

**ORDINANCE NO. 2015-01**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA TO AMEND THE HAMMOCK DUNES PLANNED UNIT DEVELOPMENT (AS SUCCESSOR TO THE HAMMOCK DUNES DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER), THE OCEAN HAMMOCK GOLF COURSE PLAT PLANNED UNIT DEVELOPMENT, AND NORTHSORE PLAT FIVE PLANNED UNIT DEVELOPMENT TO ALLOW FOR THE REDEVELOPMENT OF APPROXIMATELY 6.5 ACRES OF LAND AREA LOCATED WITHIN THE HAMMOCK BEACH RESORT, TO INCLUDE THE CONVERSION OF THE FACILITY KNOWN AS THE LODGE INTO A 198 UNIT HOTEL, WITH APPROXIMATELY 50,000 SQUARE FEET OF ADDITIONAL AMENITY AREA, INCLUDING RESTAURANT, CONFERENCE, CLUBHOUSE, AND ASSOCIATED GOLF AND RETAIL FACILITIES, TOGETHER WITH AN EXPANSION OF THE ATLANTIC AND OCEAN BALLROOMS; ALL AS LOCATED EAST OF STATE ROAD A-1-A AND NORTH OF THE EASTERN TERMINUS OF 16TH ROAD AT THE ATLANTIC OCEAN, PARCEL NUMBERS 04-11-31-3605-000C0-0000 AND 04-11-31-2984-00GC0-0000; PROVIDING FOR FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 22, 1983, Admiral Corporation ("Admiral") submitted to the Flagler County Board of County Commissioners ("County Commission") an application for the approval of a development of regional impact (the "DRI") known as "Hammock Dunes", in accordance with Section 380.06, Florida Statutes; and

**WHEREAS**, on March 30, 1984, the County Commission approved the original Hammock Dunes DRI pursuant to Resolution 84-7 (the "DRI Development Order"); and

**WHEREAS**, the DRI Development Order governed 2,258 acres of land and entitled Admiral to a maximum of 6,670 dwelling units and related commercial, institutional, recreational, and other uses in 42 separate geographical areas known as "Clusters"; and

**WHEREAS**, the DRI Development Order rezoned all of the property within the DRI as Planned Unit Development ("PUD"); and

**WHEREAS**, the Hammock Dunes DRI includes the development of three subdivisions or phases commonly known as: Hammock Dunes; Ocean Hammock; and Hammock Beach; and

**WHEREAS**, amendments to the DRI Development Order occurred from time to time which, among other changes, reduced the number of approved units from 6,670 to 3,800, and

*lpa*

**WHEREAS**, in 2009, the Northshore Property Developers, a successor in interest to Admiral to the portion of property known as the Ocean Hammock Golf Course, which is located within the Ocean Hammock phase of the DRI, filed a Notice of Proposed Change to the DRI Development Order, seeking, among other things, to create a new geographical Cluster within the Ocean Hammock Golf Course property and to allow for the development of a 561 unit hotel (the "Northshore Units") to be constructed within the Ocean Hammock Golf Course property, of which a total of 541 units would be reallocated from un-built dwelling units in other Clusters within the DRI; and

**WHEREAS**, by final order of the Florida Land and Water Adjudicatory Commission entered on August 4, 2011, the NOPC was denied on several grounds, including on the basis that the Northshore Units were not vested or entitled for development under the DRI Development Order, and that an amendment to the DRI Development Order would be required in order for such development to occur (*Ginn-LA Marina LLLP, Ltd., et al. v. Flagler County*, FLAWAC Case No. APP-10-007, hereinafter the "FLAWAC Order"); and

**WHEREAS**, on December 20, 2011, the County Commission, Admiral, and entities affiliated with Admiral entered into that certain Essentially Built-Out Agreement pursuant to Section 380.06(15)(g)(4), Florida Statutes (the "Built-Out Agreement") which recognized, among other things, that the Hammock Dunes DRI is essentially built out and that the DRI Development Order would expire effective December 20, 2011; and

**WHEREAS**, the Built-Out Agreement acknowledges that of the 6,670 units originally approved, only 2,200 were constructed; and

**WHEREAS**, the Built-Out Agreement provides the conditions under which "Future Development" as defined in the Built Out Agreement may proceed; and

**WHEREAS**, the Built-Out Agreement provides in Section 3.b therein, that any development in excess of the Future Development is required to comply with the provisions of the Flagler County Comprehensive Plan and Flagler County Land Development Code; and

**WHEREAS**, the Built-Out Agreement further provides that if development of any portion of the Northshore Units is requested pursuant to Section 3.b that all transportation, off-site stormwater, school, park, public safety and solid waste concurrency for such development shall be deemed satisfied; and

**WHEREAS**, on August 27, 2014, an initial application was filed by LRA Hammock Beach Ocean, LLC and LRA NOHI, LLC and Salamander Hospitality, LLC (collectively, the "Applicant") and subsequently amended on September 29, 2014 and January 9, 2015 to approve an amendment to the Planned Unit Development and PUD site development plans which were approved in connection with two components of the Ocean Hammock phase of the Hammock Dunes DRI, including the Ocean Hammock Golf Course Plat and Plat Addendum, recorded in Map Book 33, Pages 11-18 and Official Records Book 786, Pages 824-835 of the Public Records of Flagler County; the Northshore Plat Five, recorded in Map Book 32, Pages 38-40; and Official



Records Book 733, Pages 486-496 of the Public Records of Flagler County (the "Application"); and

**WHEREAS**, the Application, if approved, would provide for the development of a portion of the Northshore Units; and

**WHEREAS**, the Application, if approved, would provide for the development of a hotel and related amenities within the property known as the Ocean Hammock Golf Course property which are uses that were not previously contemplated or approved and, pursuant to the FLAWAC Order and the Built-Out Agreement, an amendment to the Hammock Dunes PUD is required; and

**WHEREAS**, the Application has been evaluated in the context of all applicable Goals, Policies and Objectives of the Flagler County Comprehensive Development Plan, as outlined in the Flagler County Staff Report, dated February 2, 2015, attached hereto as Exhibit "A", and incorporated herein; and

**WHEREAS**, the Application has been evaluated in the context of all applicable regulations and requirements of the Land Development Code, as outlined in the Flagler County Staff Report, attached hereto as Exhibit "A"; and

**WHEREAS**, the County Commission has considered the Application, the Flagler County Staff Report, the testimony and evidence in the record presented by staff, the Applicant, the parties, other written documentation of record, as well as comments made during the public hearing portion of the proceedings, which public hearing commenced on February 2, 2015 and continued into February 3, 2015 when it was concluded; and

**WHEREAS**, the Applicant voluntarily offered to include conditions and restrictions upon the approval of its Application in response to comments and concerns expressed during the course of the proceedings; and

**WHEREAS**, the County Commission by majority vote determined to accept the Applicant's conditions and restrictions after due deliberation.

**NOW, THEREFORE, BE IT ORDAINED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS:**

**Section 1. FINDINGS**

A. The Board of County Commissioners, pursuant Section 3.04.02 of the Flagler County Land Development Code, finds as follows:

1. The proposed amendment to the Hammock Dunes PUD does not adversely affect the orderly development of Flagler County and complies with applicable Comprehensive Plan Goals, Objectives and Policies; and,



2. The proposed amendment to the Hammock Dunes PUD is consistent with the regulations and requirements of the Flagler County Land Development Code; and
3. The proposed amendment to the Hammock Dunes PUD will not adversely affect the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.

## **Section 2. AMENDMENT**

The Hammock Dunes PUD is hereby amended to allow for the redevelopment of approximately 6.5 acres of land area located within the Hammock Beach Resort and further described in the attached legal description and sketch of description attached hereto and made a part hereof as Exhibit "B", to include the conversion of the facility known as the Lodge into a 198 unit hotel, with approximately 50,000 square feet of additional amenity area, including restaurant, conference, clubhouse, and associated golf and retail facilities, together with an expansion of the Atlantic and Ocean Ballrooms, as further depicted on the PUD site development plan set attached hereto and made a part hereof as Exhibit "C". Development shall be subject to an amendment to the applicable plats at a later time, including approval of any plat addenda as deemed appropriate by the Board, which shall be processed in accordance with the Flagler County Land Development Code requirements.

## **Section 3. CONDITIONS OF APPROVAL**

The approval for redevelopment is subject to the following conditions and restrictions:

- A. Amendment of the Ocean Hammock Golf Course Plat (replat) and Plat Addendum to:
  1. Designate and restrict Lodge site as a separate parcel within the plat according to the revised site plan received January 9, 2015.
  2. Protect the Ocean Hammock Golf Course as open space through restrictive covenants enforceable by the County.
- B. Require commencement of construction - with building permits issued and vertical construction underway - within four years of date of approval.
- C. Conservation Fund proceeds in accordance with applicant's presentation to be disbursed to the County, Fund-restricted for conservation use on the Barrier Island North of the southern extent of the Hammock Dunes DRI.
- D. County staff will evaluate parking at 12, 24, and 36 months after completion of construction and commencement of operations for addition of parking or adjustments to operations to address any parking issues.
- E. Obligate and bind future owners/successors to these conditions through restrictive covenants enforceable by the County.

- F. Parcel ownership to be verified by the County and filed with the County.
- G. Donate a total of \$500,000, \$250,000 upon execution of the agreement and \$125,000 per year for the next two subsequent years with the funding for acquisition or development of a new beach access to mitigate for the impacts on Old Salt Park.
- H. Donate one (1) acre of land south of 16th Road beach access for park development as presented and as depicted at the February 2, 2015 hearing.

The conditions and restrictions shall be addressed in further terms as part of the approval of the plat and any plat addenda and may include the adoption of a resolution, documented confirmation of completed actions, restrictive covenants and any other instruments as deemed appropriate by the County Commission.

**Section 4. RECORDATION**

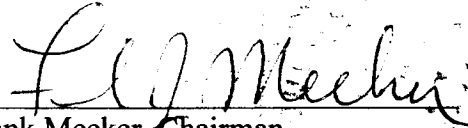
Evidence of this amendment shall be recorded in the public records of Flagler County, Florida.

**Section 5. EFFECTIVE DATE**

This Ordinance shall take effect upon Official Acknowledgement by the Secretary of State that the Ordinance has been filed.

**APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA THIS 3RD DAY OF FEBRUARY, 2015.**

**BOARD OF COUNTY  
COMMISSIONERS  
OF FLAGLER COUNTY, FLORIDA**

  
Frank Meeker, Chairman

**APPROVED AS TO FORM:**

  
Albert J. Hadeed, County Attorney

**ATTEST:**


  
Gail Wadsworth, Comptroller and  
Clerk to the Board

Exhibit "A"

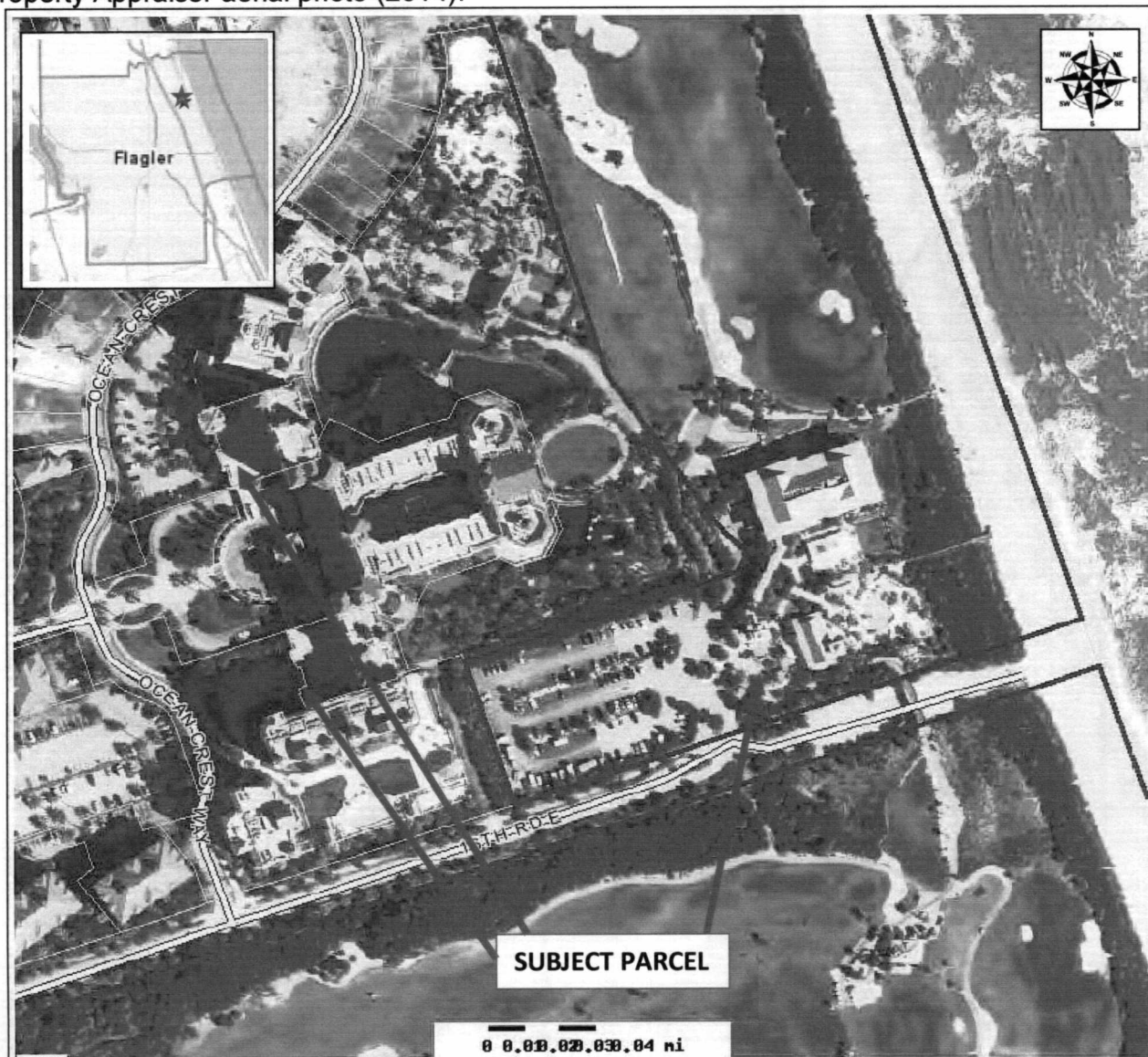
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS  
PUBLIC HEARING / AGENDA ITEM # 4

**SUBJECT: QUASI-JUDICIAL** – Application #2962 – Rezoning (Reclassification) and Site Development Plan Review in the Planned Unit Development (PUD) District for the Purpose of Amending the PUD and its Site Development Plan for the Lodge Area and Associated Conference Facilities at the Hammock Beach Resort. Owners: LRA Hammock Beach Ocean, LLC and LRA NOHI, LLC; Applicant: Salamander Hospitality, LLC.

**DATE OF MEETING:** February 2, 2015

**OVERVIEW/SUMMARY:** On August 27, 2014, Salamander Hospitality, LLC, on behalf of the parcel owners, LRA Hammock Beach Ocean, LLC, and LRA NOHI, LLC, submitted an application for Site Development Plan Review in a PUD for improvement and renovation of the existing Lodge facility within the Hammock Beach Resort including the Lodge area and expanded conference facilities, initially comprising approximately 10.2 acres of land area.

Property Appraiser aerial photo (2014):



*Handwritten signature*



In the initial application, the portion of the proposal concerning the Lodge and related facilities is listed as approximately 8.0 acres in size and is within Parcels F, H, and BLP5 of the Ocean Hammock Golf Course Plat (Map Book 33, Page 11, Official Records of Flagler County, Florida) and Parcels 3 and C of the Northshore Plat Five Plat (Map Book 32, Page 38, Public Records of Flagler County, Florida). The conforming reclassification application received on January 9, 2015 further reduced the area included in the application to approximately 6.5 acres located north of and adjacent to 16th Road. The existing conference facilities to be expanded are located within Parcels 2 and 4 of Northshore Plat Five and consist of approximately 0.8 acres. Additionally, the redevelopment of the Lodge will expand existing conference facilities in the Lodge area.

Originally, there also was a request for a parking area in a separate parcel of 1.5 acres south of 16th Road. However, that request has been withdrawn.

Both the Ocean Hammock Golf Course Plat and Northshore Plat Five were approved by the Board of County Commissioners with plat addenda (recorded at Official Records Book 786, Page 824 and Book 733, Page 486, Public Records of Flagler County, Florida, respectively), a legal instrument akin to our PUD development agreements used today, but closely aligned through the Land Development Code to each respective recorded plat.

For record purposes, the applicant's initial submittal consisted of:

- an introductory letter and application form;
- application fee payment;
- pre-application outreach, including:
  - conceptual renderings
  - new lodge proposal
  - outreach correspondence and PowerPoint presentations
  - summary of meeting polling results
- conceptual drawings, including an illustrative site plan, renderings, and building elevations
- a narrative describing the basis of the design and development criteria
- Site Development Plan submittals
- Warranty Deeds

The proposal specifically includes:

- demolition of the existing Lodge building
- replacement of the Lodge building with two buildings, each with a similar (although somewhat larger) footprint and overall roof height not to exceed the limits of the existing Lodge building
- construction of a portico linking the two buildings to the west
- new pool and amenity facilities in between both buildings
- total capacity of the new Lodge facilities to be 198 hotel rooms, each 450 square feet in size, along with a new Atlantic Grille restaurant, Club member facilities, a golf shop and beach shop, and new ballrooms and breakout meeting rooms, while continuing to serve as the Ocean Hammock Golf Course golf clubhouse
- expansion of the existing Atlantic and Ocean Ballrooms to the west of the tower buildings, connecting to the One Bedrooms at Hammock Beach Condominium Association buildings and the Ocean Towers Condominium Association buildings
- general improvements, including new landscaping and entry feature improvements within and adjoining the 16th Road right-of-way



The applicant submitted a revised site development plan set on January 9, 2015. Due to the timing in advance of the January 12, 2015 Board of County Commissioners hearing, staff requested and the Board approved a postponement of the hearing until February 2, 2015 at 5:30 p.m. Following review of the revised plans by staff, the changes were found to be consistent with the applicant's statements made at the Planning and Development Board public hearing and reflect the applicant's efforts made to alleviate concerns expressed in the public hearing and in the public comments received through various sources. Of particular note among these changes is the elimination of parking south of 16th Road and the shifting of the principal structures further westward from the oceanfront dune line. Additionally, the overall acreage included in the rezoning request decreased from 10.2 acres to 6.5 acres. It is staff's opinion, following review of the changes to the PUD site development plan, that the request remains consistent with the Comprehensive Plan and Land Development Code for the reasons provided in the attached analysis.

This agenda item is:

  X   quasi-judicial, requiring disclosure of ex-parte communication; or  
       legislative, not requiring formal disclosure of ex-parte communication.

#### TRC Review

Staff presented the applicant with comments as part of the September 17, 2014 Technical Review Committee meeting. As of the date of this report, all staff comments have been satisfactorily addressed and all requested changes to the submittal have been provided.

#### Scenic A1A PRIDE Committee Review

The Scenic A1A PRIDE Committee initially reviewed the proposal at their September 26, 2014 regular meeting with an initial recommendation in favor of the request (provided verbally, but not in writing), then in a special called meeting on October 9, 2014, formally amended their position to not support the project as initially filed with the County and added a list of concerns:

- "the potential for traffic congestion at the public beach access and A1A and the lack of any current traffic study [the latest traffic study was completed in December 2011 – three years ago – in support of the EBOA];
- overcrowding at this beach location will deter from the public enjoyment of the county park;
- disturbance to dune wildlife and environment;
- loss of mature trees and vegetation;
- failure to manage turtle-hazardous lighting and lounge chair removal at night; and
- building heights that will overshadow the beach and spoil the feeling of open space."

A subsequent communication was provided to the Board of County Commissioners in advance of this hearing. Representatives from Scenic A1A PRIDE have provided public comments at each Planning Board public hearing.

**PLANNING AND DEVELOPMENT BOARD RECOMMENDATION:** The Planning and Development Board held a public hearing on October 14, 2014 and initially recommended denial of the amendment to the Planned Unit Development Site Development Plan request. However, following the initial vote, the applicant requested an opportunity to provide supplemental rebuttal testimony. With the consent of the Board and under the advice of counsel, the applicant presented its rebuttal and, in a subsequent motion, the request was tabled until the next Planning and Development Board regular meeting on November 12, 2014.





Based on public comment received at the October 14, 2014 hearing and recommendations from County staff, the applicant's request was modified to include amendment of the Planned Unit Development under the reclassification provisions of the Land Development Code. Public notice for the November Planning and Development Board was amended accordingly. As part of the public notice for the November 12, 2014, staff was made aware of a discrepancy that resulted in a large number of parcels within the notification area not receiving mailed notice and the November public hearing for this request was cancelled.

On December 9, 2014, the Planning and Development Board initially considered a motion to recommend approval of the reclassification, which failed through a 2-3 vote. The subsequent motion for denial was approved with a 3-2 vote, with Vice-Chairman Crowe, Duggins, and Chairman Reinke voting in favor of the motion to deny, with Boyd and Richardson opposed, and Dickinson and Kornel absent. The Board made no recommendation or conditions for the request to amend the Planned Unit Development Site Development Plan. (The findings of the Planning and Development Board are provided in a separate exhibit to this report by way of the approved minutes and a transcript of its motion findings.)

**STAFF ANALYSIS:** Many individuals and groups have provided extensive input to the Board on this application. The points of view differ widely as to how the application should be judged as to the golf course use issue. Many are contending that the County's actions in 1998 and 2001 dictate the result on this application, ironically both ways, equally for approval and for denial. Some contend that the limitations on the golf course plat foreclose any expansion of the 20 room Lodge. On the other hand, some contend that the plat language actually validates the ability to construct a 198 room hotel because the new hotel would be related to the operation of the golf course.

Staff has determined that the issue is not golf course use, as the proposed redeveloped hotel is explicitly related to the golf course. Instead the question is one of scale, as it was in the 2010-2011 DRI proceedings. Does the intensification of the hotel lodging capacity, as presently proposed (and not as presented in 2010-2011), breach any of the requirements of the Comprehensive Plan or the Land Development Code? Does the scale of the redeveloped hotel, for example, support the River to Sea Scenic Highway Corridor Management Plan and its call for context sensitive design? (Policy H.1.3.2 of the Recreation and Open Space Element of the Comprehensive Plan). Will the redeveloped hotel, as another example, conflict with the County's obligation to preserve and enhance the natural, recreational and scenic resources of the A1A Scenic Highway? (Objective H.1.3 of the Recreation and Open Space Element of the Comprehensive Plan). Overall, will the proposed development adversely affect the general neighborhood? (Section 3.04.02.F.2 of the Land Development Code).

**DEPT./CONTACT/PHONE #:** Planning & Zoning / Adam Mengel / 386-313-4065

**RECOMMENDATION:** Request the Board approve:

- a. on first and final reading Application #2962 a rezoning (reclassification) ordinance, which comprises an amendment to the Planned Unit Development (PUD); and
- b. an amendment to the Planned Unit Development (PUD) Site Development Plan (SDP) for Ocean Hammock Golf Course and Northshore Plat Five.

If the Board agrees with the staff's recommended findings, the motion should be as follows:



Move to approve based on competent, substantial evidence that the proposed PUD amendment:

(1) does not adversely affect the orderly development of Flagler County and complies with the applicable Comprehensive Plan Goals, Objectives and Policies;

(2) is consistent with the regulations and requirements of the Flagler County Land Development Code; and

(3) will not adversely affect the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.

If this determination is made, the PUD amendment and PUD Site Development Plan amendment may be approved, conditioned upon subsequent replat of the Ocean Hammock Golf Course and Northshore Plat Five plats. The replats require "consent of all current owners who are subject to the original approved plat addendum/agreement" (Sec. 4.08.02., Flagler County Land Development Code), and require a separate application and approval at a later time, including approval of any plat addenda as deemed appropriate by the Board. This process is embodied in the attached Ordinance for your approval in the event the motion is to approve the present application.

Although not recommended by staff, if the Board makes different findings based on the testimony and evidence provided at the public hearing, the motion to deny the application should be as follows:

Move to deny based on competent, substantial evidence that the proposed PUD amendment (select one or more of the following based on your findings):

(1) adversely affects the orderly development of Flagler County and does not comply with the applicable Comprehensive Plan Goals, Objectives and Policies; or

(2) is not consistent with the regulations and requirements of the Flagler County Land Development Code; or

(3) will be detrimental to the use of adjacent properties or the general neighborhood.

**ATTACHMENTS:**

1. Technical Staff Report
2. Consistency Analysis
3. Ordinance
  - a. Revised draft ordinance
  - b. Exhibit A (placeholder for staff report)
  - c. Exhibit B – legal description and sketch of description
  - d. Exhibit C (placeholder for PUD site development plan set)
4. Application and supplementary materials
  - a. Initial application and site development plan received August 27, 2014
  - b. Applicant's responses to TRC comments (includes amended site development plan set) received September 29, 2014



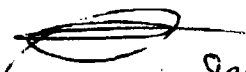
- c. Conforming reclassification/rezoning application (includes amended site development plan set) received January 9, 2015
- 5. County Attorney Supplemental Memo dated January 30, 2015
- 6. Scenic A1A PRIDE Committee letter dated October 9, 2014
- 7. Planning and Development Board meeting minutes
  - a. October 14, 2014 (in part, draft)
  - b. December 9, 2014 (final approved minutes, with verbatim motion transcript)
- 8. Public notice
  - a. Public notice ad
  - b. Notification map
  - c. Parcel listing
- 9. Public comments



Adam Mengel, Planning & Zoning Director

1-30-15

Date




Craig M. Coffey, County Administrator

1-30-15

Date

Deputy County Admin.  
Legal

Initials	Date
	1-30-15
	1-30-15



**APPLICATION #2962  
SALAMANDER – REZONING (RECLASSIFICATION)  
AND SITE DEVELOPMENT PLAN REVIEW IN A PUD  
TECHNICAL STAFF REPORT**

Project Name

Rezoning (Reclassification) and Site Development Plan Review in a Planned Unit Development (PUD) (Application #2962)

Owner

LRA Hammock Beach Ocean, LLC, and LRA NOHI, LLC

Applicant

Salamander Hospitality, LLC

Location and Legal Description

Subject parcel is north of 16th Road at its eastern terminus with the Atlantic Ocean; Parcel #04-11-31-3605-000C0-0000 and 04-11-31-2984-00GC0-0000; Project area is approximately 6.5 acres. Note that the expansion of the Atlantic and Ocean Ballrooms, as also made part of the PUD Site Development Plan amendment request, is within Parcel #04-11-31-3606-00000-000A and 04-11-31-3606-00000-000B, respectively.

Previous Public Hearings

October 14, 2014 – Planning and Development Board voted unanimously to table PUD Site Development Plan amendment request.

December 9, 2014 – Planning and Development Board voted 3-2 to deny the rezoning (reclassification) request, taking no action on the PUD Site Development Plan amendment request.

Relevant Review Considerations

As the proposal impacts the recorded plats, the majority (4.5 acres) of the development is proposed for Parcel H of the Ocean Hammock Golf Course Plat, which includes the new Lodge construction. The project extends into Parcel C approximately 2.0 acres of Northshore Plat Five.

The original submittal also included a new parking area south of 16<sup>th</sup> road within Parcel BLP5. At the December 9, 2014 Planning and Development Board meeting, Mr. Prem Devadas, on behalf of the applicant, stated that the parking area and resulting development impacts south of 16th Road within Parcel BLP5 would be eliminated since the area was viewed by the public as significant natural area. Revisions to the Site Development Plan have been submitted to reflect this change.

Staff has determined that the proposed hotel is an allowed use pursuant to the existing development approvals, including the associated plats and plat addenda. Specifically, the Ocean Hammock Golf Course Plat Addendum states:

#### **"6.0 Golf Course Parcel Restrictions**

The parcels shown hereon shall include golf course land, lake, clubhouse, appropriate associated golf course facilities, open space, parks, dune preservation or such other appropriate recreational or governmental uses approved by the Board of County Commissioners."

This language is similar to language contained on the Ocean Hammock Golf Course plat and also is consistent with the DRI language on development standards related to the golf course.

The addendum accompanied the recorded Ocean Hammock Golf Course Plat and provided confirmation of the additional development standards and restrictions upon its use. The restriction is over the use of the land within the golf course plat and is intended to prohibit additional residential development and to limit any future development to golf course related facilities. The Applicant asserts that the approval of the Lodge within the limits of the golf course plat by the Board of County Commissioners in 2001 set the precedent for a hotel use at this location as a golf-related amenity. Staff concurs with the Applicant's interpretation of the subject. In addition, the proposed hotel, like the existing Lodge facility, will retain its link to the Ocean Hammock golf course through the clubhouse facilities and recreational club member amenities which will continue to be housed within the facility.

While the use requested as part of the Application is consistent with existing development approvals, staff recognizes that the Applicant's request for 198 hotel rooms exceeds the number of rooms previously approved as part of the Lodge facility. The redevelopment of the Lodge site was previously requested in the 2009 Notice of Proposed Change (NOPC) to the DRI D.O. In the 2009 NOPC, the prior applicant requested an expansion of the DRI to create a new residential cluster of 561 dwelling units. That request was denied by the County Commission, and resulted in a finding that the requested 561 dwelling units were not vested, as provided in the April 6, 2011 Recommended Order from Administrative Law Judge D.R. Alexander. Likewise, the Florida Land and Water Adjudicatory Commission in their August 4, 2011 Final Order denied the then Applicants' attempt to create a new Cluster 35 on 12 acres of Ocean Hammock Golf Course land within the Hammock Dunes DRI. Subsequently, the County, working with the original master developer, Admiral, and various entities of ITT, entered into an Essentially Build-Out Agreement (EBOA) to close out the Hammock Dunes DRI and, among other things, release Admiral and ITT from any remaining obligations.

However, Section 12.d. of the EBOA specifically recognized that while development of the 561 units had been determined "not to be legally vested," that a process had been established through EBOA Section 3.b. to provide for subsequent future development reviews. The requested amendment to the respective PUD site development plans is a



process permitted by the EBOA and is not preempted by either the NOPC Recommended Order or Final Order. Further, the EBOA notes, at Section 12.e., that:

“...all transportation, off-site stormwater, school, park, public safety and solid waste concurrency for such development to a maximum of 561 equivalent residential units (which may include hotel room units) shall be deemed satisfied by the terms of this Agreement.”

Concurrency, inclusive of transportation impacts, had been determined to have been met through the EBOA to include hotel room units, and up to a total of 561 units. Since the request is for 198 hotel rooms, there is EBOA vested concurrency for the 198 hotel rooms. Based upon the ruling, additional capacity for 363 equivalent residential units remains following this request, if ultimately approved by the Board of County Commissioners.

#### Standards for Review

LDC Section 3.04.02.F. and 3.07.05 Rezoning - action by the Planning Board and Board of County Commissioners. The Flagler County Planning and Development Board may recommend and the Flagler County Commission may enact an ordinance amending the zoning classification of the subject parcel. In this case, the request is for an amendment to an existing Planned Unit Development (“PUD”). The adopted Flagler County Land Development Code lacks specific standards for review of an amendment to an existing PUD; however, in this instance and consistent with the 2011 Recommended Order, the County requested that the Applicant submit an application for a reclassification (rezoning) to PUD, despite the presence of the PUD designation over the subject parcels. As provided in the LDC at 3.04.02.F., the ordinance establishing a PUD requires that, in addition to any special conditions to be placed upon the use, that the Board find that:

1. The proposed PUD does not affect adversely the orderly development of Flagler County and complies with the comprehensive plan adopted by the Flagler County Board of County Commissioners.

and

2. The proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.

Generally, a rezoning request should be consistent with the adopted Comprehensive Plan and the following suggested standards:

- A. For all rezoning requests, the requested zoning designation must be consistent with the Future Land Use designation of the parcel as depicted on the adopted Future Land Use Map and as described in the Future Land Use Element of the adopted Flagler County Comprehensive Plan.





The zoning of PUD is in place and has been in place since the adoption of the Hammock Dunes DRI in 1984. The transient lodging use at this location, as approved by the Board of County Commissioners in 2001, is consistent with the PUD zoning and the Mixed Use: Low Intensity, Low/Medium Density Future Land Use designation. Further, the 2011 Recommended Order had concluded that the 561 dwelling units as then proposed was consistent with the Future Land Use Element; the lesser request of 198 hotel rooms, without the additional aspects of the previous request including, but not limited to, relocating 16th Road, would similarly be consistent with the Future Land Use Element.

- B. The requested zoning designation must be consistent with the goals, objectives, and policies of the Flagler County Comprehensive Plan.

With respect to the subject Application, the PUD designation was assigned in 1984 and, at the time of the adoption of the Development Order for the Hammock Dunes DRI, the Board of County Commissioners made a determination that the PUD designation was consistent with the Comprehensive Plan. The same determination was made regarding the Lodge use at this location in 2001. The placement of a 198 room hotel on this site is consistent with the Goals, Objectives, and Policies of the adopted Comprehensive Plan.

- C. The requested zoning designation must be compatible with the adjacent and surrounding land uses. Land uses shall include, but not be limited to permitted uses, structures, and activities allowed within the Future Land Use category and zoning district. Compatibility shall be based on characteristics which can impact adjacent or surrounding uses including type of use, height, appearance, aesthetics, odors, noise, smoke, dust, vibration, traffic, sanitation, drainage, fire risk, environmental impacts, maintenance of public infrastructure, availability of potable water and sanitary sewer, and other necessary public services.

The proposed Planned Unit Development zoning for the subject property would be compatible with the surrounding area, since the surrounding area is similarly designated. Among the considerations listed above, of greatest concern is the height and environmental impacts, with the Applicant decreasing the height of the new buildings to be two feet less than the existing Lodge building for the new, replacement structures. Additionally, the Applicant has proposed to move the new structures 15 feet further west from the Coastal Construction Control Line (CCCL).

- D. The requested zoning will not adversely impact or exceed the capacity or the fiscal ability of Flagler County to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Should the request be approved, the proposed development will not impact or exceed the public facilities necessary to support the proposed development.



Water and sewer service is to be provided by central service by the Dunes CDD.

Drainage is handled throughout the Hammock Dunes DRI by the Dunes CDD and ultimately permitted by the St. Johns River Water Management District, while fire protection will be provided through the County's Fire Services Division. The subject property lies within approximately two miles from a manned station.

- E. The requested zoning shall not be approved if any of the proposed permitted uses or activities result in a public nuisance.

The proposed hotel use should not result in a public nuisance. The site has been used as a golf clubhouse and lodge for over ten years without creating a public nuisance.

- F. The requested zoning shall not be approved if any of the proposed traffic flow of the permitted uses have an unreasonable impact on the contiguous and surrounding area; or if the proposed traffic has an unreasonable impact upon the projected wear and tear of any public roadway designed to carry lighter traffic than proposed with the rezoning; or if the proposed traffic results in an unreasonable danger to the safety of other traffic, pedestrians, and bicyclists.

The traffic study completed as part of the Essentially Built Out Agreement found that sufficient roadway capacity existed to accommodate as many as 561 additional dwelling units together with the build out of the remaining platted or committed dwelling units. The County retains the bond set aside by a previous developer to be used for signalization at the 16th Road and State Road A1A intersection, should signalization be deemed necessary.

#### Site development plan considerations

The following items have been identified by staff as site specific considerations of the requested amendment to the two respective PUD site development plans:

##### Access

Access to the new Lodge facility will continue to be provided through an access point off of 16th Road, a two-lane undivided County-maintained right-of-way terminating at the Atlantic Ocean. New driveways are proposed and would be permitted through established right-of-way permit processes.

##### Dune Crossovers

The relocation of the golf cart path from the west side of the Lodge to the east side of the new Lodge will require construction of dune crossovers, likely located seaward of the Coastal Construction Control Line (CCCL) as regulated by the Florida Department of Environmental Protection (FDEP). The County intends that dune impacts be kept to a minimum and that whenever possible cart paths be surfaced with crushed coquina shell or other natural material. In proximity to the toe of the



primary dune, the County will defer to the permitting authority of FDEP in determining the extent of dune encroachment and permitted surface materials.

#### Height

The new Lodge buildings are proposed to be limited to 74 feet NGVD (height of the present Lodge building is 76 feet), while the expanded ballroom facilities are to be limited to 71 feet NGVD, the extent of the existing rooflines.

#### Landscaping

Landscaping is provided on Sheet L-1 of the plan set and includes a variety of native, salt-tolerant plant types. The tree count proposed exceeds the requirements of Article V of the LDC.

#### Parking

The project provides for 219 off-street parking spaces, 51 to be provided in a parking structure beneath the south piazza building and accessed directly from 16th Road (45 regular spaces and 6 handicapped-accessible spaces). One of the considerations afforded a PUD developer is flexibility in design and similar flexibility in the application of minimum standards, like off-street parking. The Applicant has continually demonstrated that sufficient off-street parking exists for a resort-type development with significant daily internal trip capture. The Applicant is required to demonstrate that adequate parking is available to accommodate the uses of the facilities. Through its calculations, there are an additional 132 surplus spaces available within the Resort for use and overflow.

The challenge remains with the accommodation of day visitors, likely to be predominantly composed of the general public visiting the Atlantic Grille, Club members and employees, who seek out convenient parking in close proximity to their destination. The parking configuration in the location and quantities proposed by the applicant will require aggressive, on-going enforcement to ensure that adequate parking spaces remain available for resort guests while not inconveniencing residents or Club members.

#### Restrictive Covenant

The applicant has proposed a restrictive covenant to be placed over the golf course plat with the intent of providing clarity – and finality – to the proposed new Lodge development.

#### Utilities

Initial correspondence with the Dunes Community Development District indicates availability of potable water and sanitary sewer service to serve the proposed new Lodge development. Ultimately, demonstration of availability of service for immediate connection will be required prior to building permit issuance.

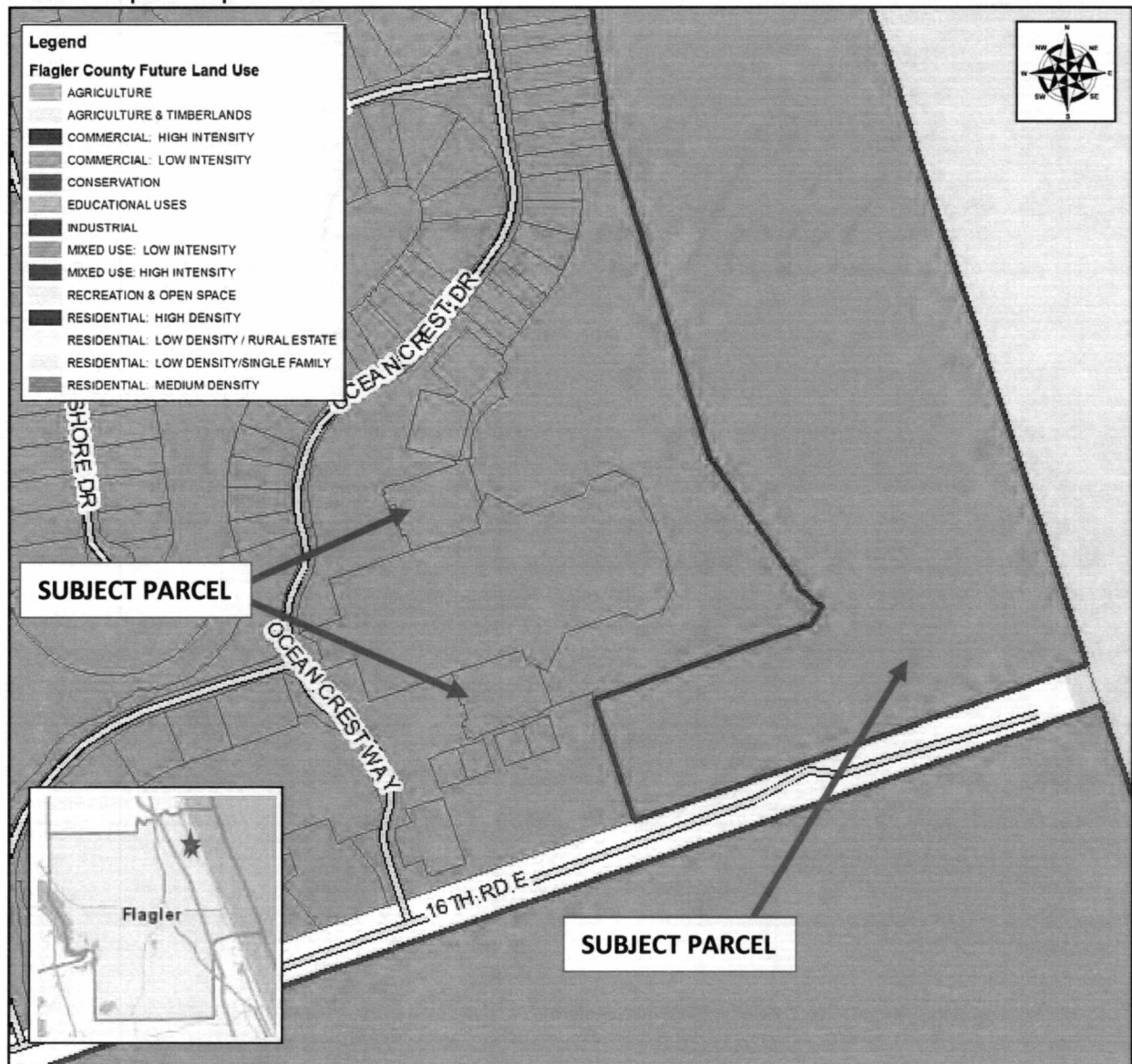
As an extra measure staff has prepared a consistency analysis of the applicable regulatory documents as they relate to this application request. Ordinarily, these review



materials would not be presented in this manner, but this presentation is made here to reduce the burden on the Board and the public. Excerpts of the Future Land Use Map and Zoning Map follow on the next two pages, depicting the limits of the Mixed Use: Low Intensity, Low/Medium Density Future Land Use designation along with the Planned Unit Development (PUD) zoning district.

A handwritten signature in black ink, appearing to be 'Agn' or similar, located in the bottom right corner of the page.

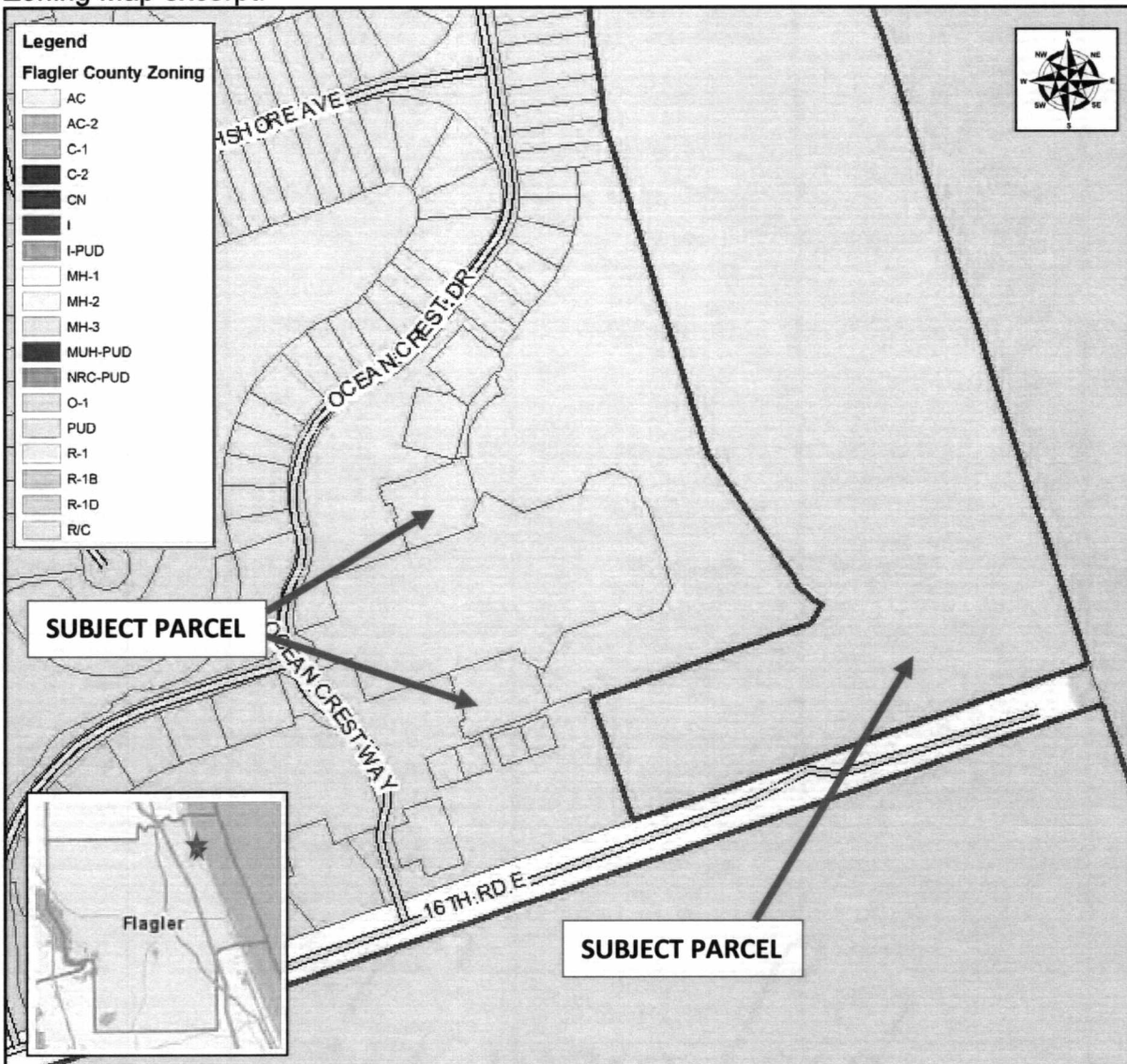
FLUM Map excerpt:



*ASR*



Zoning Map excerpt:



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# SKETCH OF DESCRIPTION - LEGAL DESCRIPTION SHEET 1 OF 3

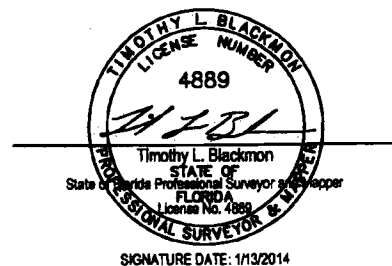
## Lodge Redevelopment Parcel Limits

A PORTION OF OCEAN HAMMOCK GOLF COURSE AS RECORDED IN PLAT BOOK 33, PAGES 11-18 INCLUSIVE AND NORTHSORE PLAT FIVE AS RECORDED IN PLAT BOOK 32, PAGES 38-40 INCLUSIVE, ALL IN PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND LYING AND BEING WHOLLY IN SECTION 28, TOWNSHIP 10 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF 16th ROAD AND THE MEAN HIGH WATER LINE OF THE ATLANTIC OCEAN AS PER SAID PLAT OF OCEAN HAMMOCK GOLF COURSE; THENCE RUN S71°10'52"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 208.37' TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, SAID POINT BEING N71°10'52"E, A DISTANCE OF 0.71' FROM THE INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE AND THE COASTAL SETBACK LINE AS PER SAID PLAT OF OCEAN HAMMOCK GOLF COURSE; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FROM SAID POINT OF BEGINNING S71°10'52"W, A DISTANCE OF 680.52 FEET TO THE INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE WITH THE WESTERLY LIMITS OF SAID PLAT OF OCEAN HAMMOCK GOLF COURSE, SAID INTERSECTION POINT ALSO BEING THE INTERSECTION OF THE EASTERLY LIMITS OF SAID NORTHSORE PLAT FIVE WITH SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE CONTINUE S71°10'52"W, INTO LANDS CONTAINED IN NORTHSORE PLAT FIVE, A DISTANCE OF 54.34'; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, RUN N18°49'16"W, A DISTANCE OF 265.93'; THENCE RUN N71°10'44"E, A DISTANCE OF 272.99' TO THE POINT OF CURVATURE (PC) OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 60.00', A CENTRAL ANGLE OF 36°05'39" AND A CHORD BEARING AND DISTANCE OF N53°07'54"E, 37.18'; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.80' TO THE POINT OF TANGENCY (PT) OF SAID CURVE; THENCE RUN N71°10'44"E, A DISTANCE OF 63.62' TO THE PC OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 14.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD BEARING AND DISTANCE OF N26°10'44"E, 19.80'; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 22.00' TO THE PT; THENCE RUN N18°49'16"W, A DISTANCE OF 59.02' TO THE PC OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 110.06', A CENTRAL ANGLE OF 21°08'09" AND A CHORD BEARING AND DISTANCE OF N08°14'46"W, 40.37'; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 40.60' TO THE PT; THENCE RUN N06°25'35"E, A DISTANCE OF 7.87' TO THE PC OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 33.00', A CENTRAL ANGLE OF 29°21'02" AND A CHORD BEARING AND DISTANCE OF N04°08'51"W, 16.72'; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 16.90' TO THE PT; THENCE RUN N18°49'22"W, A DISTANCE OF 7.12'; THENCE RUN N71°10'39"E, A DISTANCE OF 30.02' TO THE PC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 92.00', A CENTRAL ANGLE OF 22°21'36" AND A CHORD BEARING AND DISTANCE OF N48°45'58"E, 35.68'; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.90' TO THE PT; THENCE RUN N37°35'10"E, A DISTANCE OF 29.17' TO THE PC OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 94.31', A CENTRAL ANGLE OF 56°24'26" AND A CHORD BEARING AND DISTANCE OF N09°22'57"E, 89.15'; THENCE ALONG THE ARC OF SAID CURVE 92.85' TO THE PT; THENCE RUN N18°49'16"W, A DISTANCE OF 5.00'; THENCE RUN N71°10'44"E, A DISTANCE OF 27.00'; THENCE RUN S18°49'16"E, A DISTANCE OF 78.07'; THENCE RUN N71°10'44"E, A DISTANCE OF 170.84'; THENCE RUN S19°33'56"E, 24.00'; THENCE RUN N71°10'44"E, A DISTANCE OF 76.04'; THENCE RUN S18°49'16"E, A DISTANCE OF 10.74'; THENCE RUN S71°10'44"W, A DISTANCE OF 22.36' TO THE PC OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 18.00', A CENTRAL ANGLE OF 90°00'00" AND A CHORD BEARING AND DISTANCE OF S26°10'44"W, 25.46'; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 28.27' TO THE PT; THENCE RUN S18°49'16"E, A DISTANCE OF 274.11' TO THE PC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 68.00', A CENTRAL ANGLE OF 09°30'51" AND A CHORD BEARING AND DISTANCE OF S23°34'41"E, 11.28'; THENCE ALONG THE ARC OF SAID CURVE 11.29' TO THE PT; THENCE RUN S28°20'07"E, A DISTANCE OF 38.57' TO THE PC OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 57.00', A CENTRAL ANGLE OF 66°12'48" AND A CHORD BEARING AND DISTANCE OF S04°46'17"W, 62.27'; THENCE ALONG ARC OF SAID CURVE A DISTANCE OF 65.87' TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 26.07', A CENTRAL ANGLE OF 58°33'40" AND A CHORD BEARING AND DISTANCE OF S08°35'52"W, 25.50'; THENCE RUN ALONG ARC OF SAID CURVE A DISTANCE OF 26.65' TO THE POINT OF BEGINNING, CONTAINING 275,056.6 SQUARE FEET, 6.314 ACRES +/-.

### B.H. AND ASSOCIATES

Professional Surveying & Mapping Services  
902 8TH AVENUE NORTH  
JACKSONVILLE BEACH, FLORIDA, 32250  
PHONE (904) 753-8788  
T888@BHANDASSOCIATES.NET



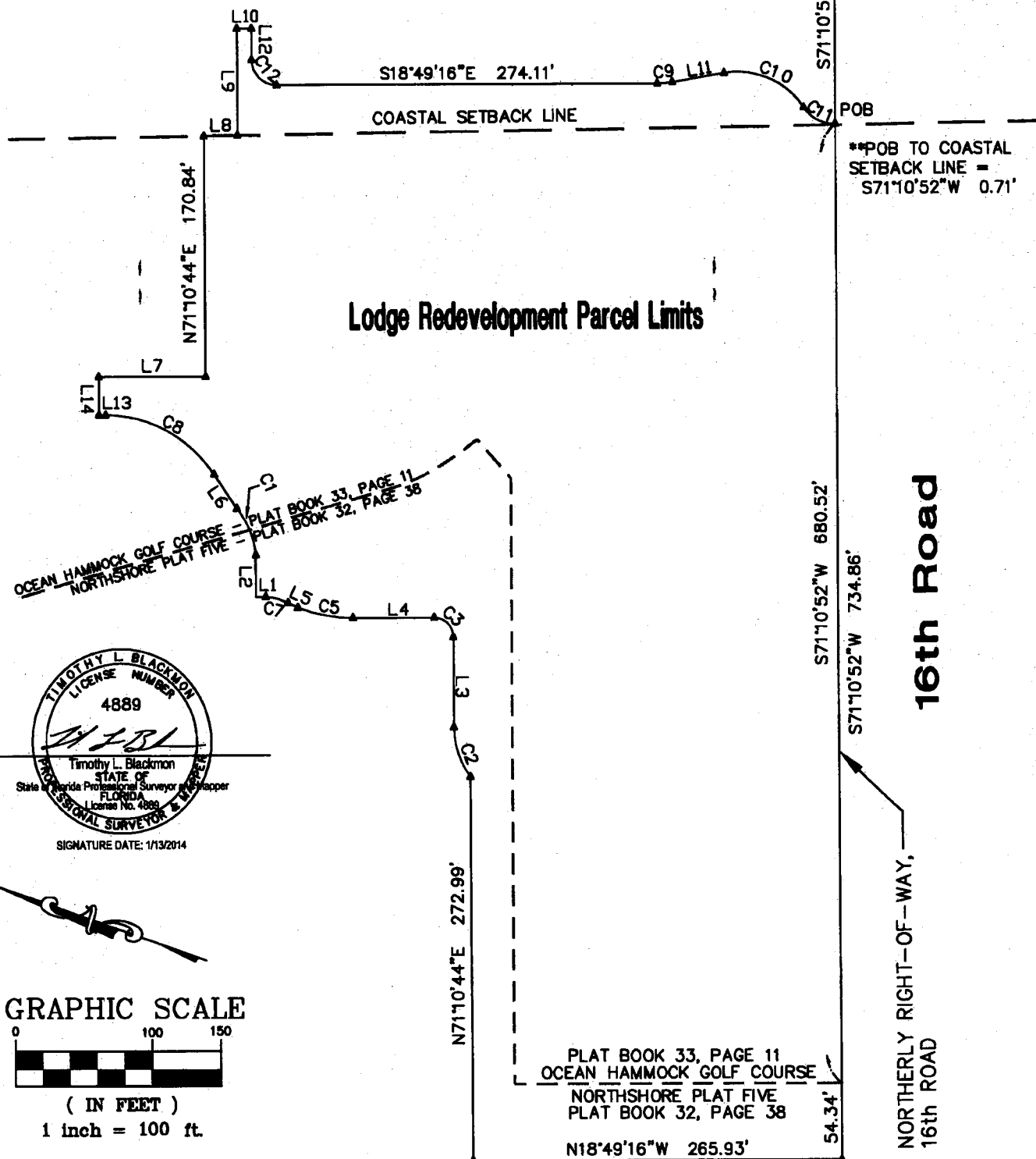
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# SKETCH OF DESCRIPTION - GRAPHICS SHEET 2 OF 3 Lodge Redevelopment Parcel Limits

THE ATLANTIC OCEAN

MEAN HIGH WATER LINE  
(AS PER PLAT)

POC



# SKETCH OF DESCRIPTION - CURVE/LINE TABLES SHEET 3 OF 3

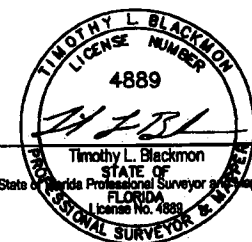
## Lodge Redevelopment Parcel Limits

CURVE TABLE				
CURVE	RADIUS	DELTA	ARC	CHORD
C-1	92.00'	22°21'38"	35.90	N48°45'58"E 35.68'
C-2	60.00'	38°05'38"	37.80	N53°07'54"E 37.18'
C-3	14.00'	90°00'00"	22.00	N28°10'44"E 19.80'
C-5	110.08'	21°08'09"	40.60	N08°14'46"W 40.37'
C-7	33.00'	28°21'02"	16.90	N04°08'51"W 16.72'
C-8	84.31'	58°24'26"	92.85	N09°22'57"E 89.15'
C-9	68.00'	09°30'51"	11.29	S23°34'41"E 11.28'
C-10	57.00'	68°12'48"	65.87	S04°46'17"W 62.27'
C-11	28.07'	58°33'40"	26.65	S08°35'52"W 25.90'
C-12	18.00'	90°00'00"	28.27	S28°10'44"W 25.46'

LINE TABLE		
LINE	LENGTH	BEARING
1	7.12'	N18°49'22"W
2	30.02'	N71°10'39"E
3	63.62'	N71°10'44"E
4	59.02'	N18°49'16"W
5	7.87'	N08°25'35"E
6	28.17'	N37°35'10"E
7	78.07'	S18°49'16"E
8	24.00'	S18°33'56"E
9	78.04'	N71°10'44"E
10	10.74'	S18°49'16"E
11	38.57'	S28°20'07"E
12	22.36'	S71°10'44"W
13	5.00'	N18°49'16"W
14	27.00'	N71°10'44"E

### B.H. AND ASSOCIATES

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 902 5TH AVENUE NORTH  
 JACKSONVILLE BEACH, FLORIDA, 32250  
 PHONE (904) 703-6788  
 T88808HANNON@BROADCAST.NET



SIGNATURE DATE: 1/131/2014

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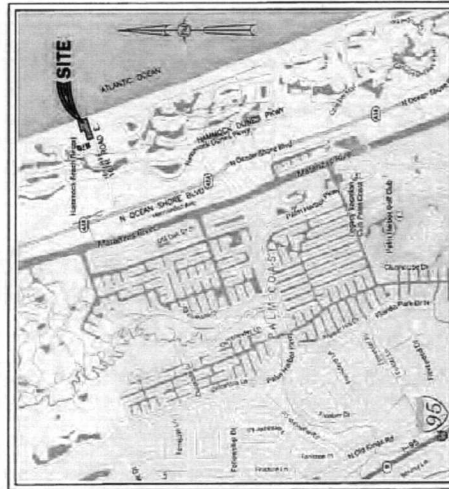
# HAMMOCK DUNES PLANNED UNIT DEVELOPMENT NEW LODGE & EXPANDED CONFERENCE FACILITIES APPLICATION FOR SITE DEVELOPMENT PLAN REVIEW IN A PUD 105 16th ROAD E. & 200 OCEAN CREST DRIVE PALM COAST, FLORIDA

**OWNER:** LRA HAMMOCK BEACH OCEAN, LLC  
 AND LRA NOHI, LLC  
 200 OCEAN DRIVE, SUITE 31  
 PALM COAST, FLORIDA 32137  
 PHONE: 386-246-5500  
 FAX: 386-246-5855

**APPLICANT:** SALAMANDER HOSPITALITY, LLC  
 10 NORTH PENDLETON STREET  
 MIDDLEBURY, VIRGINIA 20117  
 PHONE: 540-687-3710  
 FAX: 540-338-3117

**ARCHITECT:** COOPER CARRY  
 191 PEACHTREE STREET, N.E. SUITE 2400  
 ATLANTA, GA 30303  
 PHONE: 404-237-2000  
 FAX: 404-237-0276

**PERMITTING AGENCIES**  
 S.J.R.W.M.D.: ENVIRONMENTAL RESOURCE PERMIT  
 F.D.E.P.: WATER AND WASTEWATER SYSTEM PERMITS  
 FLAGER COUNTY: SITE PLAN APPROVAL



SITE VICINITY MAP  
 NOT TO SCALE

PLAN INDEX	
C-1	COVER SHEET
C-2	SITE DEMOLITION PLAN
C-3	BASIS OF DESIGN AND DEVELOPMENT CRITERIA
C-4	OVERALL SITE PLAN
C-5	SITE GEOMETRY PLAN
C-6	PRELIMINARY SITE PAVING, GRADING AND DRAINAGE PLAN
C-7	PRELIMINARY SITE UTILITY PLAN
L-1	LANDSCAPE SCREENING & BUFFER PLAN



FLORIDA  
 ENGINEERING  
 GROUP

Engineering the Future

5127 S. Orange Avenue, Suite 200  
 Orlando, FL 32809  
 Phone: 407-895-0324  
 Fax: 407-895-0325

www.feg-inc.us

SCALE: 1"=100'-0"

DATE: 10/10/00

10/10/00

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[illegible][illegible][illegible][illegible]

The NEW LODGE SITE AREA IS DRAINED INTO EXISTING PAVED PARCELS.

A

• APPROPRIATELY LOCATED OF THE NEW LODGE SITE DEVELOPMENT AREA FALLS WITHIN THE LIMITS OF NEIGHBORING PLATIFIC, WHICH APARTMENTS INCLUDE RAINDROPS, COMMON ELEMENTS OF THE NEW LODGE DEVELOPMENT, INCLUDING THE TREE LANE, AND ASSOCIATED LANDSCAPING AND HEDGEROWS.

A

• APPROPRIATELY LOCATED OF THE NEW LODGE SITE DEVELOPMENT AREA FALLS WITHIN PARCELS OF THE NEW LODGE DEVELOPMENT, INCLUDING RAINDROPS, COMMON ELEMENTS OF THE NEW LODGE DEVELOPMENT, INCLUDING THE TREE LANE, AND ASSOCIATED LANDSCAPING AND HEDGEROWS.

\* APPROXIMATELY 10% OF THE NEW LOOSE SITE DEVELOPMENT AREA FALLS WITHIN PARCELS 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000, 1002, 1004, 1006, 1008, 1010, 1012, 1014, 1016, 1018, 1020, 1022, 1024, 1026, 1028, 1030, 1032, 1034, 1036, 1038, 1040, 1042, 1044, 1046, 1048, 1050, 1052, 1054, 1056, 1058, 1060, 1062, 1064, 1066, 1068, 1070, 1072, 1074, 1076, 1078, 1080, 1082, 1084, 1086, 1088, 1090, 1092, 1094, 1096, 1098, 1100, 1102, 1104, 1106, 1108, 1110, 1112, 1114, 1116, 1118, 1120, 1122, 1124, 1126, 1128, 1130, 1132, 1134, 1136, 1138, 1140, 1142, 1144, 1146, 1148, 1150, 1152, 1154, 1156, 1158, 1160, 1162, 1164, 1166, 1168, 1170, 1172, 1174, 1176, 1178, 1180, 1182, 1184, 1186, 1188, 1190, 1192, 1194, 1196, 1198, 1200, 1202, 1204, 1206, 1208, 1210, 1212, 1214, 1216, 1218, 1220, 1222, 1224, 1226, 1228, 1230, 1232, 1234, 1236, 1238, 1240, 1242, 1244, 1246, 1248, 1250, 1252, 1254, 1256, 1258, 1260, 1262, 1264, 1266, 1268, 1270, 1272, 1274, 1276, 1278, 1280, 1282, 1284, 1286, 1288, 1290, 1292, 1294, 1296, 1298, 1300, 1302, 1304, 1306, 1308, 1310, 1312, 1314, 1316, 1318, 1320, 1322, 1324, 1326, 1328, 1330, 1332, 1334, 1336, 1338, 1340, 1342, 1344, 1346, 1348, 1350, 1352, 1354, 1356, 1358, 1360, 1362, 1364, 1366, 1368, 1370, 1372, 1374, 1376, 1378, 1380, 1382, 1384, 1386, 1388, 1390, 1392, 1394, 1396, 1398, 1400, 1402, 1404, 1406, 1408, 1410, 1412, 1414, 1416, 1418, 1420, 1422, 1424, 1426, 1428, 1430, 1432, 1434, 1436, 1438, 1440, 1442, 1444, 1446, 1448, 1450, 1452, 1454, 1456, 1458, 1460, 1462, 1464, 1466, 1468, 1470, 1472, 1474, 1476, 1478, 1480, 1482, 1484, 1486, 1488, 1490, 1492, 1494, 1496, 1498, 1500, 1502, 1504, 1506, 1508, 1510, 1512, 1514, 1516, 1518, 1520, 1522, 1524, 1526, 1528, 1530, 1532, 1534, 1536, 1538, 1540, 1

[illegible]

**WETLAND BUFFERS:**  
NEED ARE NO WETLANDS ADJACENT TO OR WITHIN THE RFP LOOSE SITE OR EXPANDED CONTINGENT ACTIVITIES AREA.

THE NEW COCE SITE DEVELOPMENT PLAN INCLUDES THE PROPOSED CONSTRUCTION OF A NEW SPILL LIFT PUMP AND TREATED WASTEWATER EXHAUSTING OF THE COASTAL CONSTRUCTION CONTROL LINE (COCC). ALL WORK EASTWARD OF THE COCC WILL BE PERMITTED THROUGH THE FLORIDA DEPARTMENT OF GEOLOGICAL SURVEY'S BUREAU OF BEACHES AND COASTAL SETTINGS, AND A COPY SHALL BE SUBMITTED TO FLORIDA

THE LANDSCAPE DESIGN WILL BE CONTRIBUTIVE TO THE SPANISH / MEDITERRANEAN ARCHITECTURE, INCORPORATING A MIXTURE OF FORMS (STRUCTURED & CLIMATIC) PLANNING AT THE CORRIDORS AND POOL AREA AND INFORMAL (ROMANTIC) ON THE TERRITORY AND MECHANICAL ZONES WITH THE EXISTING WOODEN LANDSCAPE.

**THE PLANT PALETTE**

GLANDULAR  
HYDRANGEA  
HARDY TULIP BLOSSOMS (E.G. *HERMOSA*, *2070M*, ET ALID.)  
EVENING PRIMROSE COVERS SUCH AS: *ANTHUS*  
ACCENT PLANTS (E.G. *ERICHONIA*, *CHIRAZ* LEAF, &  
ORNAMENTAL GRASSES)

[illegible]

OF THE ROAD (RUE) CROSSINGS WILL BE CONSTRUCTED. THE CROSSING STRUCTURES WILL BE CONSTRUCTED IN SUCH A MANNER AS TO HAVE NO IMPACT ON THE EXISTING TRUCK TRAIL. THE CROSSINGS WILL BE DESIGNED TO BE SIMILAR TO THE EXISTING CROSSOVER STRUCTURES.

**SIGNAGE:** The signage for the new lodge will include a preexisting signication sign (nowhere on the photo) located at the main drive entrance, signs to the two buildings, and the sign will be primarily on internally illuminated and designed to complement the overall architectural design. Both vertical and horizontal directional signage will be used to move guests around the property.

The Oued's community development district (OCD) is a unit of local government that provides infrastructure services to property owners within the district boundaries. The Oued's district provides (1) public water supply, treatment, storage, and delivery systems, attending the production and (2) domestic wastewater collection, treatment, and disposal systems.

THE DCOO CURRENTLY PROVIDES POTABLE WATER, WASTEWATER, AND RECLAIMED WATER SERVICE TO HAWAII'S BEACHES AND THE CURRENT LOCAL. THE DCOO HAS PHYSICAL CAPACITY TO PROVIDE POTABLE WATER, WASTEWATER, AND RECLAIMED WATER SERVICE TO THE NEW LOUIS.

THE DODD DUMPS AND OPERATES THE COLLECTION, CONFINEMENT, TREATMENT AND DISCHARGE OF STORMWATER WITHIN THE HAMMOND DUMPS INC. PERMITTED BY THE ST. LOUIS RIVER WATER MANAGEMENT DISTRICT MANAGEMENT AND STORAGE OF SURFACE WATERS (NCSW) SYSTEM VIA ENVIRONMENTAL RESOURCE PLANS

The waste system has three main components: design and planning, development and construction. The design and planning phase involves determining the size and location of the waste management facility, and the construction phase involves building the facility. The development phase involves obtaining the necessary permits and funding. The waste management system is designed to handle the waste generated by the community, and to ensure that the waste is disposed of in a safe and environmentally sound manner. The system is also designed to be flexible, so that it can be expanded or modified as needed in the future.

IN 2012, THE MASTER DEVELOPER OF THE PROJECT ENTERED INTO AN ESDM WITH HAZARD COUNTY BOARD OF COUNTY COMMISSIONERS.

A TRAFFIC STUDY CONDUCTED IN 2012 AND 2013 REVEALED THAT, AS PART OF THE TECHNICAL STUDY, A SHORT-TERM TRAFFIC STUDY WAS CONDUCTED TO DETERMINE THE CURRENT AND FUTURE TRAFFIC VOLUMES AND TRAVEL TIMES. THE STUDY REVEALED THAT THE CURRENT TRAFFIC VOLUMES WERE LOW, AND THE TRAVEL TIMES WERE LONG. THE STUDY ALSO REVEALED THAT THE TRAFFIC VOLUMES WERE LOW, AND THE TRAVEL TIMES WERE LONG. THE STUDY ALSO REVEALED THAT THE TRAFFIC VOLUMES WERE LOW, AND THE TRAVEL TIMES WERE LONG.

The new local site development plan proposes (1) new easements along 16th Road, (2) retaining walls and placement of a small area of the existing paved (interior) and parking spaces without reconstruction in use, (3) installation of sod water within the 16th Road right of way, (4) removal of trees and replacement of the existing wooden east bridge and retaining walls with a new steel beam across the right of way, and (5) modification and enlargement of contact and landscaping within the right of way, all of which are depicted on the site plan maps. No changes to the existing road right of way are proposed or planned.

**PARKING:** THE RESORT PROVIDES PARKING IN THE FORM OF STRUCTURED DECKS AND GRASSY LEVEL PARKING AREAS. THERE ARE CURRENTLY ONE THOUSAND TWELVE HANDICAPPED (1,212) PARKING SPACES, SHOWING THE RESIDENTIAL AND NONRESIDENTIAL MIXED USES OF THE RESORT. IN ADDITION TO THE 1,212 HANDICAPPED AND NONHANDICAPPED AND TEN (10) TRUCKING SPACES ARE SUPPORTED FOR RESIDENTIAL USES AND FOUR HUNDRED BASED ON BOARD OF PARKING, THE NINE AND TWELVE (12) SPACES ARE REQUIRED FOR OTHER USES.

[illegible]

USING CONVENTIONAL CRITERIA, ASSIGNING REQUIRED PARKING BY THE SQUARE FOOTAGE OF COMMERCIAL SPACE. THE PARKING DEMAND YIELD A DIFFERENT AMOUNT OF PARKING SPACES AT ONE SPACE PER 1000 SQUARE FEET. HARMONIZED DEMAND SQUARE FEET OF NECESSARY PARKING SPACES APPROXIMATELY FIFTY THOUSAND (50,000 SF). THE NONRESIDENTIAL PARKING SPACES WOULD BE CALCULATED AT ONE HUNDRED SIXTY SIX (166) SPACES. ADDING THIS TO THE ONE HUNDRED THIRTY EIGHT (138) SPACES FOR THE HOTEL ROOMS AND THE THIRTY SIX (36) SPACES FOR THE OFFICE BUILDING, THE TOTAL WOULD BE 338 SPACES. THE CITY HAS BEEN APPROVING THE SPACE CORRELATION

[illegible]

### CONCURRENCY AND VESTING:

IMPROVEMENT OF THE HIGH LODGE AND EXPANDED CORRELOR FACILITIES DESCRIBED HEREIN. SUGAR AND COMPACTS LAST BETWEEN THE SITE DEVELOPMENT PLANS AND THE NARRATIVE BASIS OF DESIGN AND DEVELOPMENTAL CHARTER. THE MINIMUM BASIS OF DESIGN AND DEVELOPMENTAL CHARTER SHALL BE THE FULFILLMENT TO MEET THE SITE DEVELOPMENT PLANS WITHOUT ADDITIONAL SECURITY APPROVAL. PROVIDED ANY SUCH REVISIONS SHALL MEET THE NARRATIVE BASIS OF DESIGN AND

ENVIRONMENTAL COLLEGE TRAINING HALL, UNDER CONSTRUCTION COOPERATION BY THE LUGGER COUNCIL  
 ASSISTANT DIRECTOR, GROWTH MANAGEMENT DIVISION, OF COURT ADMINISTRATION, AND AS PROVIDED BY  
 SECTIONS 3.04.01, LUGGER COUNTY LAND DEVELOPMENT CODE





NOT VALID FOR CONTRACTS DATED IN THIS BLOCK	5/24/2014	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A
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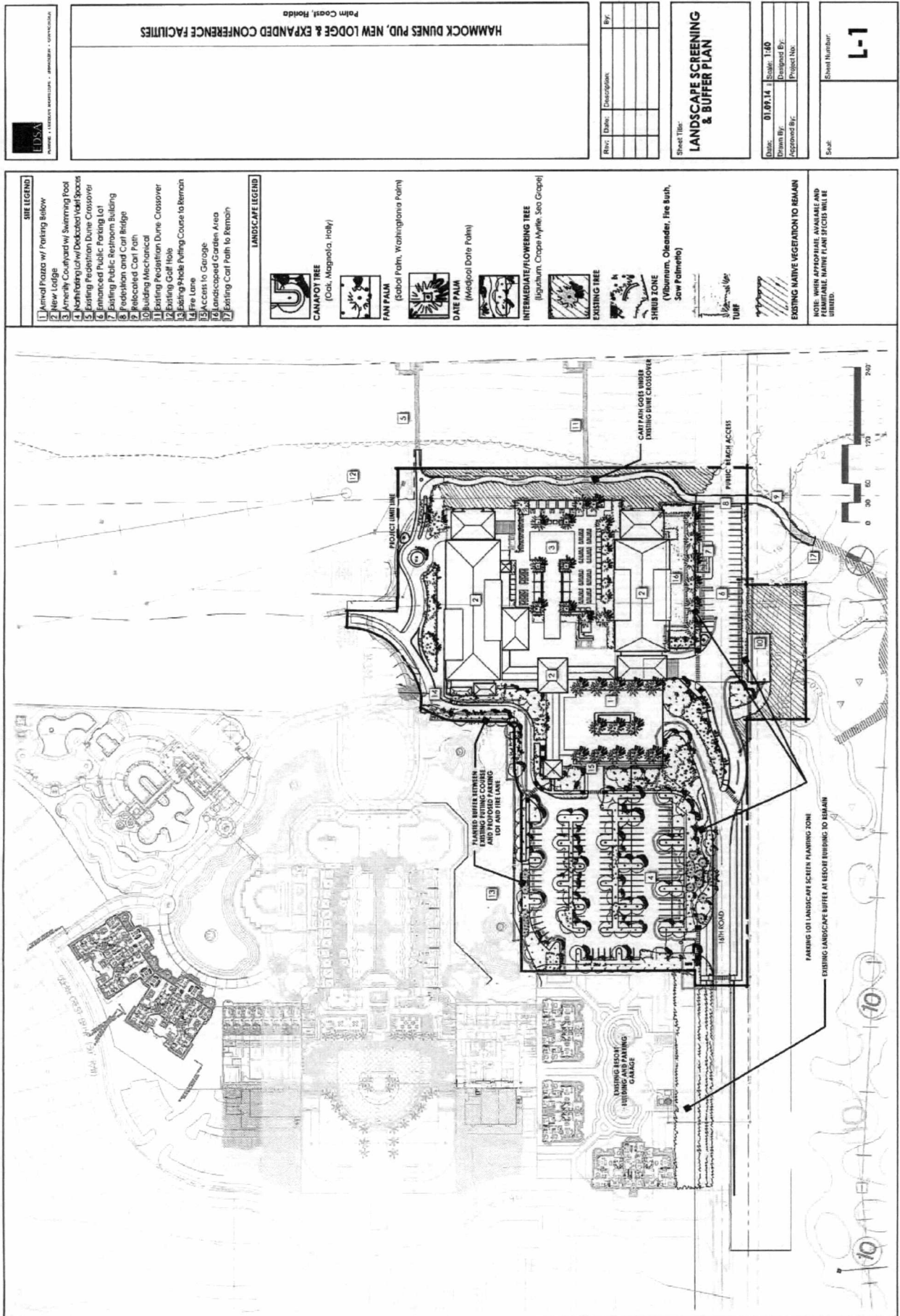












**SITE LEGEND**

- 1 Arrival Plaza w/ Parking below
- 2 New Lodge
- 3 Amenity Courtyard w/ Swimming Pool
- 4 Northwinds w/ Dedicated Valet Spaces
- 5 Existing Pedestrian Dune Crossover
- 6 Enhanced Public Parking Lot
- 7 Existing Public Restroom Building
- 8 Pedestrian and Car Bridge
- 9 Relocated Car Path
- 10 Building Mechanical
- 11 Existing Pedestrian Dune Crossover
- 12 Existing Golf Hole
- 13 Existing Hole Putting Course to Remain
- 14 Fire Lane
- 15 Access to Garage
- 16 Landscaped Garden Area
- 17 Existing Car Path to Remain

**LANDSCAPE LEGEND**

- CANOPY TREE**  
(Oak, Magnolia, Holly)
- FAN PALM**  
(Edel Palm, Washington Palm)
- DATE PALM**  
(Medjool Date Palm)
- INTERMEDIATE/FLOWERING TREE**  
(Iguazuu, Chapo Myrtle, Sea Grape)
- EXISTING TREE**
- SHRUB ZONE**  
(Vitumnus, Oleander, Fire Bush, Saw Palmetto)
- TURF**

**EXISTING NATIVE VEGETATION TO REMAIN**

NOTE: WITH APPROPRIATE MAINTENANCE AND FEASIBLE, NATIVE PLANT SPECIES WILL BE UNTHINNED.

HAMMOCK DUNES PUD, NEW LODGE & EXPANDED CONFERENCE FACILITIES		Palm Coast, Florida	
Rev:	Date:	Description:	By:
<b>Sheet Title:</b> <b>LANDSCAPE SCREENING &amp; BUFFER PLAN</b>			
Date:	01.09.14	Scale:	1:40
Drawn By:		Designed By:	
Approved By:		Project No:	
Sheet Number: <b>L-1</b>			

*Handwritten signature/initials*



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

February 13, 2015

Honorable Gail Wadsworth  
Clerk of the Circuit Court  
Flagler County  
1769 East Moody Boulevard, Building 1  
Bunnell, Florida 32110

Attention: Lisa Funicello

Dear Ms. Wadsworth:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Flagler County Ordinance No. 2015-01, which was filed in this office on February 13, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb