

City of Flagler Beach

DATE:

NOVEMBER 20, 2020

To:

Don Deal, Chairperson, Planning and Architectural Review Board

Planning and Architectural Review Board Members

FROM:

Larry Torino, City Planner

RE:

SPEX#20-12-01 - Request for Special Exception use to permit a hotel in the General Commercial Zoning District as provided for in Land Development Regulations; Section 2.04.02.8 Zoning Schedule One Land Use Controls. The subject property is located at the southwest corner of Moody Blvd. and S. Central Avenue and further identified as

GEORGE MOODY SUBD. ALL BLOCK 34 PARCEL INC.

Applicant:

Anjon Resort Homes, LLC (Mr. Joseph Pasquale, Principal)

3604 Bay Way

Cooper City, FL 33026

Property Owner:

Geraldine Charles LLC

PO Box 848

Flagler Beach, FL 32136

Property Location: southwest corner of Moody Blvd. and S. Central Avenue

Parcel I.D. No.

12-12-31-4500-00340-0000

Future Land Use:

Commercial

Zoning District:

General Commercial

Application: (See Applicant's, Application document)

Summary in Brief:

The applicant proposes to develop a mixed-use hotel resort-oriented complex in conjunction with ten (10) urban style townhomes. A hotel is a permitted Special Exception Use in the General Commercial District however, only if approved by the City Commission after a review and recommendation of the Planning and Architectural Review Board.

The walk-up townhouse component is proposed to serve as residences and/or vacation resort dwellings, managed by the hotel entity. Parking for the townhomes will be on-site, featuring reserved spaces within a proposed parking garage (sub-grade) capable of accommodating one-hundred sixteen (116) vehicles. The applicant is requesting twenty-six (26) spaces from the parking pool to meet the total required parking count of one-hundred forty-two (142) spaces.

The resort unit count totals ninety-seven (97) rooms. The complex includes an event room, restaurant, café, pool, river pool, sun deck(s), viewing deck, interior public art display space and oversized lobby that opens to an arcade in and around the corner perimeter of the hotel entry area.

The architectural template combines features exhibited in the charrette document and Mixeduse District character area depicted in the Downtown Design Guidelines. The development standards align with those of the Mixed-use District as well.

The applicant proposes off-site improvements to include:

- 1. Transforming the perimeter traffic pattern from two-way to one-way traffic;
- 2. Replacing the current parking configuration from parallel to angle parking,
- 3. Upgrades to Veteran's Park (to include proposed sub-grade stormwater retention vaults)

LOCATION/PHYSICAL CHARACTERISTICS:

The subject property is well known. For many years the site was home to the Farmer's Market. The property encompasses an entire City block, measuring 1.39+/- acres. The site is virtually clear of vegetation and realizes an approximately eight (8) drop in elevation between S. Central Ave. to the east, extending to S. Daytona Ave on the west (See Applicant document Pg. #8).

Analysis:

The Land Development Regulations specify that Special exception uses, as enumerated in Schedule One, Zoning Schedule of Use Controls, shall be permitted only upon authorization of the City Commission after review by the Planning and Architectural Review Board. In recommending approval or denial of the use, the reviewing boards shall provide findings and recommendations on whether the requirements of Land development Regulations Section 2.06.01 (Special Exception Requirements 1. through 7.) is met as well as other comments such board feel will assist the City Commission in the determination of whether to grant the use. (See Applicant document Pg. #2).

Special Exception Requirements – (staff assessment)

1. The use is a permitted special use as set forth on Schedule One, Appendix A.

Per Appendix A – ARTICLE II - ZONING, Section 2.04.02.8. ZONING SCHEDULE ONE LAND USE CONTROLS CITY OF FLAGLER BEACH,

Category of Use; General Commercial; Special Exception Uses, of the Land Development Regulations provides:

SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS

CATEGORY OF USE	UNRESTRICTED PRINCIPAL USES	SPECIAL EXCEPTION USES
GENERAL COMMERCIAL		2. All principal uses permitted in TC District.
TOURIST COMMERCIAL	1. Motels and hotels.	

2. That the use is so designed, located, and proposed to be operated that the health, safety, welfare, and convenience will be protected.

The proposed use has been designed to maximize the safety, welfare, and convenience of the public and surrounding neighborhood (See Applicant Plan Set Sheet A-2.0 Site Development Plan).

As to safety, particularly as it relates to pedestrian and vehicular traffic, the proposed improvements to the perimeter streets should vastly improve traffic circulation and other current conditions as follows:

- 1. Two-way traffic > One-way traffic
- 2. Back out parking > angle parking
- 3. Perimeter streets transform to parking lanes (speed control, pedestrian safety, intersection conflicts minimized)
- 4. Intersection safety improved (e.g. left turn westbound @ S. central Ave. & Moody Blvd.
- 5. Pedestrian crossing(s) improved
- 3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Findings of a property analysis and consultation with a real estate professional and the property appraiser's office:

- Consensus is that the proposed use(s) will increase the value of other property in the neighborhood, increase local business activity, increase ad valorum values, enhance bed tax.
- 4. That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

The proposed development is highly compatible with uses general located within a downtown core area, particularly a beachfront community in a setting that Flagler Beach is fortunate to offer; easily accessible, highly visible, appropriately situated with respect to the beach and local businesses.

The proposed use replaces an iconic hotel that served the community in years past. Staff recommends explicit conditions are imposed to ensure the integrity of the surrounding residential uses is not compromised. One such condition requires the applicant to install and maintain an enhanced perimeter landscape area particularly along the street side frontage and to construct an opaque fence six (6) feet in height. As this perimeter landscape matures, the visual screen, properly maintained, will form an appealing streetscape.

That adequate landscaping and screening is provided as required herein, or otherwise required.

Site landscaping will meet and significantly exceed the required Land Development Regulation's requirements (See Special Exception Requirements item 4. above).

6. That adequate off-street parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets. The proposed parking spaces satisfy the required number of parking spaces for the business expansion. Loading/unloading is unaffected and effectively enhances on-site delivery vehicle maneuverability.

Ingress and egress will remain unchanged from current conditions which is limited to South Ocean Shore Blvd. Access from South Central will be restricted to pedestrian, aplf cart, bicycle, and other such non-vehicular forms of transportation.

7. That the use conforms with all applicable regulations governing the district where located.

The proposed use, a hotel, as clarified herein, is a permitted Special Exception use in the General Commercial District. All details as it relates to applicable development standards will be addressed during the final site application process.

Staff Recommendation:

Recommend approval of the requested hotel use.

ENCLOSURES:

Attachment #1 – Location Map Attachment #2 – Legal Advertisement Attachment #3 – Public Notice



City of Flagler Beach

P.O. Box 70 • 116 3rd Street South Flagler Beach, Florida 32136 Phone (386) 517-2000 • Fax (386) 517-2016



CITY OF FLAGLER BEACH

NOTICE OF PUBLIC HEARING

SPECIAL EXCEPTION #20-12-01
A request has been submitted for a Special Exception Use to construct a hotel in the General Commercial Zoning District as provided for in the Land Development Regulations Section 2.04.02.8, Zoning Schedule One Land Use Controls. The subject property is identified by the Flagler County Property Appraiser as Parcel ID#12-12-31-4500-00340-0000. The subject property is located at the southwest corner of the intersection of Moody Blvd, and S. Central Avenue, Flagler Beach 32136. Applicant: Anjon Resort

Homes, LLC.
A PUBLIC HEARING IS SCHEDULED TO
BE HELD AT CITY HALL, 105 S. 2ND.
STREET, FLAGLER BEACH, FLORIDA AS

PLANNING AND ARCHITECTURAL RE-VIEW BOARD: TUESDAY, December 1, 2020 at 5:30 P.M.

CITY COMMISSION: THURSDAY, December 10, 2020 AT 6:00 P.M. OR AS SOON

THEREAFTER.
ALL INTERESTED PARTIES ARE INVIT-

PLEASE DIRECT ANY QUESTIONS TO THE CITY OF FLAGLER BEACH AT (386-517-2000) EXT. 230.

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

For further information about these requests, please call the Planning and Building Department at (386) 517-2000 Ext. 230. More detailed information and maps may be inspected by the public at the Planning and Building Department at the Flagler Beach City Hall during office hours.

L2371050, Nov 21, 2020 1t



City of Flagler Beach

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ALL INTERESTED PARTIES ARE INVITED TO ATTEND.

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NOV 1 8 2020





City of Flagler Beach PO Box 70 105 South 2nd Street Flagler Beach, Florida 32136 Phone (386) 517-2000 Fax (386) 517-2016

	(000) 027 2020
Special Exception – (SPEX)	APPLICATION NO.: SPEX 20-12-0
	DATE:
Pursuant to Appendix A, Land Development Regulations, Exception as described below:	Section 2.06.01 of the Zoning Ordinance, I hereby request a Special
A. DESCRIPTION OF REQUEST / PROPOSED DEVE	LOPMENT: 5 + MAWAGEMENT OFFICE
B. PRESENT USE OF PROPERTY: VACANT	" CITY EVENTS ES LLC
C. PETITIONER: ANJON RESORT HOM	Es lic
D. SUBJECT PROPERTY LOCATION (PHYSICAL	HEET + SCENTRAL TO SDAY GONA
E. OWNER OF SUBJECT PROPERTY: GERMAN	DINE CHARGES, LLC
F. PROPERTY APPRAISER'S PARCEL NUMBER(s):	12-12-31-4500-00340-0000
G. LEGAL DESCRIPTION: LOT: ALL BLOCK: 34 S	UBDIVISION: GEORGE MODY ZONING DISTRICT:
ATTACH JUSTIFICATION STATEMENTS ADDRESSING EXCEPTION REQUEST AS REQUIRED: (See Attachment '	ALL SEVEN (7) REQUIREMENTS FOR THIS SPECIAL 'A" Special Exception Requirements.)
The same of the sa	
	PLANNING & ZONING DEPARTMENT
ACCEPTED BY: Brice Wilson	DATE:
Application #SPEX: 20-12-01	•

- SPECIAL EXCEPTION STANDARDS -(complete separately by applicant)

The Planning and Architectural Review Board may grant Special Exceptions only upon finding that the request meets the criteria set forth in Appendix A, Land Development Regulations, Section 2.06.01. Describe how your request meets each requirement.

- That the use is a permitted Special Exception use as set forth in Land Development Regulations, Article II. Zoning, Section 2.04.02.8. Zoning Schedule One Land Use Controls. 455
- That the use is so designed located and proposed to be operated that the public health, safety, welfare and convenience will be protected. 455
- That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located. 4F5
- That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.
- That the adequate landscaping and screening is provided as required herein, or otherwise required.
- That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets. 455

That the use conforms with all applicable regulations governing the district where located.

JAPPLICANT JOSEPH PASQUALE ANJON RESORT HOMES

WARRANTY DEED

Individ. to Individ.

Return to:

Name: David S. Eldredge, Esquire

1 Florida Park Drive S., Ste. 340

Palm Coast, FL 32137

This instrument prepared by:

David S. Eldredge, Esquire 1 Florida Park Drive S., Ste. 340

Palm Coast, FL 32137

Property Appraisers Parcel ID #12-12-31-4500-00340-0000

Grantee(s) S.S.# Prepared without the benefit of a title search

THIS WARRANTY DEED, Made this 11th day of May, 2004, by ZOEE B. FOREHAND, the surviving joint tenant of BERNARD C. FRASSRAND, hereinafter called the Grantor, to WILLIAM M. FOREHAND and ZOEE B. FOREHAND, husband and wife as tenants by the entirety, whose post office address is P. O. Box 2029, Flagler Beach, FL 32136, hereinafter called the Grantee.

WITNESSETH, That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in

SEE EXEIBIT "A: ATTACHED.

GRANTOR WARRANTS THIS IS NOT HOMESTEAD PROPERTY.

All of Block 34 of Moody Subdivision of Flagler Beach, Flagler County, Florida, according to Plat on file in the Office of the Clerk of the Circuit Court of Flagler County, Florida in Plat Book 1, at Page 24. Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2003.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered

in the presence of:

DAVID S. ELDREDGE

Witness as to Grantor

RIBORAL SPADAFINO Spodsfino Witness as to Grantor

STATE OF FLORIDA

COUNTY OF FLAGLER

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ZOEE B. FOREHAND, the surviving joint tenant of BERNARD C. FRASSRAND, known to me to be the person described in and who executed the surviving that the executed the surviving that the executed the the foregoing instrument, who acknowledged before me that she executed the same, and an oath was not taken. Said person presented her drivers' licenses as identification.

> Witness my hand and official seal in the County and State last aforesaid this 11th day of May, 2004.

a land

Notary Public-State of Morida

EXHIBIT "A"

61-02-307

All of Block Thirty-Four (34) of MODDY'S SUBDIVISION of Flagler Beach, Flagler County, Florida; according to Plat on file in the Office of the Clerk of the Circuft Court for Flagler County, Florida, in Plat Book 1, at Page 24.

Also, that part of Section 12, Township 12 South, Range 31 East, bounded on the West by the East right-of-way boundary of State Road AlA; bounded on the North by the extension of the North line of Lot 1 of Block 8 of Moody SUBJITISION of Flagler Beach, per a plat of said subdivision on file in the office of the Clerk of the

Circuit Court of Flagler County, Florida, in Plat Book 1 at Page 24; bounded on the East by the Atlantic Ocean; bounded on the South by the extension of the South line of Lot 16 of Block B of said MODDY SUBDIVISION of Flagler Beach, together with all riparian, littoral, accretion and alluvion rights thereon and thereto.

AUTHORIZATION

OWNER	APPLICANT/ AGENT
Name: Geraldine Charles, LLC	Name: Anson Resout Homes LLC
P.O.BX 848, Flager Beach Fl	Mailing Address: 3604 BAG WAG COOPER CITY FL 33024
Phone Number: 386 439 2881	Phone Number: 954 336 2560
E-mail Address: 251nco1988@bellsouth.net	E-mail Address: JCP \$4378 cmarc com
Owner/Applicant: I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION OF THE Signature of owner OR person authorized to represent this application.	JICATION IS CORRECT:
Printed or typed name(s): Joseph Asquare	Zore B. ForeHand
NOTARY: This instrument was acknowledged before me on the who is/are B Fore Hand who is/are as ide. Signature of Notary Public, State of Florida	ais 18 TH day of NOVEMBEY, 20 20 by expersionally known to me, or who has/have produced ntification. (SEAL)

Planning and Architectural Review Board Ruling:

In advocating a Special Exception, the Planning and Architectural Review Board may:

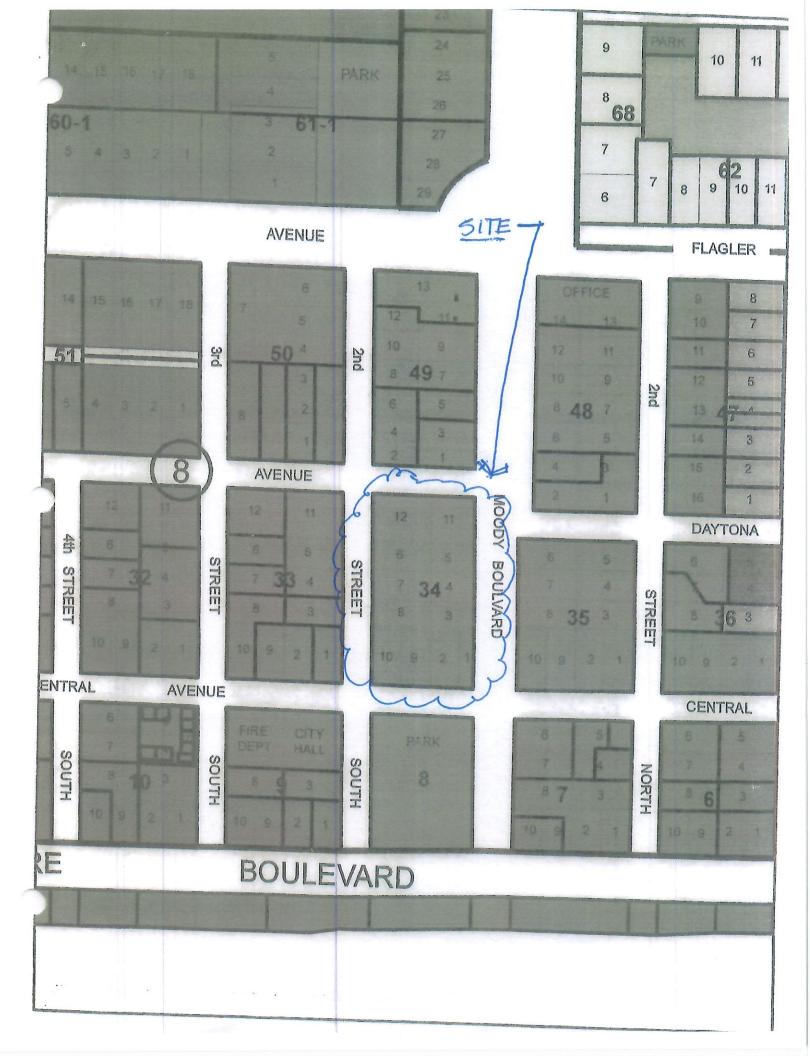
1. Prescribe appropriate conditions and safeguards in conformity with this ordinance.

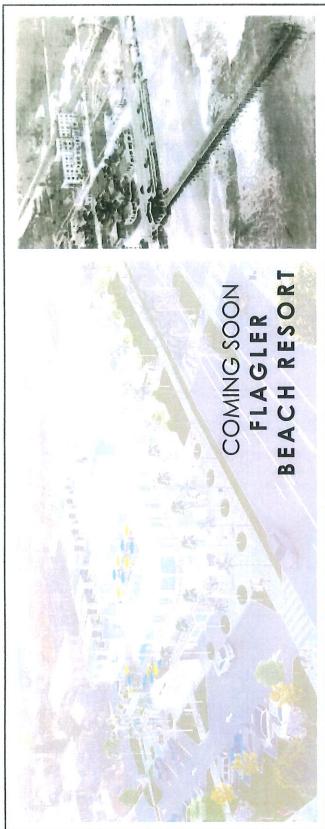


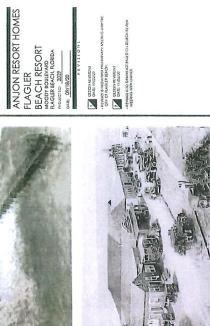
Notary Public State of Florida Crystal Lenee Kelly My Commission GG 274398 Expires 11/05/2022

- Violation of such conditions and safeguards, when made a part of the terms under which the Special Exception is advocated, shall be deemed a violation of this ordinance.
- 3. The Planning and Architectural Review Board may prescribe a reasonable time limit within which the action for which the Special Exception is required shall be begun or completed or both.
- 4. Under no circumstances except as permitted above shall the Planning and Architectural Review Board advocate a Special Exception to permit a land use not generally permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this ordinance in the zoning district.
- 5. No nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the advocation of a Special Exception.

To Whom It May Concern,	
I/We,	
GERALDINE CHAMIES, LL	C
	being the current property owner(s
	12 - 12 - 21 - 4500 - 00340 - 0000
of the property legally described as Parcel Number(s)	12-12-31-4500-00000-0230
and also described as Subdivision _ GRONGE	moony
	•
Section 12, Block 34, Lot 4U	, OR
Street Address or Physical Location:	
marin Him has	
Do hereby designate and authorize	SCENTRISE TO S. DAYTONA
Do nereby designate and authorize	
JOSEPH PASPUALE	
	(name of agent / applicant)
representing Anjow Resort H	/
representing /tw/ow /Lesont	omes, LLZ
(Ir	dividual or Corporate Name)
to sign on my/our behalf, as my/our agent to submit as	application for a Special Exception request for the property described above.
	application for a special exception request for the property described above.
fell To Whand	Willia M. Control
Signature of property owner	Signature of property owner
Loee B. Forehand	
Print name	William M Forehard
	Print name
NOTARY: This instrument was acknowledged before	ore me on this 18 TH day of NOVIMER
20 20 by Earl D. 9 WILLIAM IVI.	For CHandwho is/are personally known to me, or
who has/have produced	A as identification.
- /	
0 1-0 12 01	(SEAL)
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Signature of Notary Public, State of Florida	5 ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Signature of Fiorida	Notary Public State of Florida Crystal Lenee Kelly
	My Commission GG 274398
	Expires 11/05/2022











DEVELOPER AND DESIGN TEAM

SHEET INDEX
ALCHITECTURAL:
A-0.0 COVER SHEET

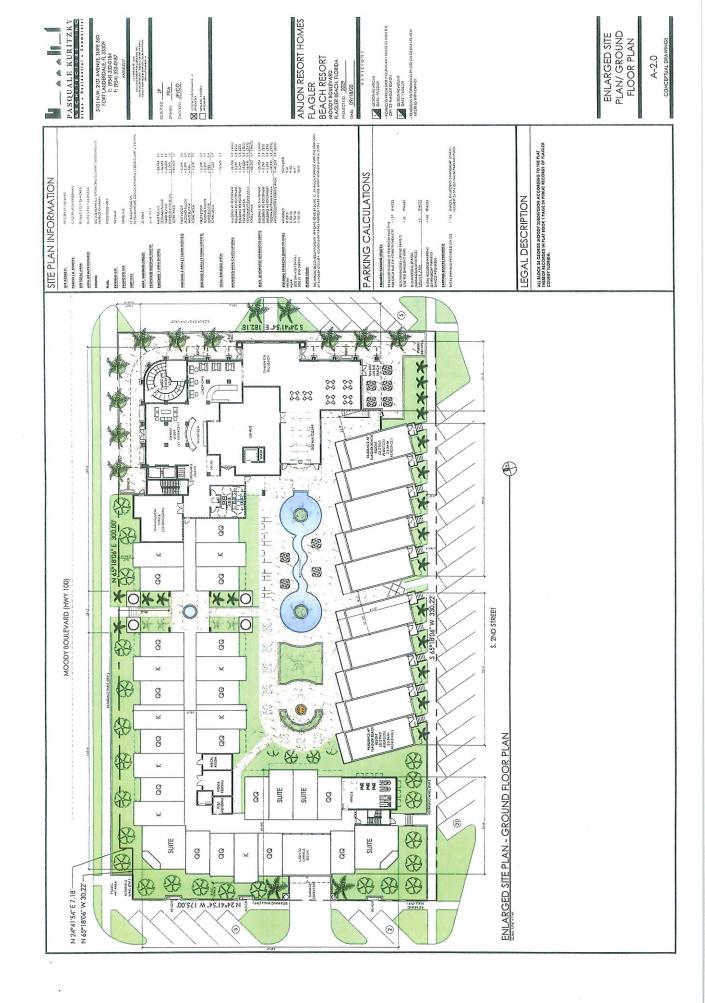
ANJON SCHOOLSON

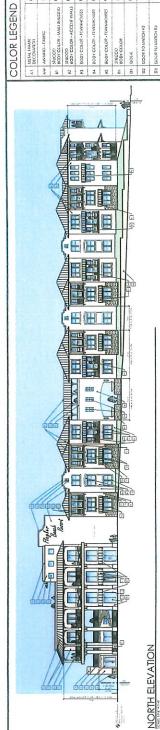






RECEIVED City of Flagler Beach Building Department COVER SHEET





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EAST ELEVATION



EXTERIOR ELEVATIONS

A-4.0

TYPICAL STREET SECTION

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SOUTH ELEVATION - TOWN HOUSE FRONT ELEVATION