*

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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.

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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.

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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.

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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 2026-____
COMPREHENSIVE PLAN AMENDMENT TO
LAKEVIEW ESTATES APPLICATION 5576

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2050 COMPREHENSIVE PLAN, AS AMENDED, PURSUANT TO SECTION 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR A ±20 ACRE PORTION OF TRACT 9 OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 07-11-31-7037-0RP0A-0002, GENERALLY LOCATED ON THE EAST SIDE OF US HIGHWAY 1 APPROXIMATELY ±3,300 FEET NORTH OF ITS INTERSECTION WITH MATANZAS WOODS PARKWAY AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A, FROM GREENBELT TO MIXED USE AND AMENDING THE FUTURE LAND USE ELEMENT PROVIDING A SITE-SPECFIC LIMITING POLICY CAPPING DENSITY AND INTENSITY; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Palm Coast enacted Ordinance 2025-06, adopting the City *of Palm Coast 2050 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

WHEREAS, Section 163.3161 et seq., Florida Statutes established the Community Planning Act; and

WHEREAS, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

WHEREAS, MATANZAS GC PALM COAST LLC, a Florida limited liability company ("Owner") is the Owner of the property further described in "Exhibit A"; and

WHEREAS, the Owner is has requested to amend the future land use designation of the property described in Exhibit A from City of Palm Coast Future Land Use Designation of Greenbelt to City of Palm Coast Future Land Use Designation of Mixed Use; and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB) acting as the City's Local Planning Agency, considered the proposed map

amendments at a public hearing on May 20, 2026, and voted to recommend Approval of the proposed Comprehensive Plan Amendment; and

WHEREAS, on September 1, 2026, and October 20, 2026 the City of Palm Coast City Council held public hearings on this Comprehensive Plan amendment after due public notice and upon thorough and complete consideration and deliberation, adopted the proposed Comprehensive Plan amendment; and

WHEREAS, the Comprehensive Plan amendments adopted by this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan of the City's *Comprehensive Plan*; and

WHEREAS, the City Council of the City of Palm Coast hereby reaffirms its commitment to the goal of enacting and implementing sound growth management practices within the City; and

WHEREAS, the City Council of the City of Palm Coast finds that this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Palm Coast.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

SECTION 2. FUTURE LAND USE MAP AMENDED. The ±20-acre portion of Tract 9 of certain real property described as tax parcel identification number 07-11-31-7037-0RP0A-0002, generally located on the east side of US Highway 1 approximately ±3,300 feet north of its intersection with Matanzas Woods Parkway and being more particularly described in attached Exhibit A, is hereby amended from the City of Palm Coast Future Land Use Designation of Greenbelt to the City of Palm Coast Future Land Use Designation of Mixed Use.

SECTION 3. FUTURE LAND USE ELEMENT SITE SPECIFIC LIMITING POLICY. The Future Land Use Element is amended to add Policy 1.1.2.5 - For the 20-acre portion of Tract 9 of Lakeview Estates MPD, identified as Parcel ID No. 07-11-31-7037-0RP0A-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:

1. 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.

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

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provision of the Ordinance.

SECTION 5. CODIFICATION. It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to Section," "Article," or other appropriate word.

SECTION 6. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this

amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

APPROVED on first reading this 15th day of September 2026.

ADOPTED on 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

Attachment:
Exhibit "A" – Legal Description
Exhibit "B" – Amended Future Land Use Map

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF RESEVED PARCEL "C", LAKEVIEW – SECTION 37 PALM COAST PARK AT PALM COAST, AS RECORDED IN MAP BOOK 13, PAGES 1 THROUGH 29 INCLUSIVE, 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" (SAID POINT BEING LOCATED ON THE EASTERLY RIGHT–OF–WAY LINE OF U.S. HIGHWAY NO. 1, A VARIABLE WIDTH PUBLIC RIGHT–OF–WAY); THENCE DEPARTING SAID RIGHT–OF–WAY LINE ALONG THE NORTHERLY LINE OF SAID PARCEL "C", NORTH 89°26'28" EAST FOR A DISTANCE OF 338.33 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 09°19'20" EAST FOR A DISTANCE OF 461.65 FEET TO A NON–TANGENT CURVE TO THE LEFT HAVING AN ARC LENGTH OF 34.59 FEET, A RADIUS OF 430.06 FEET, A CENTRAL AGLE OF 04°36'28", A CHORD BEARING OF SOUTH 07°15'28" EAST AND A CHORD LENGTH OF 34.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 09°33'42" EAST FOR A DISTANCE OF 297.51 FEET; THENCE NORTH 80°26'17" EAST FOR A DISTANCE OF 125.00 FEET TO THE WESTERLY RIGHT–OF–WAY LINE OF LONDON DRIVE, A 60–FOOT WIDE PUBLIC RIGHT–OF–WAY PER SAID PLAT OF LAKEVIEW SECTION 37; THENCE ALONG SAID RIGHT–OF–WAY LINE SOUTH 09°34'33" EAST FOR A DISTANCE OF 6.16 FEET; THENCE DEPARTING SAID RIGHT–OF–WAY LINE SOUTH 80°26'17" WEST FOR A DISTANCE OF 225.00 FEET; THENCE SOUTH 09°33'43" EAST FOR A DISTANCE OF 1640.61 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 261.00 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 18°07'34", A CHORD BEARING OF SOUTH 18°37'30" EAST AND A CHORD DISTANCE OF 259.91 FEET TO A NON–TANGENT LINE; THENCE DEPARTING SAID CURVE ALONG SAID LINE SOUTH 78°45'33" WEST FOR A DISTANCE OF 524.16 FEET TO THE AFOREMENTIONED EASTERLY RIGHT–OF–WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTHERLY ALONG SAID RIGHT–OF–WAY LINE FOR THE FOLLOWING FIVE (5) COURSES; THENCE NORTH 09°59'31" EAST FOR A DISTANCE OF 128.08 FEET; THENCE SOUTH 89°43'01" WEST FOR A DISTANCE OF 5.08 FEET; THENCE NORTH 09°59'31" EAST FOR A DISTANCE OF 253.32 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 655.07 FEET, A RADIUS OF 2030.05 FEET, A CENTRAL ANGLE OF 18°29'19", A CHORD BEARING OF NORTH 00°44'52" EAST AND A CHORD DISTANCE OF 652.23 FEET TO A POINT OF TANGENCY; THENCE NORTH 08°29'47" WEST FOR A DISTANCE OF 179.58 FEET; THENCE SOUTH 81°30'12" WEST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 08°29'47" WEST FOR A DISTANCE OF 1583.88 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

EXHIBIT B
AMENDED FUTURE LAND USE MAP



COMMUNITY DEVELOPMENT DEPARTMENT
COMPREHENSIVE PLAN AMENDMENT STAFF REPORT
CITY COUNCIL
PUBLIC HEARING ON OCTOBER 20, 2026

OVERVIEW

Application Number:	5576
Applicant:	Michael Chiumento III, Esq. Chiumento Law, agent for owner
Property Description:	The east side of US Highway 1, approximately ±3,300 feet north of its intersection with Matanzas Woods Parkway
Property Owner:	Matanzas GC Palm Coast LLC
Parcel ID #:	07-11-31-7037-0RP0A-0002, 07-11-31-7037-0RP0A-0011
Current FLUM:	Greenbelt
Current Zoning:	Lakeview Estates Master Planned Development (MPD) – Tract 9
Current Use:	Vacant
Size of Property:	±280.6 acres Overall (±32.5 acres Tract 9)
Requested Action:	Future Land Use Map (FLUM) amendment from the Greenbelt land use designation to the Mixed Use land use designation 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.

ANALYSIS

REQUESTED ACTION

This Future Land Use Map (FLUM) amendment has a companion Master Planned Development (MPD) Agreement amendment requesting the subject ±20-acre site be rezoned to permit General Commercial (COM-2) uses limited to a maximum height of 35 feet. Additionally, the COM-2 uses will be limited to not permit special exceptions for mini-warehouses, office warehouses, or self-storage on the site. The MPD amendment also requests changes to other tracts within the MPD which do not affect the FLUM amendment.

Michael Chiumento III of Chiumento Law, as agent for Matanzas GC Palm Coast LLC, is proposing to redesignate a ±20-acre portion of vacant land located on the east side of US Highway 1, approximately ±3,300 feet north of its intersection with Matanzas Woods Parkway from Greenbelt to Mixed Use in order for the applicant to develop a ±20 acre portion of Tract 9 for commercial uses.

BACKGROUND/SITE HISTORY

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

(meeting the Public Semi-Public zoning district) on Tract 9 after an environmental assessment reduced ±4.3 acres of potential land to be conserved to ±0.2 acres.

Since then, the developer has received approvals for 200 single-family residential units in Tract 1; 12 single-family residential units scattered on Tract 1, 2, 4, and 7; and most recently 9 single-family residential units on Tract 10. This results in the overall project maintaining residential entitlements for 51 dwelling units.

In 2024, the applicant requested the proposed FLUM amendment and companion MPD amendment. The proposed FLUM amendment would redesignate a ±20-acre portion of Tract 9 to Mixed Use. Mixed use allows a density of 15 du per acre. It is advisable to include a site specific limiting policy to ensure that the FLUM amendment does not create more density for the overall development than currently permitted. With this in place, and the development of the 20-acre tract as commercial uses, the remaining overall density entitlement for the project will be 39 du per acre.

This application has taken a significant amount of time as staff waited on multiple resubmittals from the applicant in order to make a complete application. Staff had originally requested a Transportation Impact Analysis (TIA) for the FLUM amendment area, which the applicant has requested through City Administration the ability to defer submitting the TIA until the Technical Site Plan application to develop Tract 9 for commercial uses. In place of the analysis that the TIA would bring, the applicant has requested a site specific limiting policy that caps the maximum daily trips of the subject area to what is currently allowed by the most intense use allowed in the Greenbelt FLUM designation.

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. Since then, staff has been contacted by several of the surrounding residents with clarifying questions about the applicant's requests.

DENSITY/INTENSITY AND POPULATION

Note: The analysis for comprehensive plan map amendments takes into consideration the maximum development potential under the current and proposed FLUM categories and represent the theoretical maximum development potential within the land use category.

The tables below show a comparison should the project area be zoned and developed for residential or nonresidential use between the current future land use designation of Greenbelt and the proposed future land use designation of Mixed Use. It is unlikely for the theoretical maximum in either residential density or nonresidential intensity to be achieved as the current existing MPD Development Agreement (DA) does not permit residential development as a use type and the maximum height is limited to 35 feet, which may affect some nonresidential uses from being able to go vertical.

The maximum residential development potential is depicted in Table 1. Greenbelt allows a maximum density of 1 du per acre. Therefore, the 20-acre portion of Tract 9 allows for maximum density of 20 du. As the Mixed Use designation allows for up to 15 du per acre, which could create an additional residential unit entitlement of 280 du, staff recommends a site specific limiting policy that caps the residential density to a maximum of 1 du per acre (as currently allowed under Greenbelt).

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)				
	# of Acres	Maximum Density[1]	Maximum # of units	Population (2.5 persons/dwelling 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 depicts the maximum nonresidential potential based on the existing Greenbelt future land use designation and the proposed Mixed Use future land use designation. Greenbelt allows a maximum floor area ratio of 0.30, while Mixed Use allows a maximum floor area ratio of 0.55. This indicates a theoretical net increase of 217,800 square feet of developable intensity.

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.

PUBLIC FACILITIES AVAILABILITY /IMPACT ANALYSIS (BASED ON THEORETICAL YIELD OF MAXIMUM DEVELOPMENT POTENTIAL)

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:

A. *Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City or the County 5-year Capital Improvement Program shall be considered.*
B. *Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials*
C. *Existing and future availability and capacity of central utility systems.*
D. *Availability and capacity of receiving watercourses and drainage systems to convey design storm events.*

PUBLIC FACILITIES CAPACITY/IMPACT ANALYSIS

The analysis for comprehensive plan map amendments takes into consideration the theoretical maximum development potential under the current and proposed land use category and represents the theoretical maximum development potential within the existing and proposed land use categories. Based on an analysis of the development potential under the existing and proposed FLUM, the proposed amendment will result in an increase on the potential impact on public facilities (transportation, water, and sewer). Once a specific development is proposed for the site, a more detailed review of the development impacts on public facilities will be conducted.

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.

The results of the net impact analysis are shown on Table 3, and are summarized below:

Transportation

The proposed FLUM amendment to Mixed Use from Greenbelt for the 20-acre site will have a potential maximum increase of 18,101 P.M. peak hour trips based on the theoretical maximum floor area ratio (FAR) and the most intense land use found under the Institute of Traffic Engineers (ITE) Trip Generation Manual 12th Edition, land use type 732: *United States Post Office*. ITE Land Use Type yields a maximum 83.11 P.M. peak hour trip per 1,000 square feet. This land type use is allowed in both the PSP and COM-2 land uses. The reason for the difference between the existing and proposed FLUM designations is that the Mixed Use FLUM designation allows a FAR of 0.55, while the Greenbelt FLUM designation allows a maximum FAR of 0.30.

Normally at this stage an application proposing over 1,000 daily trips or 100 p.m. peak hour trips would have to include a Transportation Impact Analysis (TIA) with their application. The TIA analyzes the potential impact of the trips distributed across the right-of-way system. The applicant requested to the City Administration that the project be allowed to proceed with the application without this document. Due to that City staff and Florida Department of Transportation staff were unable to review and analyze the requested TIA for this staff report. Instead based on City Administration determination this document is being deferred until the project is ready to submit a potential Technical Site Plan application as the applicant has not finalized what kind of uses that they plan to develop. As a means to minimize the potential traffic impact to US-1 of the FLUM amendment, the applicant proposed a site specific limiting policy capping the maximum daily trips of the site to the maximum amount allowed under the Greenbelt FLUM designation.

Potable Water

The City's analysis for nonresidential potable water at this stage is based on a rate of 17 gallons per day (GPD) divided by every 100 square feet of development. Since the FAR for the Mixed Used FLUM designation is 0.55 as opposed to the Greenbelt's FAR limit of 0.3, the proposed FLUM amendment will have a potential maximum net increase in demand for potable water of ±0.037 million gallons per day (MGD). As part of the Technical Site Plan review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of water line, pump stations, etc.) for potable water service. The potential approval of the FLUM amendment does not create a reservation of capacity, as that is typically handled at the Technical Site Plan stage based on the actual need for a proposed development.

Wastewater

The City's analysis for nonresidential potable water at this stage is based on a rate of 10 (GPD) divided by every 100 square feet of development. The proposed FLUM amendment will have a potential maximum net increase in demand for sanitary sewer treatment of ±0.0218 MGD. As part of the technical site plan review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of sewer line, lift stations, etc.) for wastewater service. The potential approval of the FLUM amendment does not create a reservation of capacity, as that is typically handled at the Technical Site Plan stage based on the actual need for a proposed development.

Solid Waste

There is no LOS requirement for solid waste for non-residential development since the developer will be required to provide their own solid waste provider.

Public Recreation and Open Space

There is no projected demand from the proposed amendment since it is likely to be developed for non-residential uses.

Public Schools

There is no projected demand from the proposed amendment since it is likely to be developed for non-residential uses.

Stormwater

N/A. Stormwater treatment facilities are reviewed for consistency with the adopted level of service (LOS) during Technical Site Plan review.

ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS

Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.1- At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

A. *Topography and soil conditions including the presence of hydric soils.*
B. *Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.*
C. *Location and extent of wetlands, certain vegetative communities, and protected wildlife species.*
D. *Location and extent of other environmentally sensitive features.*
E. *Proximity to wellfields and aquifer recharge areas.*
F. *Impacts to potable water supply.*

A. TOPOGRAPHY AND SOIL CONDITIONS

The analysis area is vacant and vegetated. The area is a former golf course fairway. The site is bounded by US-1 to the west, and a residential neighborhood commonly known as the "L" section of Palm Coast. According to the Environmental report dated April 2021 by Atlantic Ecological Services, LLC., the subject area for Tract 9 does contain ±0.02 acres of jurisdictional wetlands, ±1.86 acres of isolated wetlands, and ±4.62 acres of surface water. The wetlands detailed in the applicant's environmental assessment reflect the boundaries that were delineated in the field pursuant to state and federal guidelines (Chapter 62-340 F.A.C. and the 1987 Corps of Engineers Wetlands Delineation Manual). Further description of these features may be found in the Section C. Vegetative Communities.

As detailed within the Environmental report, the *Soils Map* indicates the following soil types within the site: 11 - Myakka fine sand; 13 – Immokalee fine sand; 8 – Hicoria, Riviera, and Gator soils, depressional; 29 - Udarents; moderately wet, and 30 – Pits.

Analysis: There are no indicators of unique topographical reliefs or soils that would be affected by the FLUM change.

FINDING: It is not anticipated that the proposed FLUM change from Greenbelt to Mixed Use will negatively impact the local topography or prevent the proposed development permissible within the FLUM designation.

B. FLOODPLAINS

Federal Emergency Management Agency's (FEMA), Flood Insurance Rate Map (FIRM) source indicates that portions of the subject property lie within a Special Flood Hazard Area (SFHA) with

"A" Zone designation. Portions of the properties lie outside of the SFHA and has a designation of a "X" Zone.

Analysis: Compensatory storage will be required for any floodplain impacts as well as a Letter of Map Change to establish a Base Flood Elevation during the Technical Site Plan application prior to development.

FINDING: It is not anticipated that the proposed FLUM change will negatively impact the function of a SFHA as compensatory storage will be required.

C. VEGETATIVE COMMUNITIES

According to the Environmental report, the uplands onsite are classified as a mix of golf course – remnant (FLUCCS 182) and pine flatwoods (FLUCCS 411). The area not formerly maintained as the golf course area include: A canopy that is dominated by slash pine (Pinus elliottii) with some Chinese tallow (Sapium sebiferum), live oak (Quercus virginiana), laurel oak (Quercus laurifolia), and loblolly bay (Gordonia lasianthus) 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). The remnant fairways, greens, and associated components of the derelict Matanzas Golf Course include a mix of turf grass, ruderal weeds, landscape plants and trees, parking, and associated structures.

Analysis: As mentioned in the topography section, there are some wetlands located on the site and any impacts will need to be permitted through St. Johns River Water Management District (SJRWMD) and/or the Florida Department of Environmental Protection (FDEP).

FINDING: It is not anticipated that the proposed FLUM amendment will negatively affect the vegetative communities. During the Technical Site Plan phase of development, the developer will be required to submit a threatened and endangered species report and wetland delineation with UNAM scores.

D. PROTECTED SPECIES DISTRIBUTION/ WILDLIFE UTILIZATION

The submitted environmental report states that no gopher tortoise burrows were observed on-site; however, that the potential existence of gopher tortoise burrows exists within the uplands. A 100 percent gopher tortoise survey by a Florida Fish and Wildlife Conservation Commission (FWC) Authorized Gopher Tortoise Agent will be required 90 days prior to construction. If any gopher tortoise burrows are observed onsite, additional gopher tortoise permitting, and relocation may be required. The Environmental report further states that the following animals have a low to high likelihood of occurrence: American alligator, Kirtland's warbler, Eastern indigo snake, Little blue heron, Tri-colored heron, Southeastern American kestrel, Gopher tortoise, Florida sandhill crane, Southern bald eagle, Wood stork, Florida black bear.

Analysis: While the applicant's submitted environmental report did not observe any of the listed species, it states that there is potential for the listed wildlife species to utilize the property. It is interconnected to other vacant land making the site easier to access for some of the listed species. Wildlife utilization may change over time due to various factors. To ensure that the referenced species and any potentially occurring species in the future, the Unified Land Development Code (Section 10.04.03.A, LDC) requires that a listed

species study is performed by a Qualified Environmental Professional (QEP) during the technical site plan application. Further, a study is valid for one year for the property that was investigated to capture any changes in wildlife utilization.

FINDING: The proposed FLUM amendment will not change the need to relocate any potential gopher tortoise discovered prior to any development activities or need for the listed species study. These needs remains no matter the FLUM designation and are required prior to any site clearing.

E. GROUNDWATER RESOURCE PROTECTION

According to City maintained data, the nearest production well is not within 500 feet of the site. The site is not located within the Secondary Protection Zone or the Primary Protection Zone as defined by Section 10.03.02.B, LDC.

Analysis: The amendment is not within an aquifer recharge area or within a wellhead protection zone(s).

FINDING: The proposed land use change is not anticipated to impact groundwater resources.

F. HISTORICAL 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 and included with the applicant's environmental report. 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.

Analysis: As there were not any FMSFs found on site, it is unlikely that the proposed FLUM amendment will impact any historical or cultural resources.

FINDING: Any finding of architectural and cultural resources during the site plan review or construction process will require compliance with LDC and state rules for protecting such resources including stopping construction while further investigation is conducted.

LAND USE COMPATIBILITY ANALYSIS

Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments. "Compatibility" shall be as defined in Section 163.3164(9), Florida Statutes.

A. This policy shall not be construed to mean that different categories of uses are inherently incompatible. This policy is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.

B. Buffers are encouraged as an effective means of transition between areas where there is a greater difference between densities and intensities of the existing and proposed developments.

C. Impacts to the health, safety, and welfare of surrounding residents shall be considered.

D. An analysis shall be conducted of the proposed development, and how that will interface with existing abutting development, if approval is granted.
E. Neighborhood character shall be preserved and promoted by working toward maintaining

Surrounding Future Land Use Map Designations:
North: DRI-Mixed Use; Conservation; Agriculture & Timberlands (Flagler County)
South: Residential
East: Residential; Greenbelt; Agriculture & Timberlands (Flagler County)
West: DRI-Mixed Use

Surrounding Zoning Districts:
North: PSP; COM-2; Rural Estate (EST-2); MPD; Agriculture (Flagler County)
South: Single-Family Residential (SFR) Zones 1-3; Preservation; Heavy Commercial (COM-3)
East: SFR-2; SFR-3
West: MPD

Surrounding Property Existing Uses:
North: Self-storage; residential; warehouse; vacant lands
South: Residential
East: Residential, Interstate 95
West: Residential, US Highway 1

The proposed project area is adjacent to the east side of US-1. The existing developmental pattern following US-1 has land designated mixed-use adjacent to the US-1 right-of-way. Further given the increased residential development in the area, the potential expansion of commercial uses that the applicant intends with the proposed language within their companion MPD amendment application would potentially reduce longer trip ends for nearby residents to access commercial uses when developed.

CONSISTENCY WITH COMPREHENSIVE PLAN

In addition to being consistent with Objective 1.1.3 and Policy 1.1.3.3 which establishes the criteria for review of Future Land Use Map Amendments as provided in the previous section. The proposed amendment is consistent with the following policies in the Comprehensive Plan:

Policy 1.1.3.3 *– At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.*

A. This policy shall not be construed to mean that different categories of uses are inherently incompatible. This policy is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.

Analysis: As discussed in the section titled "Land Use Compatibility Analysis", the proposed designation of the subject property 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, leaves a remaining strip of Greenbelt, which according to the applicant's proposed MPD amendment is intended to remain as a view protection zone 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. Where there are deficiencies and where appropriate, the City shall require the developer to provide or extend the facilities as necessary to accommodate development provided such provision or extension is consistent with state law. Applicable impact fees shall be used by the City consistent with State law to offset the costs of the City providing facilities.*

Analysis: The proposed amendment is consistent with Policy 1.3.1.3. The location of the subject property is adjacent to US-1, which serves as a principal arterial linking the northwest portion of the City to the remainder of the City. There are existing water and sewer lines along the US-1 corridor. Consistent with the policy, the developer will be responsible for extending any facilities as necessary.

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 consistent with Policies 1.1.1.2 and 1.1.3.2. For the purposes of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.*

Analysis: The proposed FLUM amendment to Mixed Use at this location is consistent with Comprehensive Plan 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 as set forth in State law and City regulations. The City shall minimize the use of septic tanks in accordance with the provisions of Objective 5.2.3 and policies implementing that objective. For the purpose of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The proposed FLUM amendment to Mixed Use land use designation is consistent with Comprehensive Plan policy above to designate urban densities or intensities in areas that have sufficient existing or planned capacity for sanitary sewer facilities.

PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENT

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. 07-11-31-7037-0RP0A-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:

1. **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.
2. **Density Cap:** Residential density shall be capped to producing no more than one dwelling unit per acre.

PLANNING AND LAND DEVELOPMENT REGULATION BOARD 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.

CITY COUNCIL FIRST READ

City Council heard this item at its September 1st meeting, and it was continued until the September 15th meeting. City Council voted to approve the Comprehensive Plan Amendment with a vote of three to one.
Four members of the public spoke at the September 1st meeting, and two members of the public spoke at the September 15th meeting.

RECOMMENDATION

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

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

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

Meeting Date: September 1, 2026
Ordinance Number: 2026-XX
Posted To Webpage: August 19, 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, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2050 COMPREHENSIVE PLAN, AS AMENDED, PURSUANT TO SECTION 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR A ±20 ACRE PORTION OF TRACT 9 OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 07-11-31-7037-0RP0A-0002, GENERALLY LOCATED ON THE EAST SIDE OF US HIGHWAY 1 APPROXIMATELY ±3,300 FEET NORTH OF ITS INTERSECTION WITH MATANZAS WOODS PARKWAY AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT A, FROM GREENBELT TO MIXED USE AND AMENDING THE FUTURE LAND USE ELEMENT PROVIDING A SITE-SPECFIC LIMITING POLICY CAPPING DENSITY AND INTENSITY; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

The sections below <u>are not</u> 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
X 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 county;

__ 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.

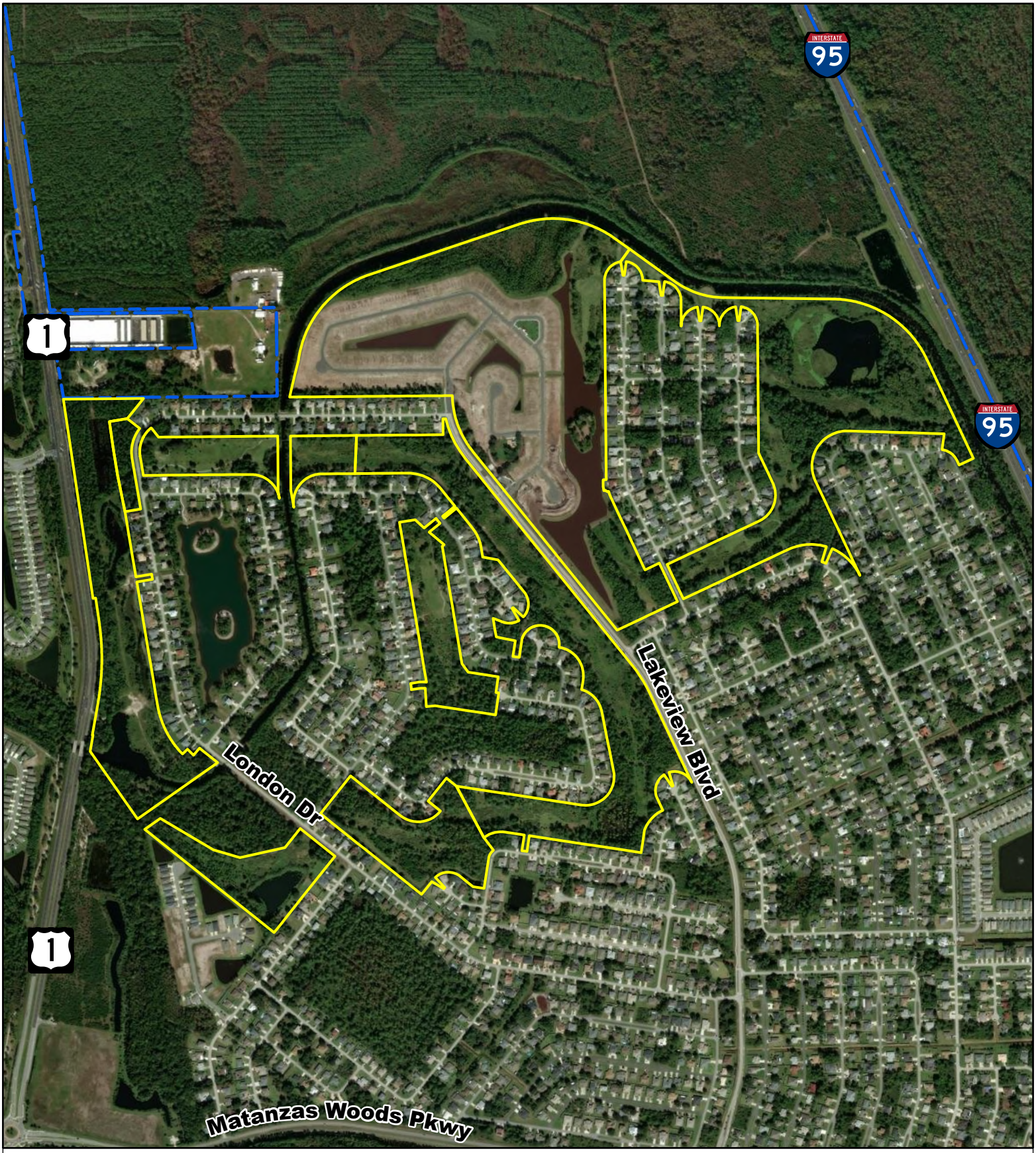
b. Types of businesses affected: Not applicable.

Estimated direct economic impact: Not applicable.

Negative impact: Not applicable.

Compliance Costs: Not applicable.

Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



Close Up Aerial

Palm Coast City Limits

Subject Properties

N
W E
S

0 1,000 Feet

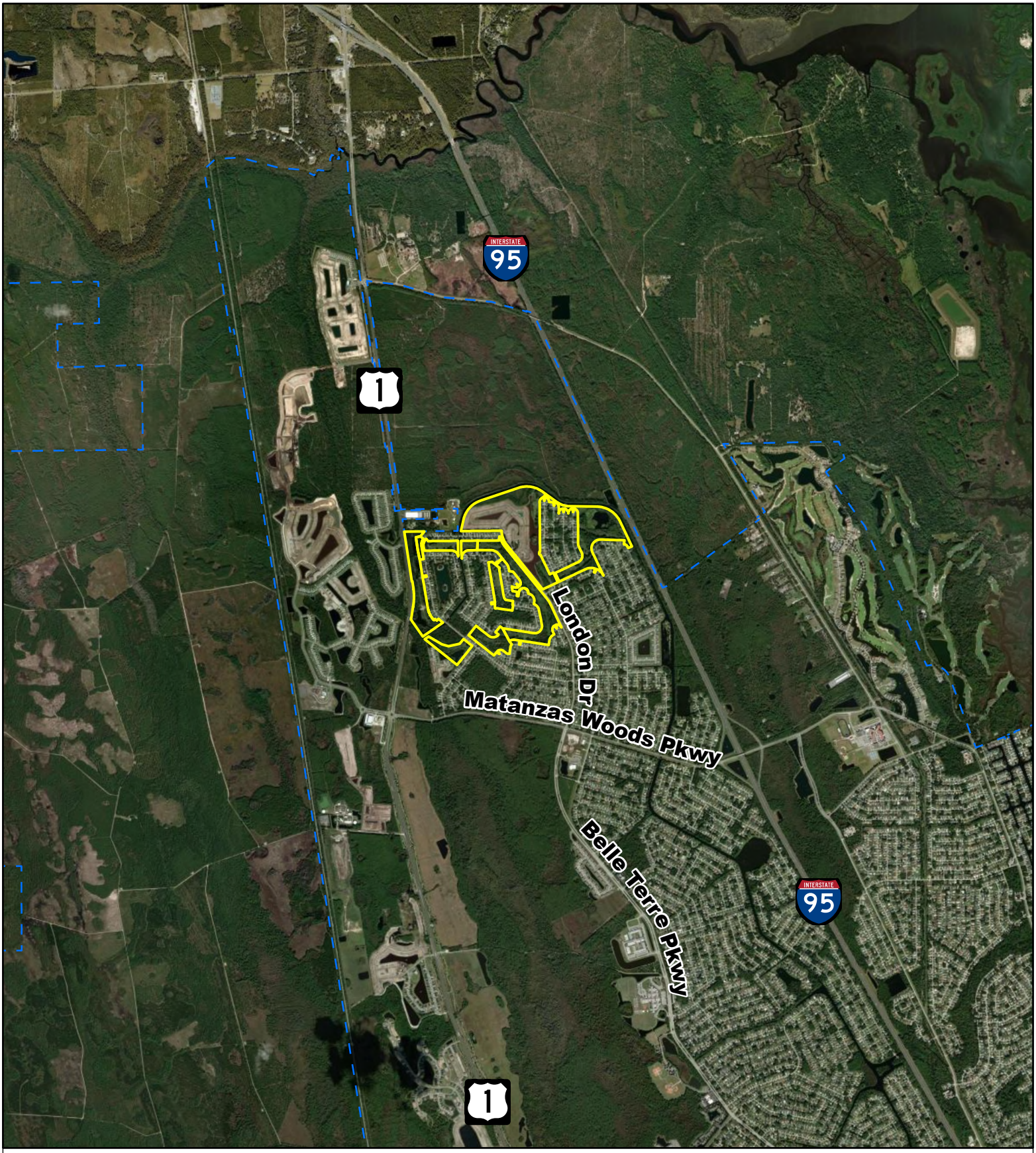
CITY OF PALM COAST, FLORIDA
PALM COAST
INCORPORATED 1999

Map Provided by the Planning Division

Date: 4/24/2026

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Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



Distant Aerial

Palm Coast City Limits

Subject Property

N
W E
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0 4,000 Feet

CITY OF PALM COAST, FLORIDA
PALM COAST
INCORPORATED 1999

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Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



Future Land Use Map

Palm Coast City Limits
Subject Properties

Palm Coast FLUM
Canals

Conservation
DRI-Mixed Use
Greenbelt
Institutional
Mixed Use

Residential
AGRICULTURE & TIMBERLANDS, Annexed Area, Flagler County FLUM adopted

Unincorporated Flagler Future Land Use
AGRICULTURE & TIMBERLANDS
CONSERVATION

N
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0 1,000 Feet

CITY OF PALM COAST, FLORIDA
PALM COAST
INCORPORATED 1999

Map Provided by the Planning Division

Date: 4/24/2026

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Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



Proposed Future Land Use Map

Palm Coast City Limits
Subject Properties

Palm Coast FLUM
Canals

Conservation
DRI-Mixed Use
Greenbelt
Institutional
Mixed Use

Residential
AGRICULTURE & TIMBERLANDS, Annexed Area, Flagler County FLUM adopted

Unincorporated Flagler Future Land Use
AGRICULTURE & TIMBERLANDS
CONSERVATION

N
W E
S

0 1,000 Feet

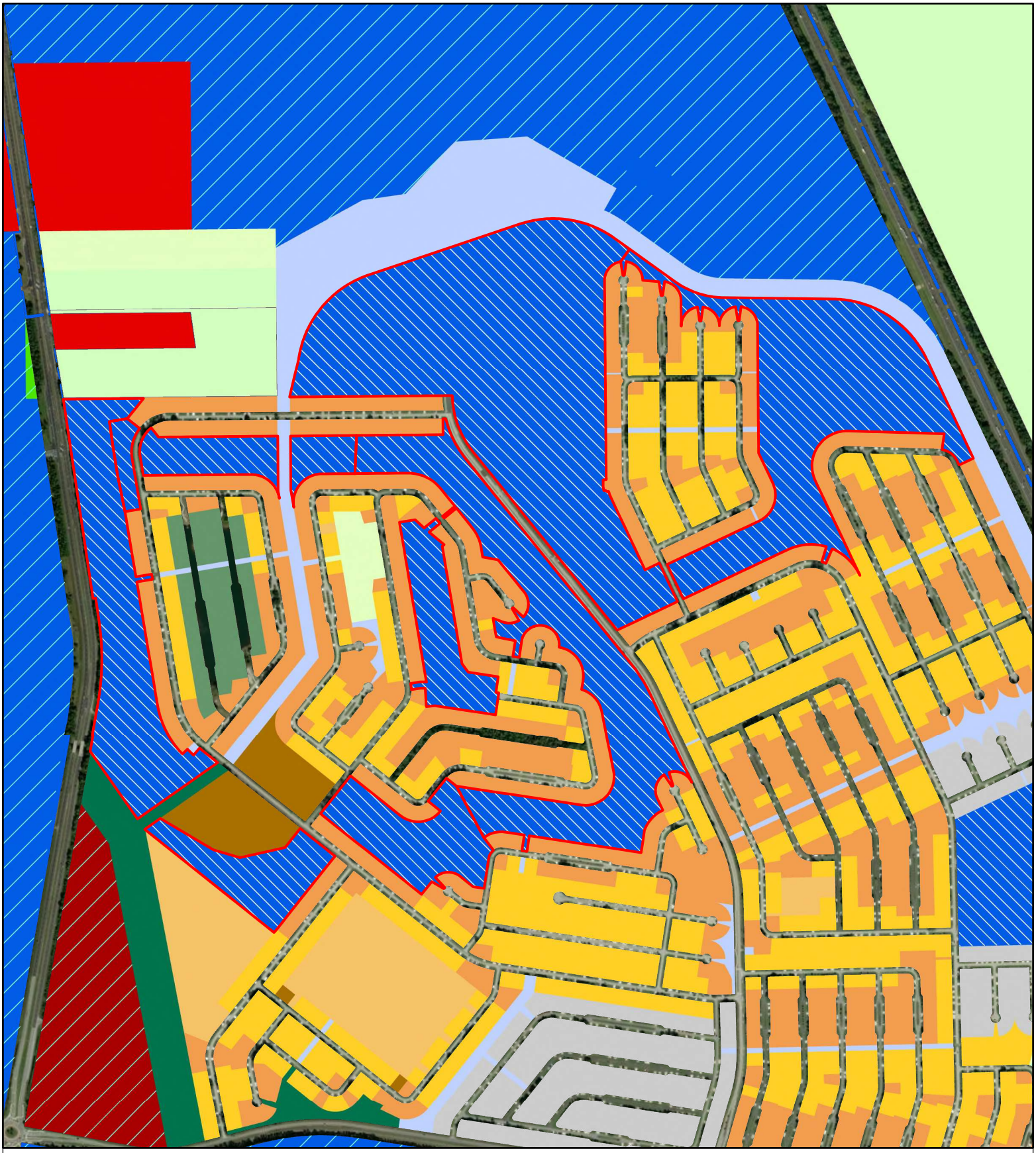
CITY OF PALM COAST, FLORIDA
PALM COAST
INCORPORATED 1999

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Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



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

N W E S

0 1,000 Feet

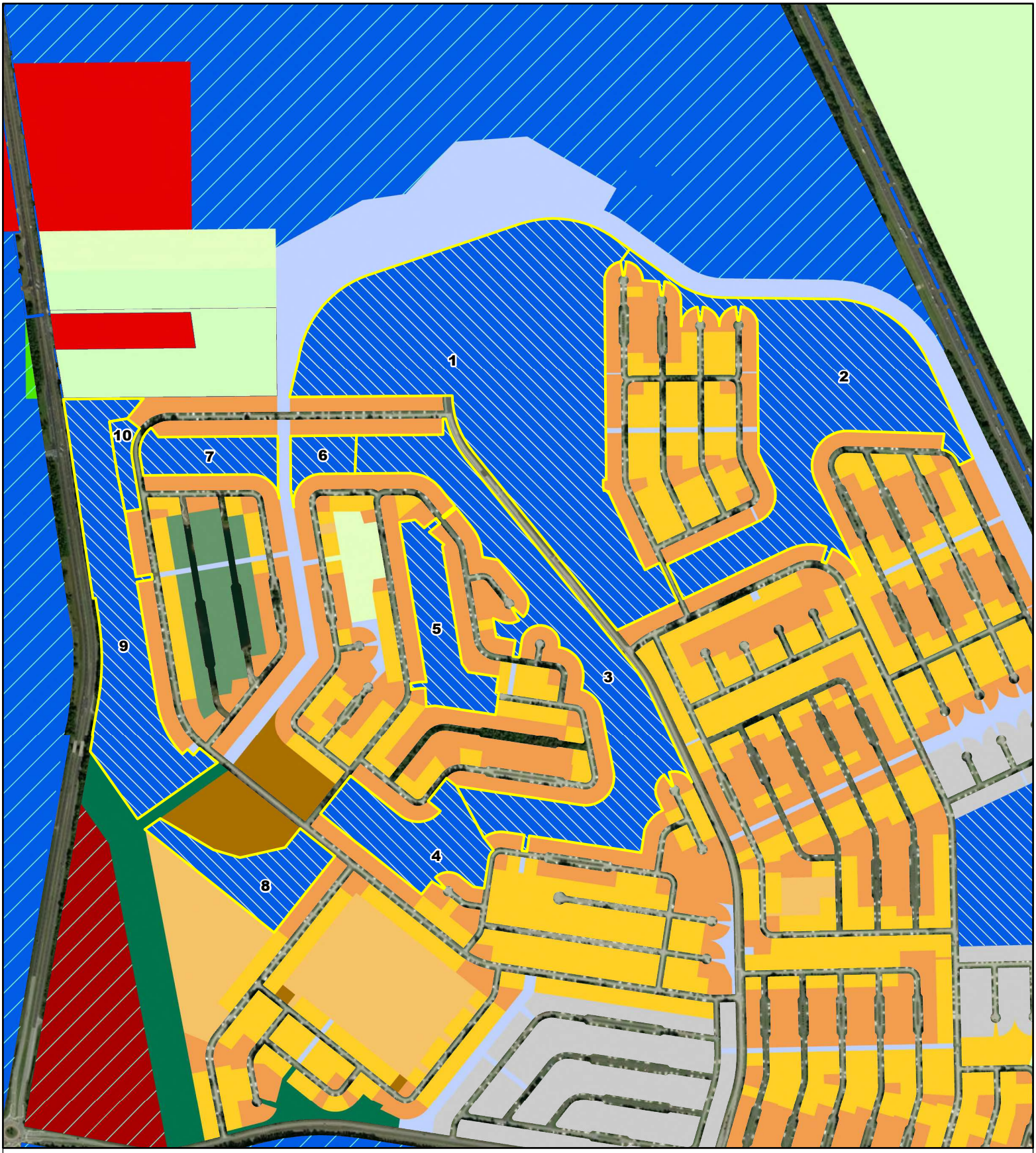
CITY OF PALM COAST, FLORIDA — PALM COAST — INCORPORATED 1999

Map Provided by the Planning Division

Date: 4/24/2026

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Document Path: H:\7.0 GIS\3.0 Projects\Michael Hanson\Lakeview Estates MPD\Working\Working.aprx



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

N
W E
S

0 1,000 Feet

CITY OF PALM COAST, FLORIDA
PALM COAST
INCORPORATED 1999

Map Provided by the Planning Division

Date: 4/24/2026

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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 +/- 11acres 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

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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

GENERAL - APPLICATION

DATE	10/23/2023
APPLICATION TYPE	FUTURE LAND USE AMENDMENT SMALL SCALE

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	32.69			PROPERTY SQ FT	1423976
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)

Lakeview Estates Comp Plan Amendment

PROPOSED NUMBER OF LOTS		IS THERE EXISTING MORTGAGE?	No

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 III

Future Land Use Map Amendment Application Form

COMMUNITY DEVELOPMENT DEPARTMENT USE ONLY

Application # _____ Submittal Date _____

Application Fee Paid ☐ Yes ☐ No Acceptance Date _____

Application Fee Amount $ _____ Project Manager _____

Notes _____

PART A - REQUEST

A.1 **Project Name** Lakeview Estates

A.2 **Future Land Use Map (FLUM) Amendment Type** ☐ Large-Scale ☒ Small-Scale

A.3 **Subject Property Address** 398 Lakeview Blvd., Palm Coast, FL 32137

A.4 **Parcel Identification Number(s)** 07-11-31-7037-0RP0A-0002

	Existing	**Proposed**
A.5 **Use of Property**	Vacant	General Commercial
A.6 **FLUM Designation**	Greenbelt	Mixed Use
A.7 **Zoning District**	MPD	MPD

PART B - APPLICANT INFORMATION

B.1 **Applicant** ☐ Owner *(If Checked, Skip B.2 - B.4)* ☑ Authorized Agent

B.2 **Agent Name** Michael D. Chiumento III, Esq. **Title** Attorney

B.3 **Agent Company** Chiumento Law, PLLC

B.4 **Agent Address** 145 City Place, Suite 301, Palm Coast, FL 32164

B.5 **Contact Information** **Phone** (386) 445-8900 **Fax** (386) 445-6702

Email Address michael3@legalteamforlife.com

B.6 **Owner Name** Matanzas GC Palm Coast, LLC

B.7 **Owner Address** 200 Ocean Crest Drive, Unit 1111, Palm Coast, FL 32137

PART C - ADDITIONAL INFORMATION

C.1 **Contract for Sale or Option to Purchase** ☐ Yes ☒ No *(If Checked, Skip C.2 and C.3)*

C.2 **Parties Involved** _____

C.3 **Contract/Option** ☐ Contingent ☐ Absolute

C.4 **Pre-Application Meeting** **Date** 9/2023 ☐ **Waived by Staff**

_____ **Initials** *(Staff Only)*

C.5 **Received and Read Applicant's Handbook** ☑ Yes ☐ No

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PART D - DATA AND ANALYSIS CHECKLIST

Proof of Ownership / Property Information ❑ Original Recorded Warranty Deed
❑ Boundary Survey and Legal Description ❑ Development Timetable
❑ Sales or Option to Purchase Contract *(if applicable)*

Agent Authorization ❑ Signed and Notarized Authorization Form *(ONLY if Agent is Applicant)*

Density / Intensity and Population ❑ Density/Intensity and Population Analysis

Public Facilities Availability ❑ Traffic Data and Analysis ❑ Potable Water Data and Analysis
❑ Potable Water Availability Worksheet ❑ Wastewater Data and Analysis ❑ Letter from Utility Department
❑ Solid Waste Data and Analysis ❑ Public Recreation and Open Space Data and Analysis
❑ Public Schools Data and Analysis

Environmental and Cultural Resources ❑ Preliminary Environmental Site Assessment

Consistency with Comprehensive Plan ❑ Comprehensive Plan Consistency Analysis

Other ❑ Land Use Compatibility Analysis ❑ Intergovernmental Coordination Analysis
❑ Urban Sprawl Analysis *(May be Required)* ❑ List of Property Owners
❑ Proof of Meetings(s) with Neighborhood and Home Owners' Associations
❑ Letters of Support *(Optional)*

PART E - ACKNOWLEDGEMENTS, AUTHORIZATION, AND CERTIFICATION

By my signature hereto, I do hereby certify that the information contained in this Application is true and correct to the best of my knowledge, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this Application.

I hereby authorize City staff to enter upon my property at any reasonable time for the purposes of investigating and reviewing this request. I hereby agree to place a public notice sign (placard) on my property at a location(s) to be determined by City staff.

I further acknowledge that the City of Palm Coast may not defend any challenges to my proposed Future Land Use Map amendment (Comprehensive Plan Text amendment) and related development approvals, and that it may be my sole obligation to defend any and all actions and approvals, which authorize the use or development of my property. Submission of this form initiates a process and does not imply approval by the City of Palm Coast or any of its boards, commissions or staff.

I further acknowledge that I have read the information contained in this application form pertaining to proposed amendments to the official Zoning Map, official Future Land Use Map, and/or Comprehensive Plan and have had sufficient opportunity to inquire with regard to matters set forth therein and. Accordingly, I fully understand all applicable procedures and matters relating to this Application.

I hereby represent that I have the lawful right and authority to file this Application.

APPLICANT SIGNATURE(S) AND NOTARIZATION (if applicant is the property owner, all property owners must sign & signatures notarized) - *PLEASE USE BLUE INK*

Signature	Type or Print Name	Date
[signature]	Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC	10/03/2023

(SEAL)

[signature]
Signature of Notary of Public

State of FLORIDA County of FLAGLER

The foregoing application as acknowledge before me 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.

CAROLINE MCNEIL
NOTARY PUBLIC
STATE OF FLORIDA
Bonded Thru Notary Public Underwriters

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.**

(SEAL)

Caroline McNeil

Signature of Notary Public, State of Florida

CAROLINE MCNEIL
MY COMMISSION # HH 023447
EXPIRES: October 6, 2024
Bonded Thru Notary Public Underwriters

10/23/2023 02:10 pm IP:[10.10.250.10] Packet No: 91566

CITY OF PALM COAST APPLICANT AUTHORIZATION FORM (ORIGINAL ONLY)

An authorized applicant is defined as:

- The property owner of record: or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I Alexander Ustilovsky, Manager of Matanzas GC Palm Coast, LLC, the fee simple owner of the following
(Owner's Name)
described property (provide Legal Description) See attached Exhibit "A"

hereby petition the City of Palm Coast to amend the Comprehensive Plan, Future Land Use Map,

(circle one or more) from Greenbelt

to Mixed Use and affirm that

Michael D. Chiumento III, Esq. is hereby designated to act as my/our authorized agent and to file the attached application for the stated amendment and make binding statements and commitments regarding the amendment request.

Alexander Ustilovsky, Manager of
Matanzas GC Palm Coast, LLC

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Palm Coast, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 3 day of Oct, 2023.

Notary Public in and for the County and
State Aforementioned.
My Commission Expires: 10/6/2024

CAROLINE MCNEIL
MY COMMISSION # HH 023447
EXPIRES: October 6, 2024
Bonded Thru Notary Public Underwriters

LAKEVIEW ESTATES MPD TRACT 9 FLUM AMENDMENT

PROJECT OVERVIEW

Matanzas GC Palm Coast ,LLC, a Florida Limited Liability Company (the "Owner") is the owner of approximately 32 acres of vacant land located at Tract 9 of subject property as depicted on Proposed Zoning/FLUM Plan.

The owner is requesting to amend the Future Land Use Map to change the Property's Future Land Use Designation from Greenbelt to Mixed Use. The current Zoning is MPD and proposed change to approximately 20 acres Commercial. The owner agrees to limit the proposed commercial development to 250,000 sf of interior commercial space with 35 ft building height limitation. The owner further agrees to provide 100 ft. VPZ to accommodate community drainage and provide a buffer along the western boundary with existing single family homes. See Exhibit B Tract 9 for illustration.

DATA AND ANALYSIS

PROOF OF OWNERSHIP / PROPERTY INFORMATION
The Original Recorded Warranty Deed, Boundary Survey and Legal Description are included as part of the application. The Development Timetable is to be determined.

AGENT AUTHORIZATION
The agent authorization is included.

DENSITY AND POPULATION

EXISTING	PROPOSED
8.3 acres PSP	20 acres Commercial
Estimated 108,465 sf buildings (FAR.30)	Estimated 250,000 sf (FAR .286)

CHANGE 141,535 sf Commercial

PUBLIC FACILITIES AVAILABLITY

POTABLE WATER

EXISTING	PROPOSED
PSP Uses 108,465 sf	250,000 sf commercial
Churches 36,000 sf / 7,200 gpd	Banks 30,000 sf / 5,625 gpd
Schools 36,000 sf / 17,500 gpd	Offices 70,000 sf / 11,900 gpd
Assisted Living 36,465 sf / 13,500 gpd	Retail 150,000 sf / 25,500 gpd
Total GPD 38,200 gpd	Total GPD 43,025

CHANGE 4,825 GPD

WASTEWATER

EXISTING	PROPOSED
PSP Uses 108,465 sf	Commercial 250,000 sf
Churches 36,000 sf / 7,200 gpd	Banks 30,000 sf / 5,625 gpd
Schools 36,000 sf / 14,000 gpd	Offices 70,000 sf / 7,000 gpd
Assisted Living 36,465 sf / 8,856 gpd	Retail 150,000 sf/ 15,000 gpd
Total GPD 30,056 gpd	Total GPD 27,625 gpd

CHANGE -2,431 GPD

SOLID WASTE

EXISTING	PROPOSED
PSP 108,465	250,000 sf commercial
Churches 36,000 sf / 245 ppd	Banks 30,000 sf / 936 ppd
Schools 36,000 sf / 252 ppd	Offices 70,000 sf / 420 ppd
Assisted Living 36,465 sf / 387 ppd	Retail 150,000 sf / 3,750 ppd
Total PPD 884 ppd	Total PPD 5,106

CHANGE 4,222 PPD

RECREATION

EXISTING	PROPOSED
PSP 108,465 sf NA	250,000 sf commercial NA

PUBLIC SCHOOLS

EXISTING	PROPOSED
108,465 sf PSP NA	250,000 sf commercial NA

Via Email: (micheal3@LegalTeamForLife.com)

Ref: 6602.01

TECHNICAL MEMORANDUM

To: Micheal D. Chiumento III, Chiumento Law

From: Kady L. Dearing, PE

Subject: Matanzas Woods Tract 9 – Comprehensive Plan Amendment (CPA) and Rezoning Traffic Impact Analysis (RTIA)

Date: December 18, 2025

INTRODUCTION

LTG, Inc. (LTG) has been retained by Matanzas GC Palm Coast, LLC, to prepare a traffic analysis in support of a Future Land Use (FLU) change and proposed rezoning for Matanzas Woods Tract 9. The parcel (Tract 9) consists of approximately 32.58 total acres and is a part of the Lakeview Estates Master Planned Development (MPD) Agreement between the City of Palm Coast and Matanzas GC Palm Coast, LLC. The purpose of this analysis is to modify the existing MPD to allow commercial land use. The subject property is located on the east side of US 1 and north of Matanzas Woods Parkway, in the City of Palm Coast, Florida. **Figure 1** shows the location of the project relative to the surrounding roadway network.

COMPREHENSIVE PLAN AMENDMENT (CPA) & PROPOSED REZONING

The CPA is required to revise the existing FLU from Greenbelt to Mixed Use for the 32.58-acre property. It should be noted that according to the existing MPD, only 8.3 acres are able to be developed.

The site has an existing FLU designation of Greenbelt, which allows a maximum of 1 dwelling per acre (DU/AC), resulting in a total of 8 dwelling units; represented by Single-Family Detached Housing (ITE code 210) or institutional uses meeting the Private/Semi-Public (PSP) Zoning District standards. The purpose of PSP is to provide areas for government owned facilities, religious institutions, civic buildings, educational institutions, etc. The maximum Floor Area Ratio (FAR) for the PSP District is 0.30, which results in 108,464 square-feet of institutional land use. The highest potential trip generator under this designation has been identified as United States Postal Services (ITE code 732).

Due to the nature of the MPD, both options were examined to determine the highest trip-generating use for the existing FLU designation. The daily, AM and PM peak-hour trip generation for the existing future land uses were determined using the Institute of Transportation Engineers (ITE) document, *Trip Generation Manual*, 12th Edition and are presented in **Table 1**, below.

Table 1
Existing FLU & Zoning Trip Generation
Matanzas Woods PUD, Tract 9

Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips (T)
Daily	Single Family Residential	210	T = 8.07(X) + 265.45	8	DU	50%	50%	165	165	330
	United States Postal Services	732	T = 319.08(X)	108.46	KSF	50%	50%	17,305	17,304	34,609
AM Peak-Hour	Single Family Residential	210	T = 0.67(X) + 5.59	8	DU	27%	73%	3	8	11
	United States Postal Services	732	T = 19.03(X) + 25.66	108.46	KSF	52%	48%	1,087	1,003	2,090
PM Peak-Hour	Single Family Residential	210	Ln(T)=0.92Ln(X)+0.33	8	DU	62%	38%	6	3	9
	United States Postal Services	732	T = 16.73(X)	108.46	KSF	51%	49%	926	889	1,815

As shown in **Table 1**, the existing Greenbelt FLU designation results in a maximum total of 34,609 daily, 2,090 AM peak-hour, and 1,815 PM peak-hour trips.



Matanzas Woods PUD Tract 9 CPA and RTIA	N NTS	**Location Map**	LTG Engineering & Planning
		Project No.: 6602.01 Figure 1	

The applicant is requesting that the developable area be increased from 8.3 acres to 20 acres under a Mixed-Use FLU designation, as described in the City of Palm Coast Comprehensive Plan, as a General Commercial (COM-2) Zoning District. The Mixed-Use FLU, under this zoning designation, has a maximum FAR of 0.40, resulting in a maximum of 348,480 square-feet of mixed commercial land use. A combination of commercial land uses, as allowable under the COM-2 zoning designation, was used to estimate the highest trip-generating potential for the site. The total trip generation for the proposed future land use is shown in **Table 2**, below.

Table 2
Proposed FLU & Zoning Trip Generation
Matanzas Woods PUD, Tract 9

Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)		Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips (T)
Daily	United States Postal Service	732	T = 319.08(X)	20.00	KSF	50%	50%	3,191	3,191	6,382
	Shopping Plaza (w/ Supermarket)	821	T = 136.41(X) - 2680.46	135.48	KSF	50%	50%	7,900	7,900	15,800
	Home Improvement Superstore	862	T = 30.65(X)	150.00	KSF	50%	50%	2,299	2,299	4,598
	High-Turnover (Sit-Down) Restaurant	932	T = 103.75(X)	18.00	KSF	50%	50%	934	934	1,868
	Fast-Food Restaurant	934	T = 448.12(X)	20.00	KSF	50%	50%	4,481	4,481	8,962
	Coffee/Donut Shop	937	T = 600.50(X)	5.00	KSF	50%	50%	1,502	1,501	3,003
	Total:			**348.48**	**KSF**			**20,307**	**20,306**	**40,613**
AM Peak-Hour	United States Postal Service	732	T = 19.03(X) + 25.66	20.00	KSF	52%	48%	211	195	406
	Shopping Plaza (w/ Supermarket)	821	T = 3.54 (X)	135.48	KSF	60%	40%	288	192	480
	Home Improvement Superstore	862	T = 1.50(X)	150.00	KSF	57%	43%	128	97	225
	High-Turnover (Sit-Down) Restaurant	932	T = 8.97(X)	18.00	KSF	55%	45%	89	72	161
	Fast-Food Restaurant	934	T = 33.24(X)	20.00	KSF	51%	49%	339	326	665
	Coffee/Donut Shop	937	T = 85.41(X)	5.00	KSF	51%	49%	218	209	427
	Total:			**348.48**	**KSF**			**1,273**	**1,091**	**2,364**
PM Peak-Hour	United States Postal Service	732	T = 319.08(X)	20.00	KSF	51%	49%	171	164	335
	Shopping Plaza (w/ Supermarket)	821	T = 8.58 (X)	135.48	KSF	49%	51%	569	593	1,162
	Home Improvement Superstore	862	T = 2.28(X)	150.00	KSF	57%	43%	195	147	342
	High-Turnover (Sit-Down) Restaurant	932	T = 9.18(X)	18.00	KSF	61%	39%	101	64	165
	Fast-Food Restaurant	934	T = 31.60(X)	20.00	KSF	52%	48%	329	303	632
	Coffee/Donut Shop	937	T = 39.0(X)	5.00	KSF	50%	50%	98	97	195
	Total:			**348.48**	**KSF**			**1,463**	**1,368**	**2,831**

As shown in **Table 2**, the proposed Mixed-Use FLU has the potential to result in 40,613 daily, 2,364 AM peak-hour, and 2,831 PM peak-hour trips.

The trip difference between the existing and the proposed future land use designations is determined by subtracting trips generated by the existing designation from the trips generated by the proposed designation. The results are presented in **Table 3**.

Table 3
Trip Generation Comparison
Matanzas Woods PUD, Tract 9

Period	Existing	Proposed	Trip Difference	
Daily	34,609	40,613	6,004	Increase
AM Peak-Hour	2,090	2,364	274	Increase
PM Peak-Hour	1,815	2,831	1,016	Increase

As shown in **Table 3**, this results in an overall trip increase of 6,004 daily trips (17.3%), 274 a.m. peak hour trips (13.1%), and 1,016 p.m. peak hour trips (56.0%).

CONCLUSION

This study was conducted to evaluate the impact of the proposed FLU and rezoning for a 32.58-acre parcel within the Lakeview Estates Master Planned Development, known as Tract 9. The proposed CPA will amend the current FLU designation from Greenbelt to Mixed Use. The rezoning will revise the zoning designation from Public/Semi-Private (PSP) to General Commercial (COM-2). The maximum developed area will also increase from 8.3 acres to 20 acres.

When evaluating the difference between the existing and proposed potential development scenarios for the proposed change, the trip generation comparison results in a trip increase of 6,004 daily trips (17.3%), 274 a.m. peak hour trips (13.1%), and 1,016 p.m. peak hour trips (56.0%).

Transportation concurrency and any potential mitigation required to offset deficiencies caused by the project will be assessed at the time a site plan application is filed with the City of Palm Coast.

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

Name : Kady L. Dearing, PE

Signature: 

Date: December 18, 2025

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

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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 (*Rubu*s 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 (*Lacnanthes 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	*Coragyps atratus*	No
	Carolina wren	*Thryothorus ludovicianus*	No
	Common grackle	*Quiscalus quiscula*	No
	Grey catbird	*Dumetella carolinensis*	No
	Northern mockingbird	*Mimus polyglottos*	No
	Great blue heron	*Ardea herodias*	No
	White ibis	*Eudocimus albus*	No
	Wood stork	*Mycteria americana*	Yes
	Tri-colored heron	*Egretta tricolor*	Yes
Mammals			
	Nine-banded armadillo	*Dasypus novemcinctus*	No
	Racoon	*Procyon lotor*	No
	Feral pig	*Sus scrofa*	No
	White-tailed deer	*Odocoileus virginianus*	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		
Alligator mississippiensis	American alligator		T(S/A)	Low	Various aquatic habitats
Dendroica kirtlandii	Kirtland's warbler	E	E	Low	Migrant, utilizing various terrestrial and palustrine habitats
Drymarchon corais couperi	Eastern indigo snake	T	T	Mod	Wide variety of habitats
Egretta caerulea	Little blue heron	T		High	Marshes, ponds, lakes, meadows, streams & mangroves
Egretta tricolor	Tri-colored heron	T		High	Marshes, ponds, lakes, meadows, streams & mangroves
Falco sparverius paulus	Southeastern American kestral	T		Mod	Wide variety of open habitats
Gopherus polyphemus	Gopher tortoise	T	CS	Mod	Sandhills, scrub, hammocks, dry prairies, flatwoods, & ruderal
Grus canadensis pratensis	Florida sandhill crane	T		Mod	Shallow wetlands, freshwater marshes and wet prairies
Haliaeetus	Southern bald		BGEPA	Mod	Coasts, rivers and large

leucocephalus	eagle				lakes in open areas
Mycteria americana	Wood stork	E	E	Obs	Marshes, swamps, streams and mangroves
Ursus americanus floridanus	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		
Asclepias viridula	Southern milkweed	T		Low	Pine flatwoods at wetland margins

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

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

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APPENDIX I

FIGURES



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

0 1,500 3,000 Feet

Location Map
Matanzas Woods Golf Course
Flagler County, Florida

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

Document Path: C:\Users\Owner\Desktop\GIS\Matanzas-Woods-Golf\MXD\aerial.mxd

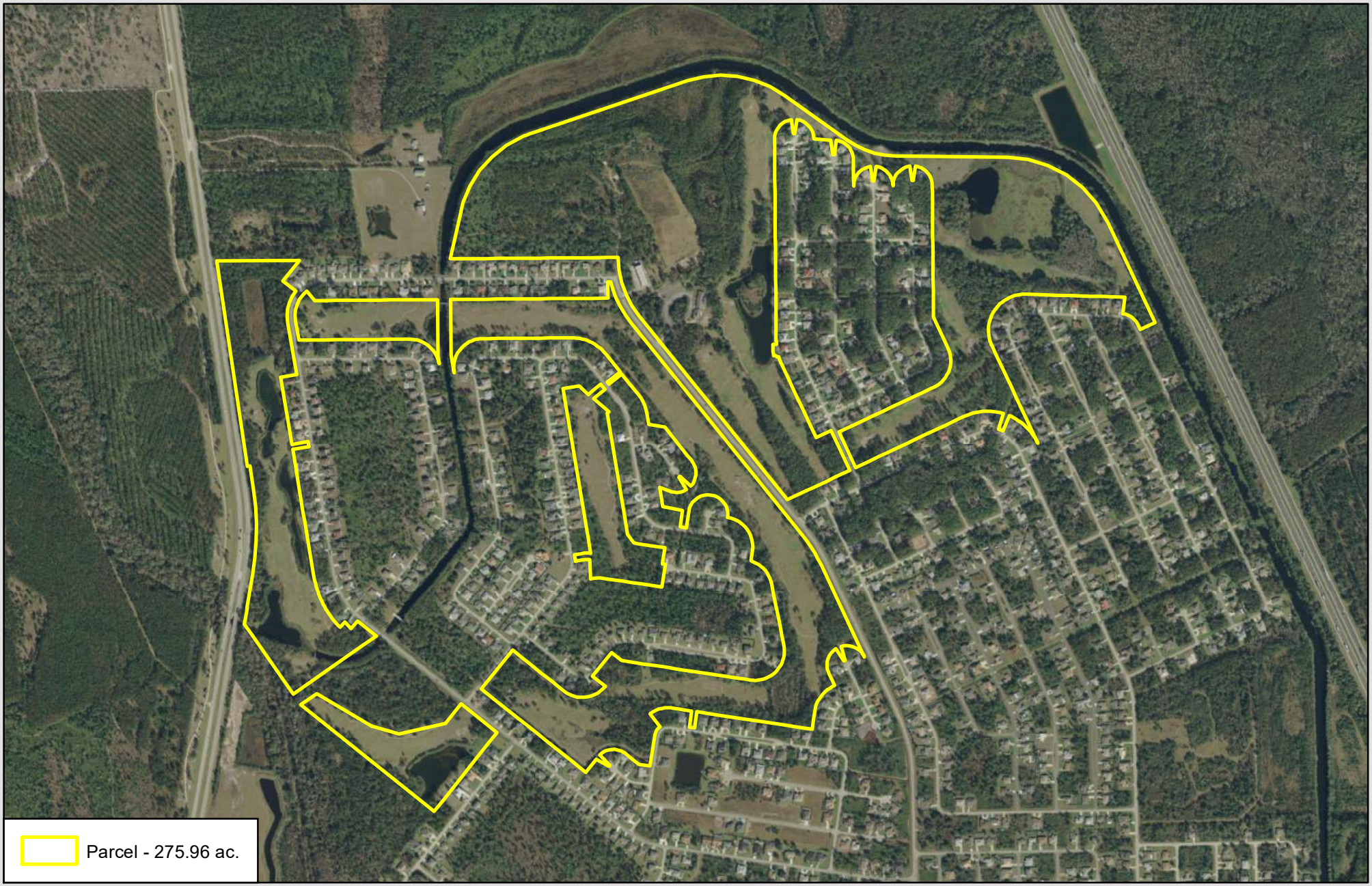


Image Source: ESRI 2017
Date: 3-23-19

0 500 1,000 Feet

N

Aerial Map
Matanzas Woods Golf Course
Flagler County, Florida

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

Document Path: C:\Users\Owner\Desktop\GIS\Matanzas-Woods-Golf\MXD\topo.mxd



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

0 500 1,000 Feet

N

Topographic Map
Matanzas Woods Golf Course
Flagler County, Florida

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201 Basque Rd | St. Augustine, FL 32080

Document Path: C:\Users\Owner\Desktop\GIS\Matanzas-Woods-Golf\MXD\soil.mxd



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

0 500 1,000 Feet

N

Soil Map
Matanzas Woods Golf Course
Flagler County, Florida

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

Document Path: C:\Users\Owner\Desktop\GIS\Matanzas-Woods-Golf\MXD\habitat-rev-4-19-21.mxd

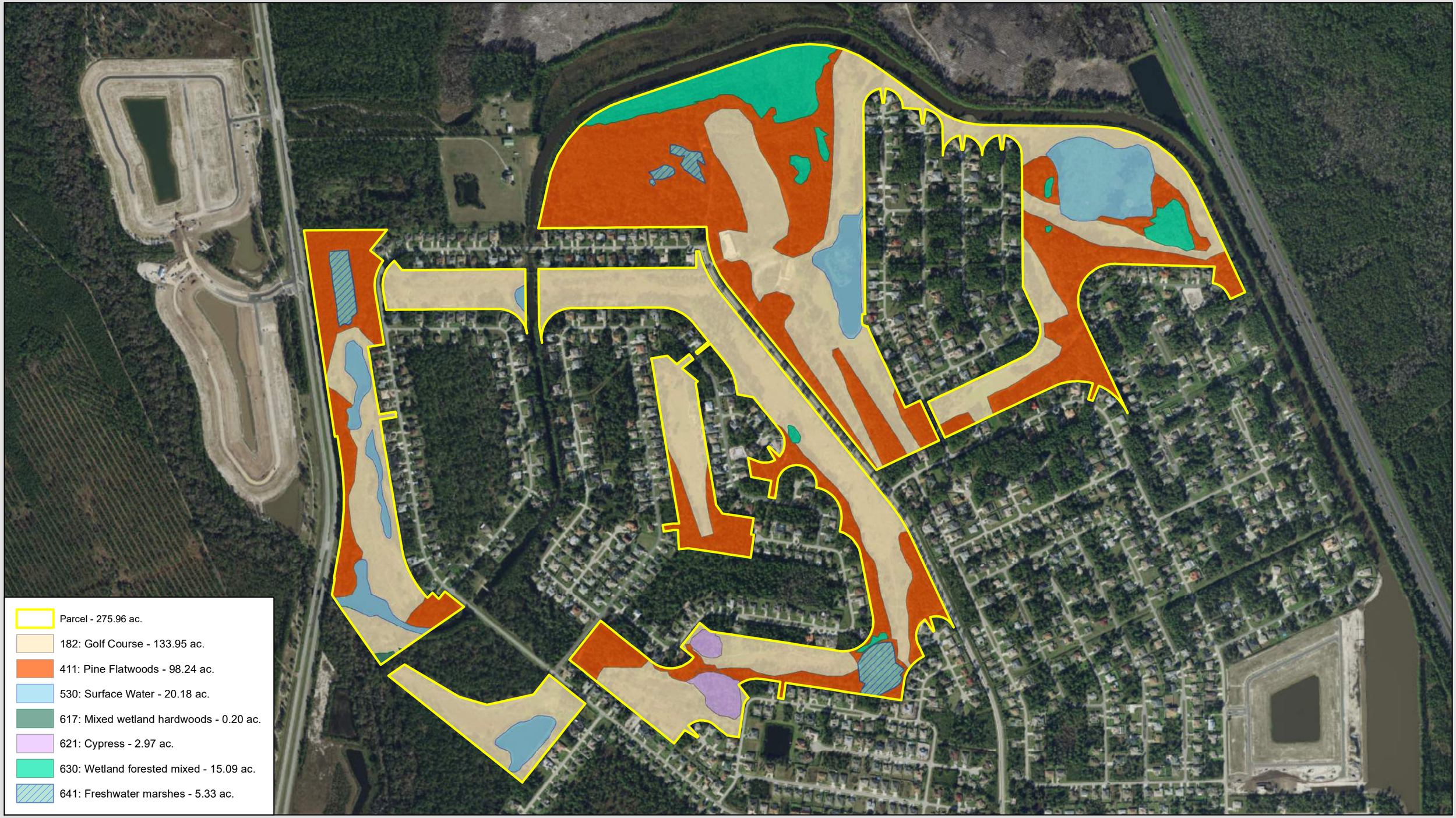


Image Source: ESRI 2019
Date:4-19-21

0 350 700
Feet

N

Habitat Map
Matanzas Woods Golf Course
Flagler County, Florida

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

Document Path: C:\Users\Owner\Desktop\GIS\Matanzas-Woods-Golf\MXD\Wet-SW-Iso.mxd



Image Source: ESRI 2017
Date: 8-12-19

0 350 700 Feet

N

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

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

APPENDIX II

HABITAT ASSESSMENTS

PART I – Qualitative Description
Wetland Quality Assessment Method

Site/Project Name	Application Number	Assessment Area Name or Number
Matanzas Woods Golf Course		

FLUCCs code	Further classification (optional)	Impact or Mitigation Site?	Assessment Area Size
617,630, 641			26.20 acre

Basin/Watershed Name/Number	Affected Waterbody (Class)	Special Classification (i.e.OFW, AP, other local/state/federal designation of importance)
9 - Matanzas & Pellicer Creek		

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 develpment, and fire suppression.

Significant nearby features	Uniqueness (considering the relative rarity in relation to the regional landscape.)
Roads and homes around the property	N/A

Functions	Mitigation for previous permit/other historic use
Provides cover, roosting, substrate, and/or refuge; food chain support; water quality improvements, flood water storage/attenuation.	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)	Anticipated Utilization by Listed Species (List species, their legal classification (E, T, SSC), type of use, and intensity of use of the assessment area)
Whitetail deer, bobcat, cottonmouth, Eastern diamondback rattlesnake, pigmy rattlesnake, wading birds, redshouldered hawk, vultures, various passerine birds,	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:	Assessment date(s):
JS	3/25/2019

PART II – Quantification of Assessment Area
Wetland Quality Assessment Method

Site/Project Name	Application Number	Assessment Area Name - Review (Original)
Matanzas Golf Course		
Assessment Area Acreage	**Review (Original) Assessment conducted by:**	**Review (Original) Assessment dates:**
26.20 acre	JS	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:	Adjacent Landscape Description Development and roads and past land uses and disturbance dramatically affect habitat and wildlife usage.
Water Environment Score: 6	Notes:	Soils Description not appropriate soil composition due to drainage and ditching found offsite Hydrology Description Hydrology has been affected by pine rowing, ditches, and development
Community structure 1. Vegetation and/or 2. Benthic Community Score: 6	Notes:	Vegetation & Wildlife Notations Heavy coverage of Chinese tallow. Fire suppresion has affected biodiversity and age composition. FLUCFCS** Code: 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
Score	Compensatory Mitigation	Compensatory Mitigation	Compensatory Mitigation
0.6	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

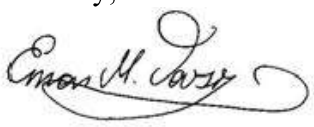
Sections 21, 22, 27, and 28, Township 10 S, Range 30 E

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,

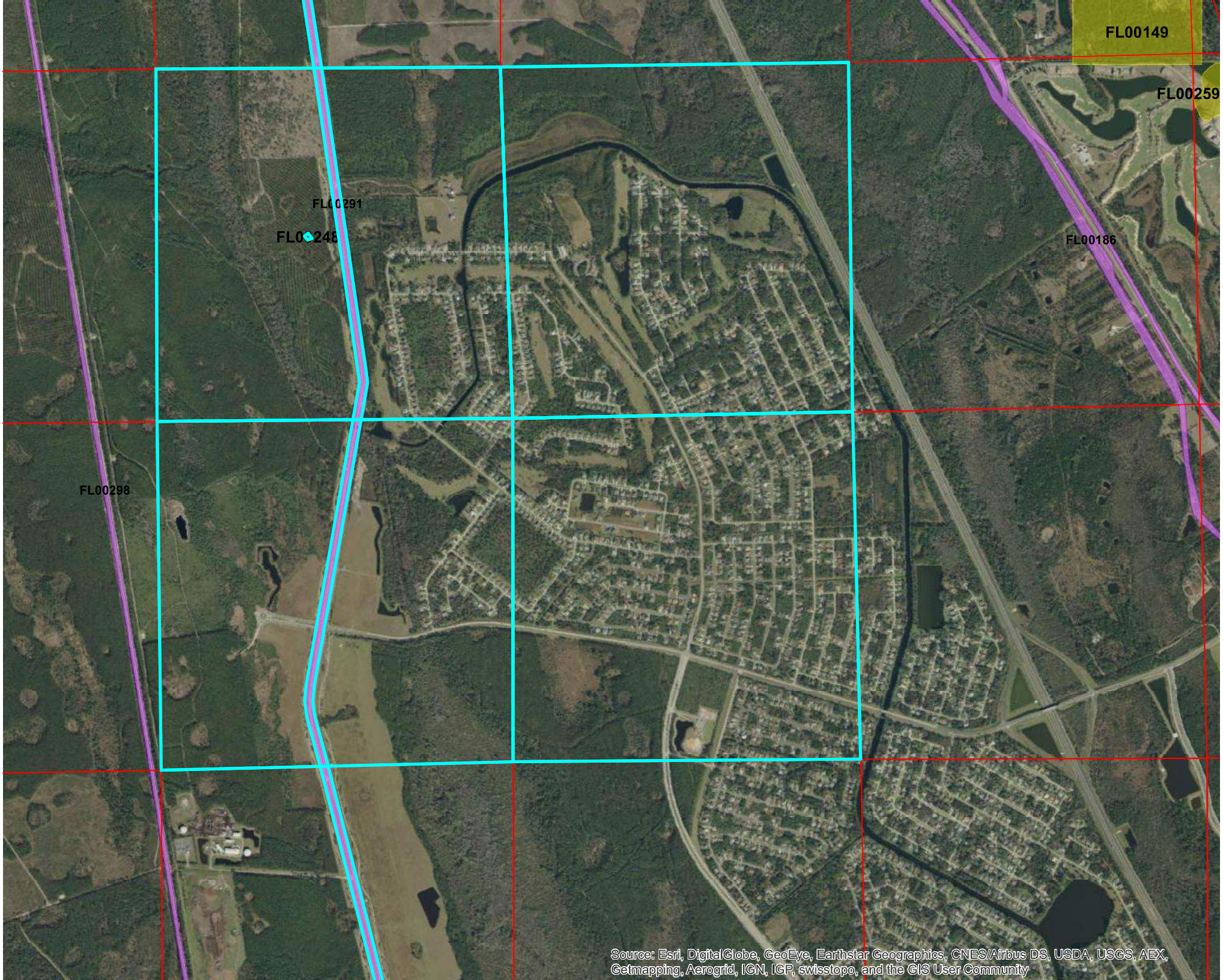


Eman M. Vovsi, Ph.D.
Florida Master Site File
Eman.Vovsi@DOS.MyFlorida.com

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
FL00291
FL00186
FL00298
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

P > 12/20/2004 SB
E

Page 1

☒ 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' Station
Project Name Cultural Resource Survey of West Palm Coast, Flagler
Multiple Listing (DHR only)
FMSF Survey # 16347

Ownership: ☒private-profit ☐private-nonprofit ☐private-individual ☐private-unspecid. ☐city ☐county ☐state ☐federal ☐foreign ☐Native American ☐unknown

USGS 7.5 Map Name & Date ~~Dinner Island NE~~ ESPANOLA
County Flagler

Township 10 Range 30 Section 21 ☐ Check if Irregular Section; Qtr. Section (check all that apply): ☐NE ☒NW ☐SE ☐SW

Landgrant
Tax Parcel # (s)

City / Town (if within 3 mi.) Palm Coast
In Current City Limits? ☐yes ☒no ☐unknown

UTM: Zone ☐16 ☐17 Easting 0 Northing 0

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

FUNCTION *

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

Aboriginal *

☐ Alachua	☐ Englewood	☐ Glades unspecif.	☐ St. Augustine	☐ Seminole: 2d War To 3d	
☐ Archaic, Early	☐ Fort Walton	☐ Hickory Pond	☐ St. Johns Ia	☐ Seminole: 3d War On	
☐ Archaic, Middle	☐ Glades Ia	☐ Leon-Jefferson	☐ St. Johns Ib	☐ Seminole unspecified	
☐ Archaic, Late	☐ Glades Ib	☐ Malabar I	☐ St. Johns I unspecified	☐ Swift Creek, Early	
☐ Archaic unspecified	☐ Glades I unspecif.	☐ Malabar II	☐ St. Johns IIa	☐ Swift Creek, Late	
☐ Belle Glade I	☐ Glades IIa	☐ Manasota	☐ St. Johns IIb	☐ Swift Creek, unspecified	
☐ Belle Glade II	☐ Glades IIb	☐ Mount Taylor	☐ St. Johns IIc	☐ Transitional	
☐ Belle Glade III	☐ Glades IIc	☐ Norwood	☐ St. Johns II unspecified	☐ Weeden Island I	
☐ Belle Glade IV	☐ Glades II unspecif.	☐ Orange	☐ St. Johns unspecified	☐ Weeden Island II	
☐ Belle Glade unspecif.	☐ Glades IIIa	☐ Paleoindian	☐ Santa Rosa	☐ Weeden Island unspecif.	
☐ Cades Pond	☐ Glades IIIb	☐ Pensacola	☐ Santa Rosa-Swift Creek	☐ Prehistoric nonceramic	
☐ Deptford	☐ Glades IIIc	☐ Perico Island	☐ Seminole: Colonization	☐ Prehistoric ceramic	
	☐ Glades III unspecif.	☐ Safety Harbor	☐ Seminole: 1st War To 2d	☐ 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
Individually eligible for National Register? ☐yes ☒no ☐insufficient info
Potential contributor to NR district? ☐yes ☒no ☐insufficient info
Name of local register if eligible:

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

Recommendations for Owner or SHPO Action documentation only

DHR USE ONLY OFFICIAL EVALUATIONS DHR USE ONLY

NR DATE __/__/__
DELIST DATE __/__/__

KEEPER-NR ELIGIBILITY: ☐yes ☐no
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
- ☒ literature search
- ☒ informant report
- ☒ remote sensing
- ☒ exposed ground
- ☐ posthole digger
- ☐ auger--size:___
- ☒ unscreened shovel
- ☒ screened shovel

SITE BOUNDARIES*

- ☐ bounds unknown
- ☐ none by recorder
- ☒ literature search
- ☒ informant report
- ☐ remote sensing
- ☒ insp exposed ground
- ☐ posthole tests
- ☐ auger--size:_____
- ☒ unscreened shovel
- ☒ screened shovel
- ☐ block excavations
- ☐ 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 (m^2) 50 Depth/stratigraphy of cultural deposit

Temporal 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/station

Integrity Overall disturbance*: ☐ none seen ☐ minor ☐ substantial ☐ major ☐ redeposited ☒ destroyed-**documentl** ☐ unknown

Disturbances/threats/protective measures site destroyed

Surface: area collected none m^2 # 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	X	metal-nonprecious
X	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. relict source) Hulett Branch Distance (m)/bearing 500 meters

Natural community (FNAI category* or leave blank) upland pine forest

Local vegetation pine forest

Topography* sand ridge Min Elevation____meters Max Elevation____meters

Present 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 DHR

Manuscripts 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 2004

Recorder(s): Name/Addr./Phone/Email Dana Ste.Claire, Heritage Services, Inc.; heritagesrvcs@aol.com

Affiliation* 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 completed destroyed. Thus, **it is concluded that 8FL246 is not eligible for inclusion on the National Register of Historic Places.**

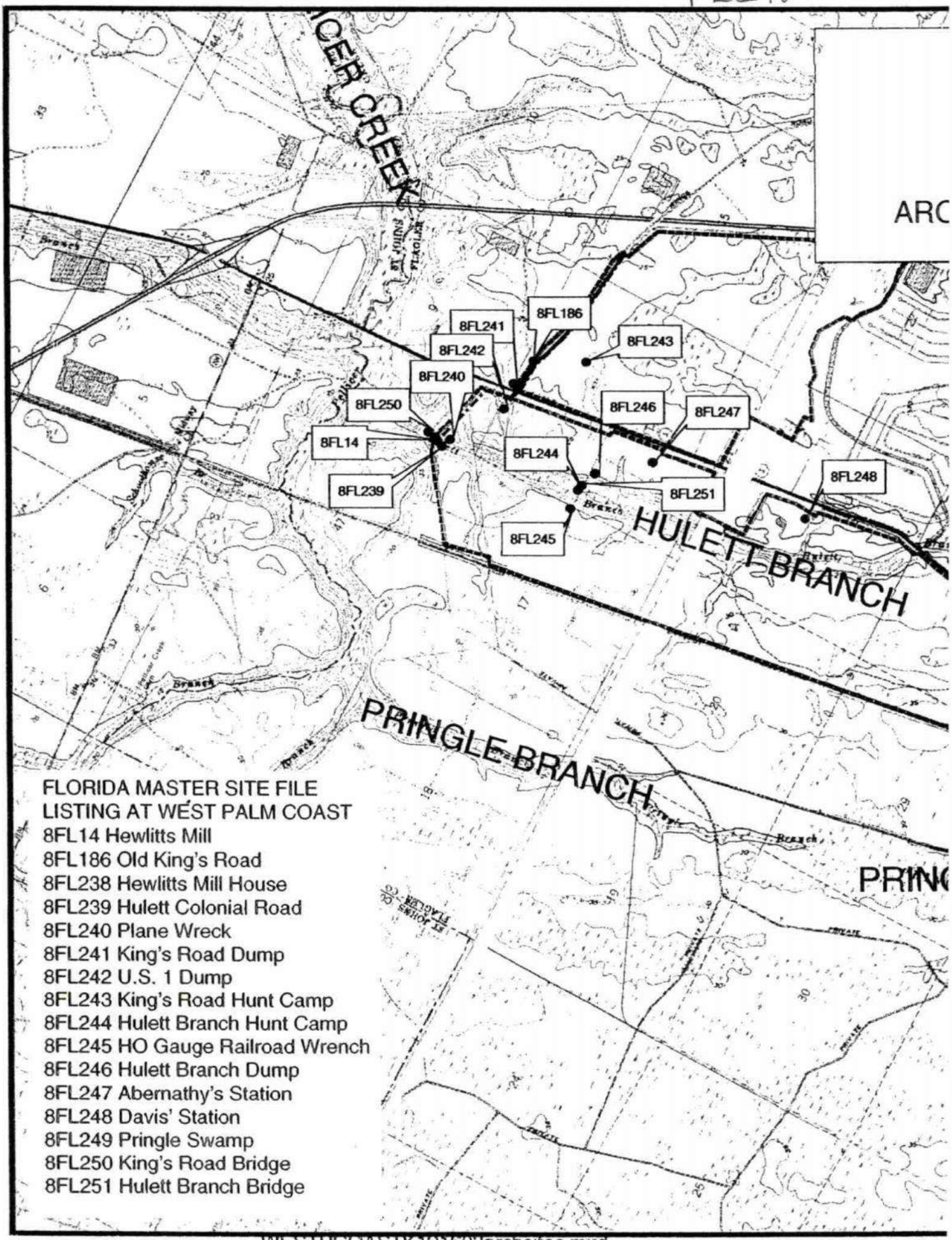
Abernathy's Station – 8FL247
Davis' Station – 8FL248

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).

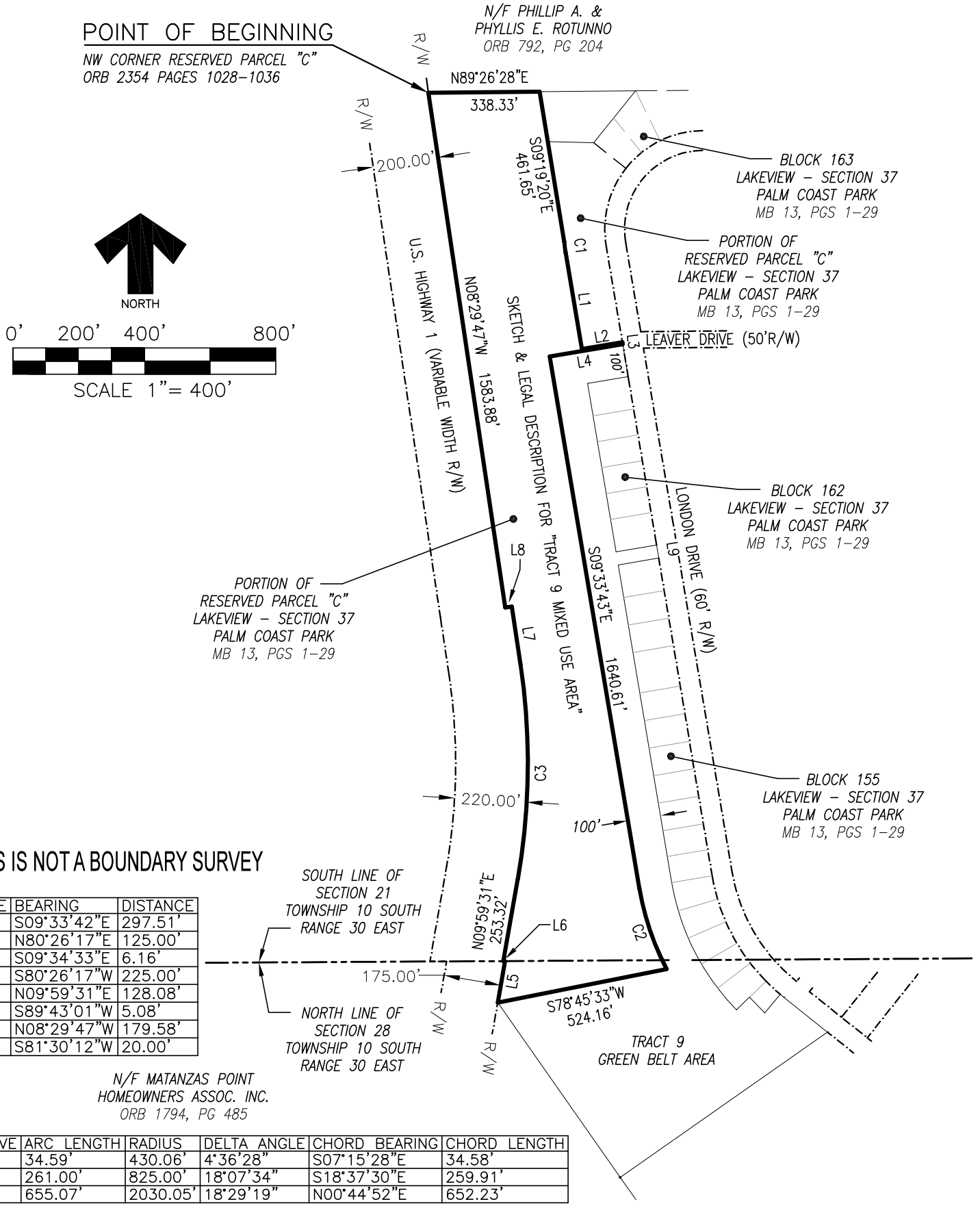
FL248



FLORIDA MASTER SITE FILE
LISTING AT WEST PALM COAST

8FL14 Hewlitts Mill
8FL186 Old King's Road
8FL238 Hewlitts Mill House
8FL239 Hulett Colonial Road
8FL240 Plane Wreck
8FL241 King's Road Dump
8FL242 U.S. 1 Dump
8FL243 King's Road Hunt Camp
8FL244 Hulett Branch Hunt Camp
8FL245 HO Gauge Railroad Wrench
8FL246 Hulett Branch Dump
8FL247 Abernathy's Station
8FL248 Davis' Station
8FL249 Pringle Swamp
8FL250 King's Road Bridge
8FL251 Hulett Branch Bridge

WESTPCOASTK121603archsites.mxd



THIS IS NOT A BOUNDARY SURVEY

LINE	BEARING	DISTANCE
L1	S09°33'42"E	297.51'
L2	N80°26'17"E	125.00'
L3	S09°34'33"E	6.16'
L4	S80°26'17"W	225.00'
L5	N09°59'31"E	128.08'
L6	S89°43'01"W	5.08'
L7	N08°29'47"W	179.58'
L8	S81°30'12"W	20.00'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	34.59'	430.06'	4°36'28"	S07°15'28"E	34.58'
C2	261.00'	825.00'	18°07'34"	S18°37'30"E	259.91'
C3	655.07'	2030.05'	18°29'19"	N00°44'52"E	652.23'

K K
LB #7991

KUHAR SURVEYING & MAPPING, LLC

1501 RIDGEWOOD AVENUE, SUITE 205, HOLLY HILL, FLORIDA 32117
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SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, LEGEND, NOTES, SIGNATURE AND SEAL.

SKETCH	
DATE:	5/11/2026
PROJECT:	K24017
FILE:	K24017 WORKSHEET.DWG
FIELD BOOK: N/A	PAGE: N/A
SHEET 1 OF 2	1" = 400'

K:\KUHAR PROJECTS 2024\KUHAR 24017 - MATANZAS TRACT 10 PLAT - BOB DICKINSON - ALEX U\DWG\K24017 WORKSHEET.DWG

LEGAL DESCRIPTION

A PORTION OF RESEVED PARCEL "C", LAKEVIEW – SECTION 37 PALM COAST PARK AT PALM COAST, AS RECORDED IN MAP BOOK 13, PAGES 1 THROUGH 29 INCLUSIVE, 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" (SAID POINT BEING LOCATED ON THE EASTERLY RIGHT–OF–WAY LINE OF U.S. HIGHWAY NO. 1, A VARIABLE WIDTH PUBLIC RIGHT–OF–WAY); THENCE DEPARTING SAID RIGHT–OF–WAY LINE ALONG THE NORTHERLY LINE OF SAID PARCEL "C", NORTH 89°26'28" EAST FOR A DISTANCE OF 338.33 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 09°19'20" EAST FOR A DISTANCE OF 461.65 FEET TO A NON–TANGENT CURVE TO THE LEFT HAVING AN ARC LENGTH OF 34.59 FEET, A RADIUS OF 430.06 FEET, A CENTRAL AGLE OF 04°36'28", A CHORD BEARING OF SOUTH 07°15'28" EAST AND A CHORD LENGTH OF 34.58 FEET TO A POINT OF TANGENCY; THENCE SOUTH 09°33'42" EAST FOR A DISTANCE OF 297.51 FEET; THENCE NORTH 80°26'17" EAST FOR A DISTANCE OF 125.00 FEET TO THE WESTERLY RIGHT–OF–WAY LINE OF LONDON DRIVE, A 60–FOOT WIDE PUBLIC RIGHT–OF–WAY PER SAID PLAT OF LAKEVIEW SECTION 37; THENCE ALONG SAID RIGHT–OF–WAY LINE SOUTH 09°34'33" EAST FOR A DISTANCE OF 6.16 FEET; THENCE DEPARTING SAID RIGHT–OF–WAY LINE SOUTH 80°26'17" WEST FOR A DISTANCE OF 225.00 FEET; THENCE SOUTH 09°33'43" EAST FOR A DISTANCE OF 1640.61 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 261.00 FEET, A RADIUS OF 825.00 FEET, A CENTRAL ANGLE OF 18°07'34", A CHORD BEARING OF SOUTH 18°37'30" EAST AND A CHORD DISTANCE OF 259.91 FEET TO A NON–TANGENT LINE; THENCE DEPARTING SAID CURVE ALONG SAID LINE SOUTH 78°45'33" WEST FOR A DISTANCE OF 524.16 FEET TO THE AFOREMENTIONED EASTERLY RIGHT–OF–WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTHERLY ALONG SAID RIGHT–OF–WAY LINE FOR THE FOLLOWING FIVE (5) COURSES; THENCE NORTH 09°59'31" EAST FOR A DISTANCE OF 128.08 FEET; THENCE SOUTH 89°43'01" WEST FOR A DISTANCE OF 5.08 FEET; THENCE NORTH 09°59'31" EAST FOR A DISTANCE OF 253.32 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 655.07 FEET, A RADIUS OF 2030.05 FEET, A CENTRAL ANGLE OF 18°29'19", A CHORD BEARING OF NORTH 00°44'52" EAST AND A CHORD DISTANCE OF 652.23 FEET TO A POINT OF TANGENCY; THENCE NORTH 08°29'47" WEST FOR A DISTANCE OF 179.58 FEET; THENCE SOUTH 81°30'12" WEST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 08°29'47" WEST FOR A DISTANCE OF 1583.88 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 19.41 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THE LEGAL DESCRIPTION AS SHOWN HEREON WAS PREPARED BY THE UNDERSIGNED. THIS IS NOT A BOUNDARY SURVEY.

2. BEARINGS BASED ON THE EASTERLY RIGHT–OF–WAY LINE OF U.S. HIGHWAY 1 HAVING A BEARING OF N08°29'47"W (PLAT).

3. HORIZONTAL DATUM IS NORTH AMERICAN DATUM 1983 (NAD 83), FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

4. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH AND DESCRIPTION WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. NO TITLE WORK HAS BEEN PROVIDED TO THE UNDERSIGNED FOR THIS PARCEL OF LAND OR ADJACENT PARCELS.

5. UNDERGROUND FOUNDATIONS AND UTILITIES (IF ANY) NOT SHOWN HEREON.

6. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR/MAPPER.

7. SYMBOLS SHOWN HEREON SUCH AS VALVES AND UTILITY POLES ARE NOT TO SCALE.

8. THE PURPOSE OF THIS SKETCH AND DESCRIPTION WAS TO PREPARE A DESCRIPTION FOR ADMINISTRAIVE PURPOSES, AS REQUESTED BY THE CLIENT.

9. THE UNDERSIGNED MAKES NO CLAIMS AS TO OWNERSHIP AND/OR RIGHTS OF POSSESSION.

ABBREVIATIONS – LEGEND

N/F	NOW OR FORMERLY
MB	MAP BOOK
PG	PAGE
PGS	PAGES
ORB	OFFICIAL RECORDS BOOK
R/W	RIGHT OF WAY
U.E.	UITILITY EASEMENT
A.E.	ACCESS EASEMENT

CERTIFIED TO:
ALEX USTILOVSKY; CHIUMENTO LAW.

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS PER CHAPTER 5J–17.050 THRU 17.053, FLORIDA ADMINISTRATIVE CODE.

Kenneth J Kuhar

Digitally signed by Kenneth J Kuhar
Date: 2026.05.11 12:51:09 -04'00'

KENNETH J. KUHAR
FLORIDA PROFESSIONAL SURVEYOR/MAPPER #6105

K K
LB #7991

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DESCRIPTION		
DATE:	5/11/2026	
PROJECT:	K24017	
FILE:	K24017 WORKSHEET.DWG	
FIELD BOOK: N/A	PAGE: N/A	
SHEET 1 OF 2	1" = N/A	

K:\KUHAR PROJECTS 2024\KUHAR 24017 – MATANZAS TRACT 10 PLAT – BOB DICKINSON – ALEX U\DWG\K24017 WORKSHEET.DWG

Michael D. Chiumento
Michael D. Chiumento III
William J. Bosch
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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 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

EXHIBIT A



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
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CHIUMENTO LAW

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
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Jeffrey + Shandy Ward	45 Londonderry Dr	402-699-6160	jsward0708@gmail.com
[redacted]	[redacted]		[redacted]
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Bill & Natalya Olivier	30 Leidel Dr	315-922-8635	tdub1963@yahoo.com
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GARY BIEDERMANN	50 MATANZAS LAKES DR	828 778 9506	BIEDERMANN63@GMAIL.COM
George Melo	6 Lemisdale	917-295-1799	GMFJC2010@Gmail.com

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Shawn Schich	55 Londonderry Dr	919 961 4650	JAVAC88@gmail.com
Corinne Schich	55 Londonderry Dr	904-806-8060	ddancorinne@yahoo.com

NAME	ADDRES	PHONE #	EMAIL
BARBARA MCFARLANE	219 LONDON DR.	—	—
Ernelia Cespedes	218 London Dr	386 864 0408	—
Jackie Dempsey	195 London Dr.	386-446-4430	jackie dose yahoo.com
Alton W. Dempsey Sr.	195 London Drive	386-446-4430	
Karen & Stephen Berko	56 Lee Dr.	—	Kaberko@gmail.com
Kathy Lukach	46 Matanzas Cove Dr		

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 of Responsible Party

Thomas Davidson
Printed Name

145 City Pl. Ste 301, Palm Coast FL 32164
Mailing Address

Signature of Person Taking Acknowledgement

Caroline McNeil
Name of Acknowledger (Typed, Printed or Stamped)

NOTARY PUBLIC STATE OF FLORIDA
CAROLINE MCNEIL
MY COMMISSION # HH 536164
EXPIRES: October 6, 2028

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 D Smith

VIRGINIA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

WILLIAM E. REISCHMANN, JR.
CITY ATTORNEY

Attachments:
Attachment A – Legal Description
Attachment B – MPD Development Agreement

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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.)

Inst No: 2021009558 2/24/2021 9:47 AM
BK:2530 PG:1215 PAGES:51
RECORDED IN THE RECORDS OF
Tom Bexley Clerk of the Circuit Court & Comptroller
Flagler FL

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

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-1and 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 1can 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

M Holland

Milissa Holland, Mayor

ATTEST:

Kathleen E. Tedder for

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.

Jeanne A Montaruli

Signature

JEANNE A MONTARULI
Notary Public - State of Florida
Commission # GG 284017
My Comm. Expires Feb 8, 2023
Bonded through National Notary Assn.

(Seal)

Jeanne A Montaruli

Printed Name

Title or Rank

Serial Number / Commission Number

WITNESSES:

Vincent L Sullivan

(print)

Caroline McNeil

(print)

"OWNER"

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

By: Alex Ustilovsky

Alexander Ustilovsky, Manager

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.

Signature

(Seal)

VINCENT L. SULLIVAN
MY COMMISSION # GG 937722
EXPIRES: December 8, 2023
Bonded Thru Notary Public Underwriters

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**

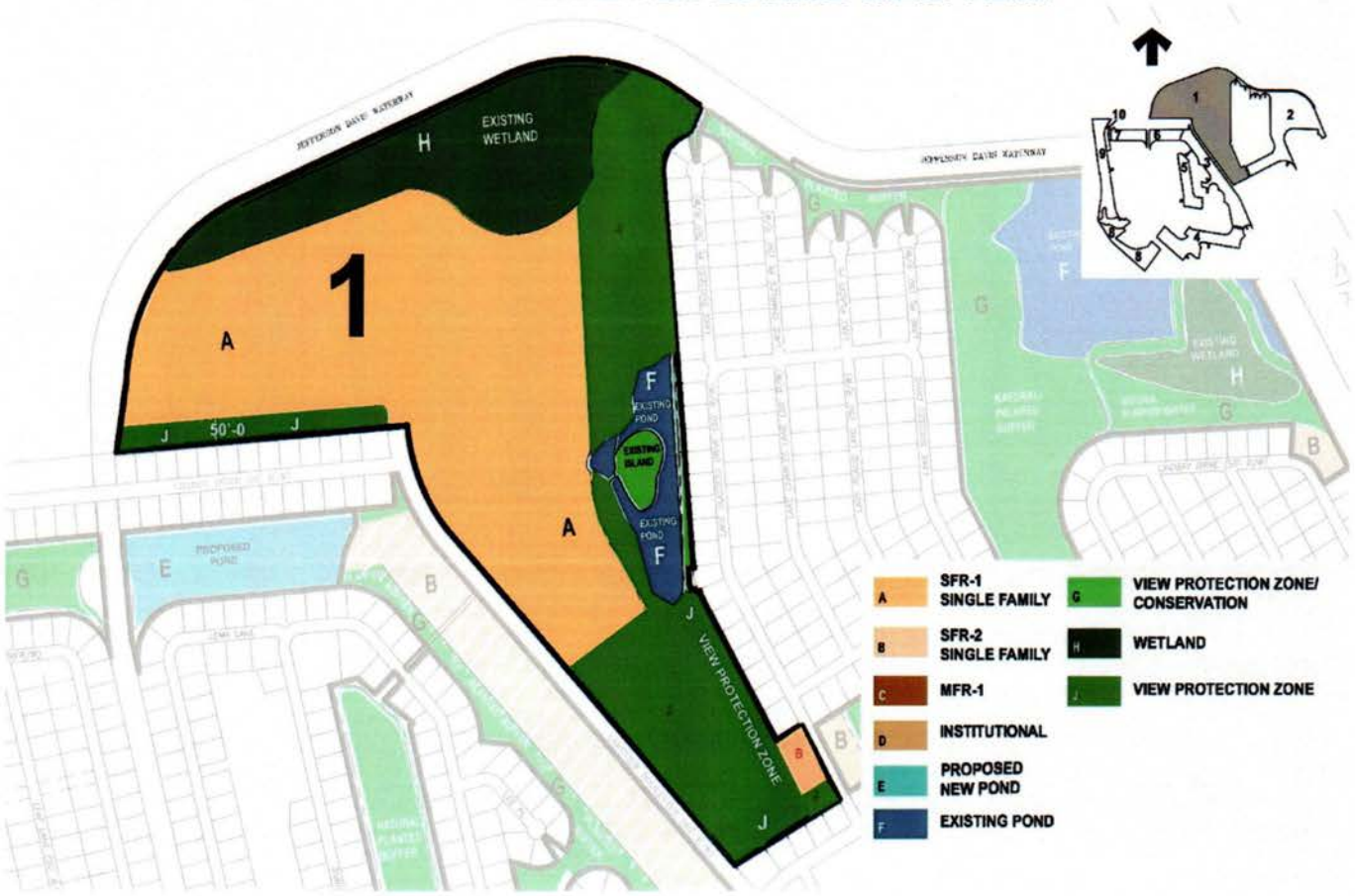


EXHIBIT "B-2"

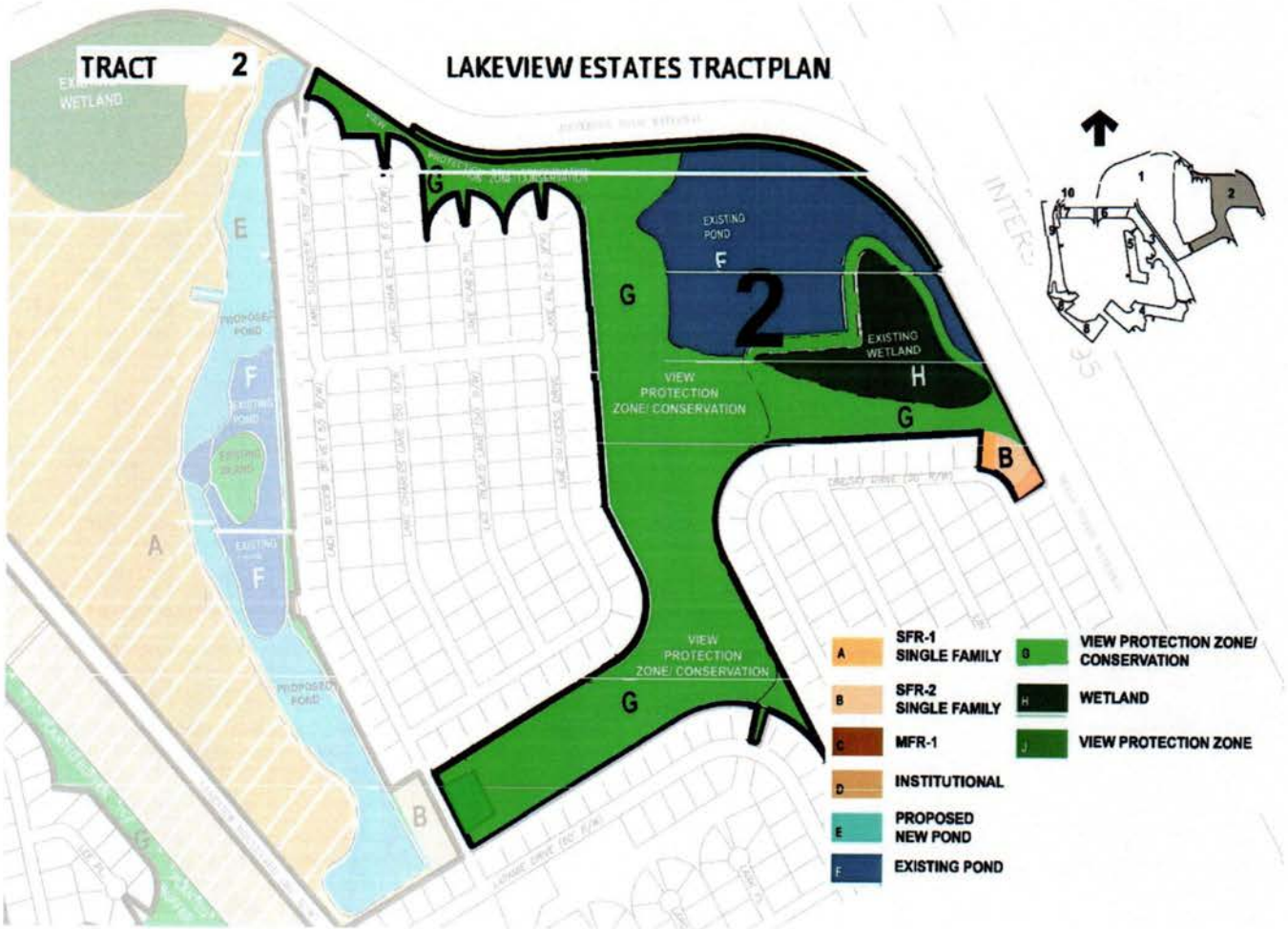

TRACT 2
LAKEVIEW ESTATES TRACTPLAN
EXISTING WETLAND
EXISTING POND
VIEW PROTECTION ZONE/ CONSERVATION
PROPOSED POND
SFR-1 SINGLE FAMILY
SFR-2 SINGLE FAMILY
MFR-1
INSTITUTIONAL
PROPOSED NEW POND
EXISTING POND
VIEW PROTECTION ZONE/ CONSERVATION
WETLAND
VIEW PROTECTION ZONE

EXHIBIT "B-3"

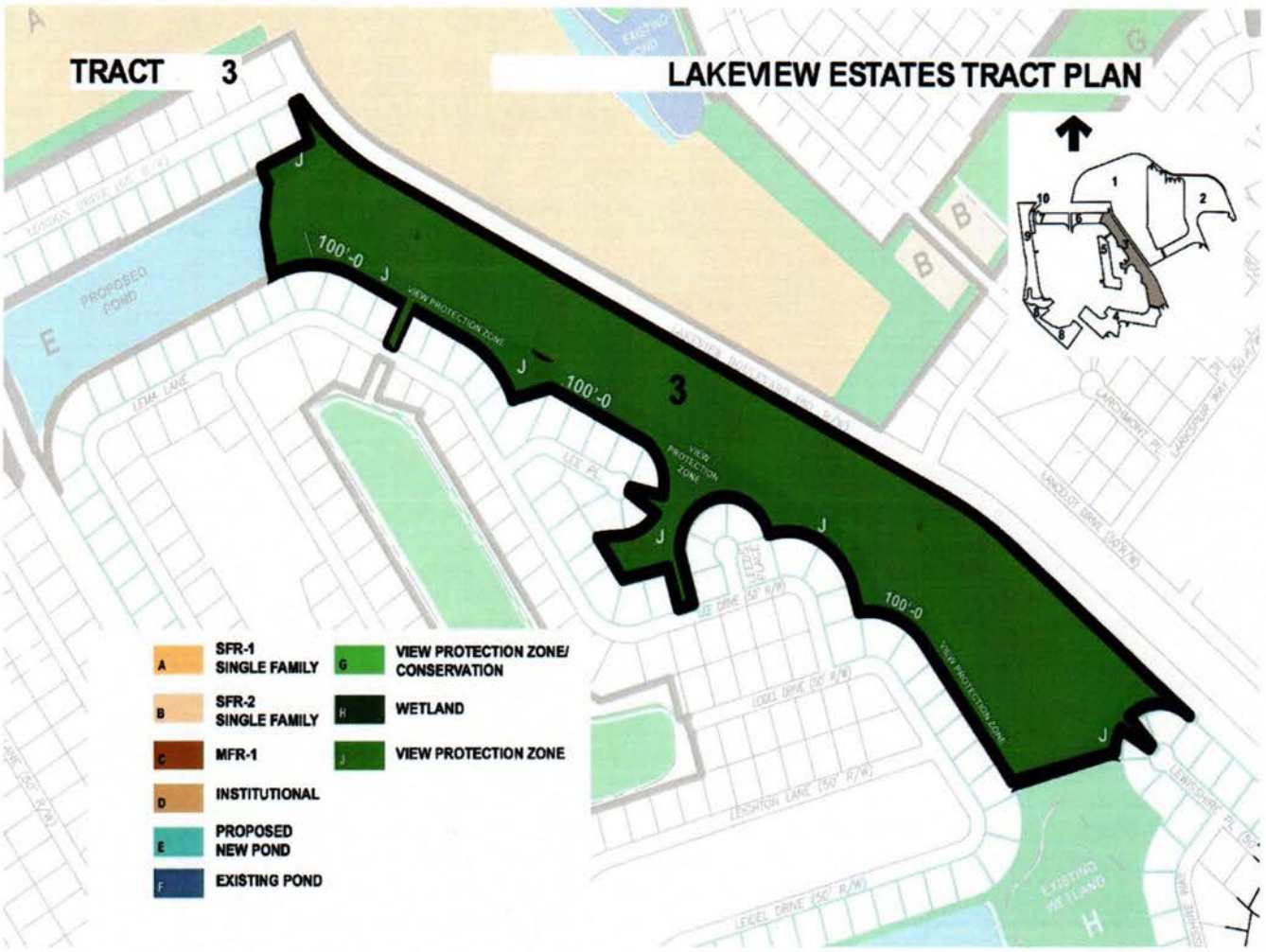

TRACT 3
LAKEVIEW ESTATES TRACT PLAN
PROPOSED POND
LEMA LANE
100'-0
VIEW PROTECTION ZONE
3
EXISTING WETLAND
H
A SFR-1 SINGLE FAMILY
B SFR-2 SINGLE FAMILY
C MFR-1
D INSTITUTIONAL
E PROPOSED NEW POND
F EXISTING POND
G VIEW PROTECTION ZONE/ CONSERVATION
H WETLAND
J VIEW PROTECTION ZONE

EXHIBIT "B-4"


TRACT 4
LAKEVIEW ESTATES TRACT PLAN
LEIGHTON LANE (50' R/W)
LEWIS DRIVE (50' R/W)
VIEW PROTECTION ZONE
4
EXISTING WETLAND
H
VIEW PROTECTION ZONE
B
Limit of 3 lots
G
H
B
Limit of 3 lots
J
SFR-1 SINGLE FAMILY
SFR-2 SINGLE FAMILY
MFR-1
INSTITUTIONAL
PROPOSED NEW POND
EXISTING POND
VIEW PROTECTION ZONE/ CONSERVATION
WETLAND
VIEW PROTECTION ZONE

EXHIBIT "B-5"

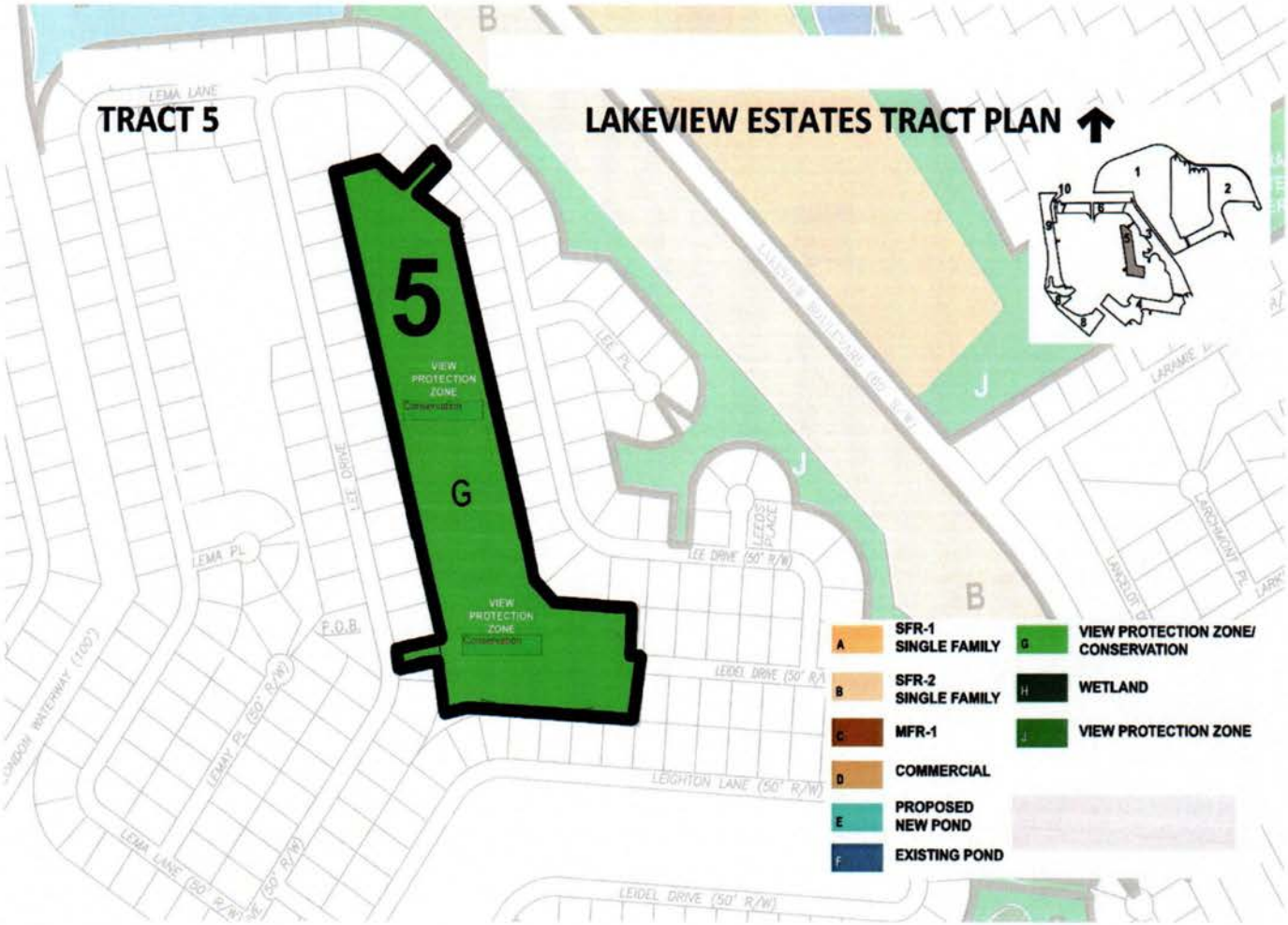

TRACT 5
LAKEVIEW ESTATES TRACT PLAN
5
G
VIEW PROTECTION ZONE
Conservation
VIEW PROTECTION ZONE
Conservation
P.O.B.
LEMA LANE
LEMA PL.
LEE DRIVE (50' R/W)
LEIDEL DRIVE (50' R/W)
LEIGHTON LANE (50' R/W)
LEMAY PL (50' R/W)
LEMA LANE (50' R/W)
LEEDS PLACE
LARAMIE PL.
LANCELOT CT.
LARCHMONT PL.
J
B
A SFR-1 SINGLE FAMILY
B SFR-2 SINGLE FAMILY
C MFR-1
D COMMERCIAL
E PROPOSED NEW POND
F EXISTING POND
G VIEW PROTECTION ZONE/ CONSERVATION
H WETLAND
J VIEW PROTECTION ZONE

EXHIBIT "B-6"

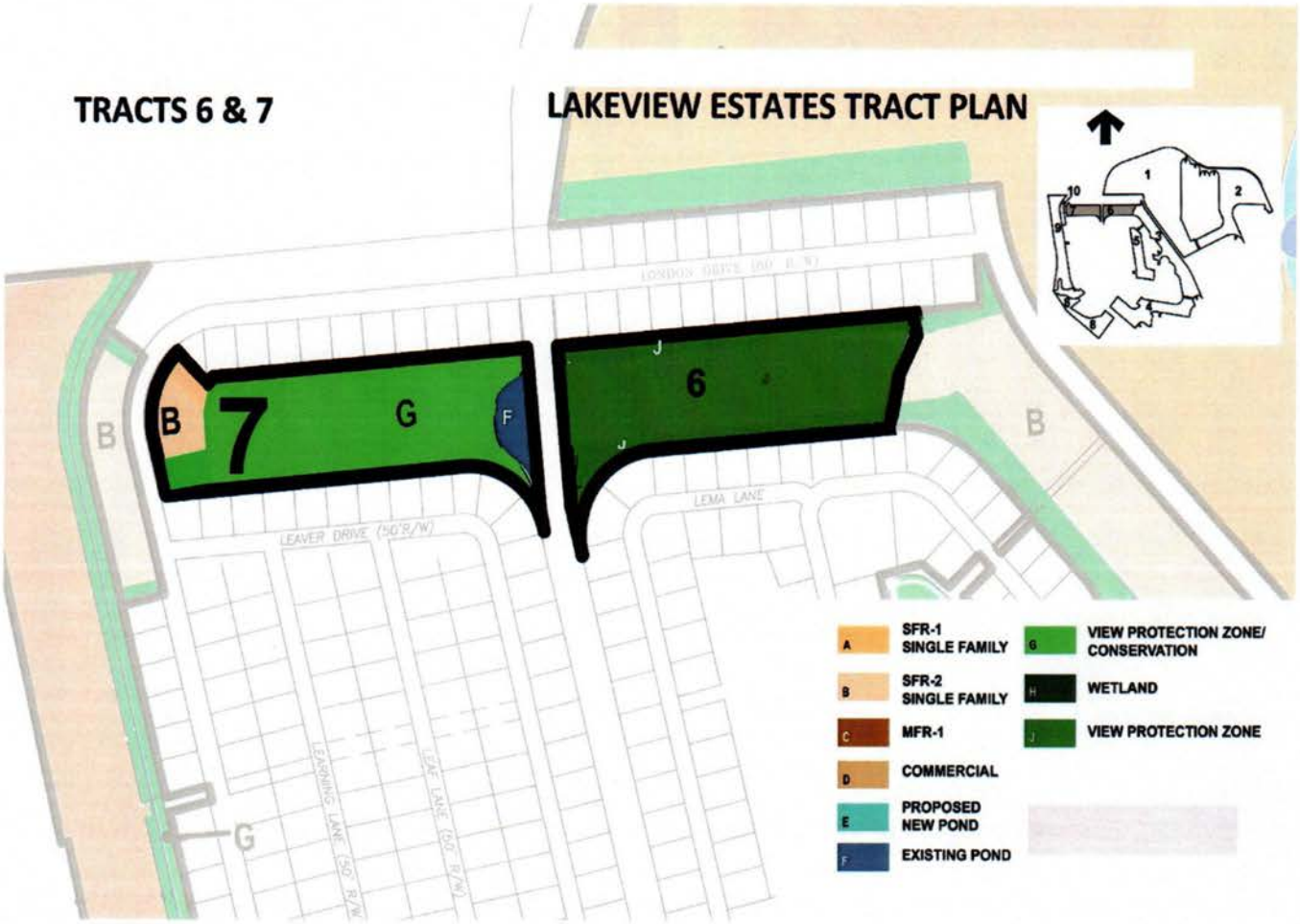

TRACTS 6 & 7
LAKEVIEW ESTATES TRACT PLAN
LONDON DRIVE (80' R/W)
LEAVER DRIVE (50'R/W)
LEMA LANE
LEARNING LANE (50' R/W)
LEAF LANE (50' R/W)
B
7
G
F
6
J
G
SFR-1 SINGLE FAMILY
SFR-2 SINGLE FAMILY
MFR-1
COMMERCIAL
PROPOSED NEW POND
EXISTING POND
VIEW PROTECTION ZONE/ CONSERVATION
WETLAND
VIEW PROTECTION ZONE

EXHIBIT "B-7"

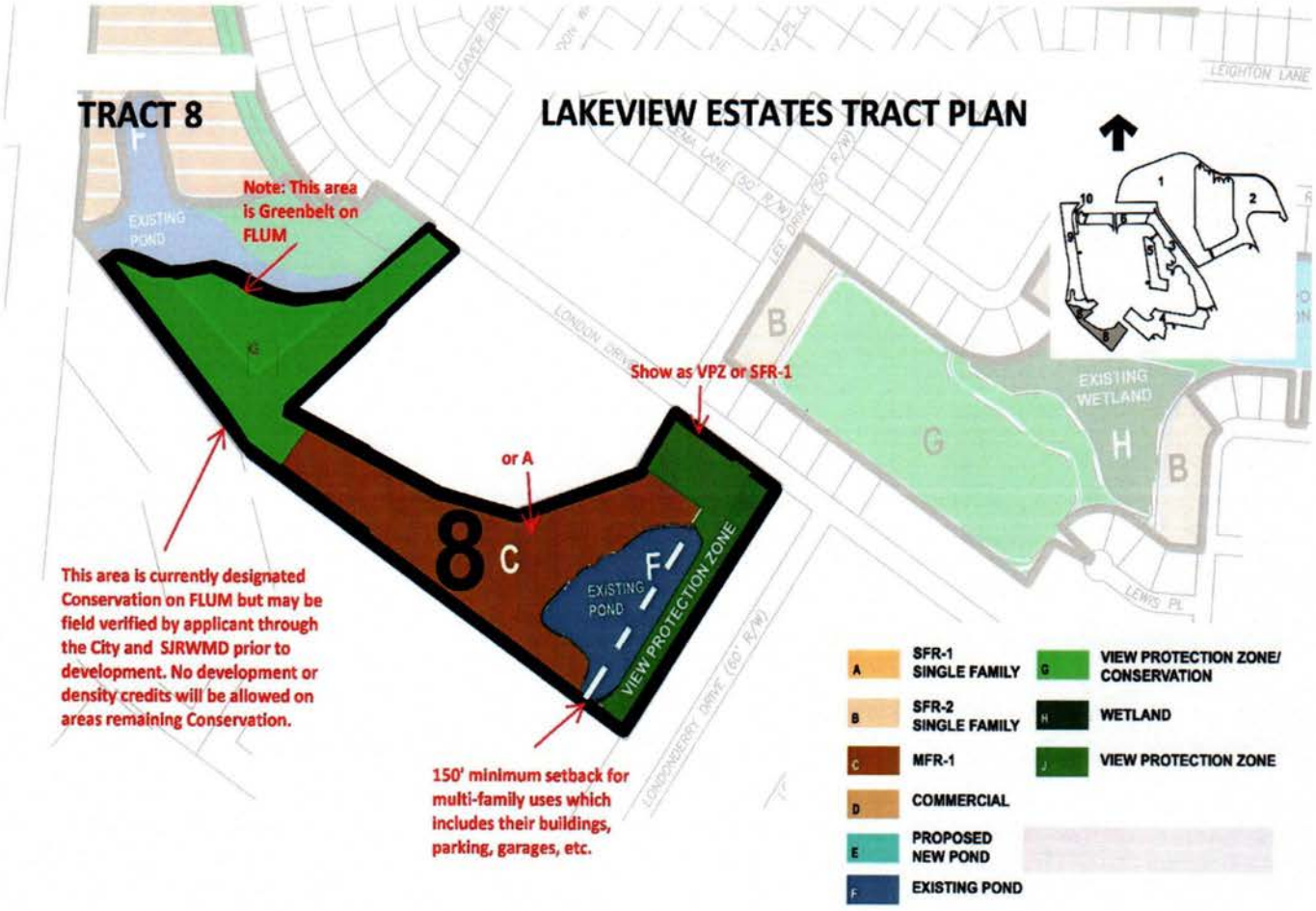
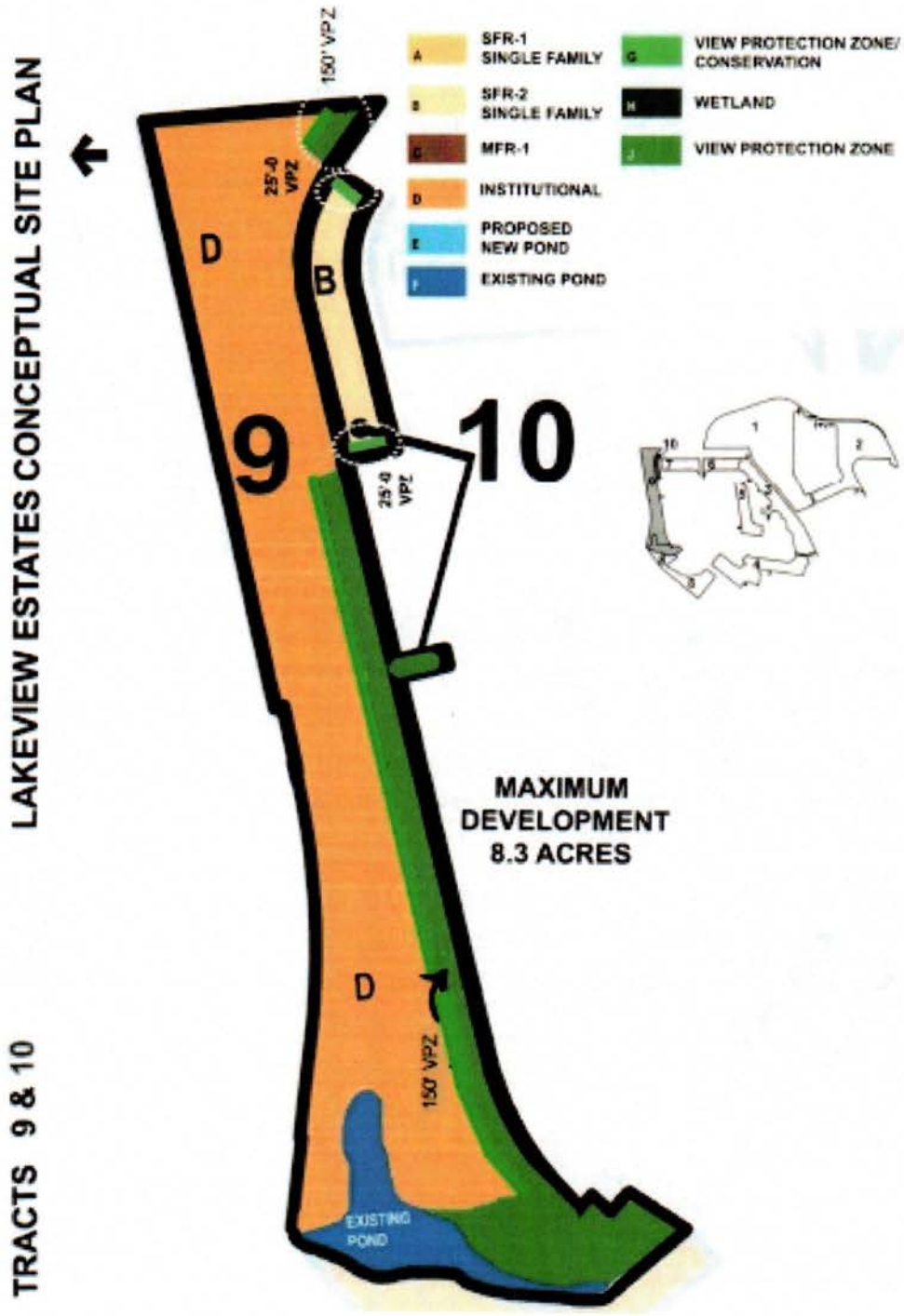

TRACT 8
LAKEVIEW ESTATES TRACT PLAN
Note: This area is Greenbelt on FLUM
EXISTING POND
Show as VPZ or SFR-1
or A
8
C
F
EXISTING POND
VIEW PROTECTION ZONE
This area is currently designated Conservation on FLUM but may be field verified by applicant through the City and SJRWMD prior to development. No development or density credits will be allowed on areas remaining Conservation.
150' minimum setback for multi-family uses which includes their buildings, parking, garages, etc.
LEIGHTON LANE
LEWIS PL
B
G
H
B
EXISTING WETLAND
A SFR-1 SINGLE FAMILY
B SFR-2 SINGLE FAMILY
C MFR-1
D COMMERCIAL
E PROPOSED NEW POND
F EXISTING POND
G VIEW PROTECTION ZONE/ CONSERVATION
H WETLAND
J VIEW PROTECTION ZONE

EXHIBIT "B-8"


LAKEVIEW ESTATES CONCEPTUAL SITE PLAN
TRACTS 9 & 10
150' VPZ
25'-0 VPZ
SFR-1 SINGLE FAMILY
SFR-2 SINGLE FAMILY
MFR-1
INSTITUTIONAL
PROPOSED NEW POND
EXISTING POND
VIEW PROTECTION ZONE/ CONSERVATION
WETLAND
VIEW PROTECTION ZONE
D
B
9
10
25'-0 VPZ
MAXIMUM DEVELOPMENT 8.3 ACRES
D
150' VPZ
EXISTING POND