



PLANNING & ARCHITECTURAL REVIEW BOARD MINUTES

Tuesday, March 11, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

1. Call the meeting to order

Suzie Johnston called the meeting to order at 5:30pm.

2. Pledge of Allegiance

Suzie Johnston led the Pledge of Allegiance.

3. Roll Call / Determination of Quorum

Present: Suzie Johnston, Boudie Estberg, Barbara Revels, Joann Soman and Scott Chappuis

Absent: Paul Chestnut and Lisa Smith

Staff Present: City Attorney Drew Smith and Secretary Michele Ficocello

a. Selection of Chair

Joann Soman made a motion to appoint Suzie Johnston as Chair; Scott Chappuis seconded. Motion passed unanimously.

b. Selection of Vice-Chair

Joann Soman made a motion to appoint Scott Chappuis as Vice-Chair; Boudie Estberg seconded. Motion passed unanimously.

4. Approval of Meeting Minutes

a. February 4, 2025

Joann Soman made a motion to approve the meeting minutes; Vice-Chair Chappuis seconded. Motion passed unanimously.

5. Deletions and changes to the agenda

None

6. Old Business

None

7. New Business

a. Application OE-25-03-01 Request for an Annual Outdoor Entertainment Permit – The Cajun Beach – 1112 S. Ocean Shore Blvd. -Applicant – Patrick McKinney.

The Applicant, Patrick McKinney was present and spoke before the Board. The City Clerk, Penny Overstreet, presented the item along with an updated staff report which was provided to the Board and is attached to the minutes. Ms. Overstreet stated the applicant was agreeable to restrictions on his permit to include no live music after 9:30pm, no drums and no Karaoke. The Board inquired about changes made to the stage. The applicant stated he made changes to include an additional five (5)

feet in length to provide more of a sound barrier, insulated the walls, new paneling on the outside, new paneling on the inside, new paneling on the roof and three (3) inches of soundproofing. Ms. Overstreet stated there was one schematic added to the packet, not in the original submission, which was prepared by a local architect. The applicant stated the work will be completed by this Friday. Board discussion ensued and included the process if allowed timeframe was exceeded, decibel level, citation issuance, types of soundproofing, testing of soundproofing, previous businesses with similar restrictions, recommendations from soundproofing company, past disapprovals of application based on criteria number seven (7), specific types of music that will be played and CRA boundary. Public comment was opened. Tom Wotherspoon, 1102 S. Central Avenue, spoke against recommending approval for the permit. Brenda Wotherspoon, 1102 S Central Avenue, spoke against recommending approval for the permit and provided an aerial photo attached to the minutes. Brenda Montgomery, 113 S. 11th Street, spoke against recommending approval for the permit. Bob Buckingham, 208 S Central Avenue, spoke regarding enforcing outdoor entertainment permit rules for all businesses. Craig Kennedy, Flagler Beach, spoke in favor of recommending approval for the permit. Public comment was closed. Board discussion continued to include previous requests of the applicant, decibel readings, noise complaint process, history of previous business owner, previous Board approval and temporary issuance of permit.

Chair Johnston passed the gavel. Chair Johnston made a motion to recommend approval with conditions of the soundproofing work being completed and the soundproofing is tested with the City's decibel reader, Joann Soman seconded. Based on the updated staff report provided, City Attorney Smith asked that the restrictions agreed to by the applicant, including no live music after 9:30pm, no drums and no Karaoke, be added to the motion. Chair Johnston affirmed that those conditions are included in the motion, Joann Soman accepted the conditions being added to the motion. City Attorney Smith asked for clarification of testing the soundproofing. Chair Johnston clarified the recommendation is to have the soundproofing completed on the stage prior to any commencement of outdoor entertainment.

Roll Call: Barbara Revels, Yea; Vice-Chair Scott Chappuis, Yea; Joann Soman, Yea; Boudie Estberg, Yea; Chair Suzie Johnston, Yea.

Motion to recommend approval with conditions as amended passed five (5) to zero (0).

8. Other Business

- a. Proposal for Two Hour on Street Parking on Four Commercial Blocks South of Hwy 100, proposed by Ted Barnhill (Local Business Owner).

Local Business Owner Ted Barnhill presented the item and provided an updated list of local businesses in support of the proposal to the Board (attached to the minutes). Discussion ensued and included impact to local businesses in regards to parking shortages, implementing short-term parking in small commercial area of the City, support from local businesses for implementation of short-term parking, costs and logistics of implementation of short-term parking, timeframe of short-term parking, impacts on existing residents living in the area, existing private parking lot for current residents, future plans for Central Avenue when Hotel is complete, possibility to test the proposal, City Commission paid parking discussion, contracting out the enforcement of two hour parking, employee parking for local businesses and designated parking for them, further discussion suggested at future Strategic Planning Meeting and discussion with FB3.

Public comment was opened. Dimitri with Beachside Gyros spoke and offered to pay for the signage cost, Commissioner Rick Belhumeur spoke and suggested businesses that are in the parking pool assist with costs and Jackie Buckingham with Flagler Tea Company spoke about directing visitors to the public parking lots. No further comments were received. Public comment was closed.

No action taken on this item. The City Attorney will suggest, to the City Commission, this item be added to the Strategic Planning Meeting list.

9. City Planner Report

Secretary Michele Ficocello reported the City Planner, Lupita McClenning, will have a report for the Board at the next meeting.

10. Board Comments

The Board welcomed the new PAR Board Member Barbara Revels.

11. Adjournment

Joann Soman made a motion to adjourn the meeting; Chair Johnston seconded the motion. Chair Johnston adjourned the meeting at 6.25pm.



STAFF REPORT

Regular City Commission Meeting

March 13, 2025

To: Elected Officials

From: Penny Overstreet, City Clerk

Date: February 3, 2025 **Updated March 10, 2025**

Item Name: Application OE-25-03-01 Request for an Annual Outdoor Entertainment Permit – The Cajun Beach – 1112 S. Ocean Shore Blvd. -Applicant – Patrick McKinney.

Background: Applicant: Cajun Beach/Flojun, LLC., 1112 S. Ocean Shore Blvd., Flagler Beach, Florida 32136. The Planning Board and City Commission denied the applicants request at the January 09, 2025, meeting. After reviewing the application and conducting a public hearing, the Officials urged the applicant to table his request and address the noise abatement concerns. The Applicant and his Attorney declined and requested a decision be made that evening. The City Commission voted to deny the requested outdoor entertainment permit. Specifically, the City Commission found that there was not competent substantial evidence to support a finding that element number 7 of the required considerations has been satisfied. For the City Commission to grant an outdoor entertainment permit it must find that the proposed outdoor entertainment would not have an adverse effect on or unreasonably infringe upon the rights of property owners within 200 feet of the subject property. As the City Commission has found that said element was not supported by competent substantial evidence, Application OE-25-01-01 has been denied.

The applicant has returned a new application and submitted proposed stage performance solutions he wishes to be considered.

The applicant contacted me to provide an update stating he was agreeable to restrictions on his permit to include: No live music after 9:30 p.m., No drums, and No Karaoke.

The Planning & Architectural Review Board will hear the request at their March 11, 2025, meeting. An update will be provided to you with their recommendation.

The subject property is zoned General Commercial G.C. The applicant is seeking approval of an Annual Outdoor Entertainment Permit to allow amplified and non-amplified events consisting of music, spoken word and/or other forms of entertainment. Section 4-167, Review of Permit Application states, the City Commission, after receiving recommendation from the Planning and Architectural Review Board (PARB), shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact on the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fail to protect the city's environment.
- (2) The activity would unreasonably inconvenience the general public.
- (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
- (4) The applicant cannot meet, or is unwilling to meet, all the requirements of this article.
- (5) The activity is proposed for a site that does not have adequate parking to accommodate the activity.

- (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
- (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
- (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
- (9) The information furnished in the application is not materially complete and accurate.
- (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past and has not presented competent substantial evidence that measures to prevent future violations will be implemented at the property.
- (11) The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
- (12) The comments and/or recommendations of the planning and architectural review board have not been addressed.
- (13) The proposed event or activity is prohibited by federal, state, or local regulations.
- (14) Other issues in the public's interest as identified by the city commission.
- (a) In deciding to approve a permit the city commission may limit the type and number of temporary structures and the duration of the activity, including the hours and the number of days of the activity conducted to minimize any adverse impact caused by the activity.

The applicant has 17 on-site parking spaces, and approximately 17 off-site for a total of 34.

Staff Recommendation: Staff recommends the application be considered based upon the fourteen criteria, and the applicants' installation of the noise abatement material.

Attachments:

- Application
- Map of surrounding property owners



Spa

Stage

Suite

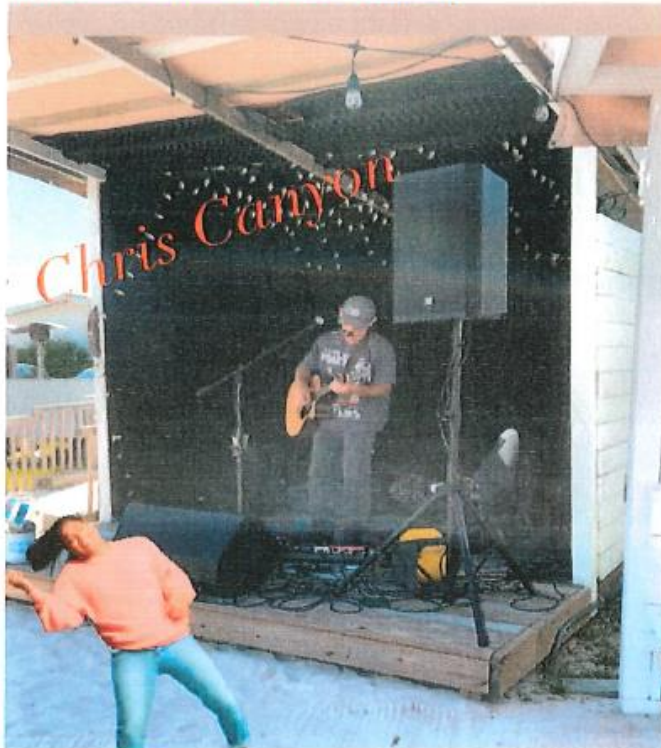


Cajun Beach Boil and Sushi

Reels · Apr 5 · 🌐

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#daytonabeach #staugustine #livemusic #restaurant
#southerncooking #flaglerbeach #cajun #a1a
#palmcoast #liveband #sushi #seafood



Proposal for Two Hour on Street Parking on Four Commercial Blocks South of Hwy 100

Whereas:

1. Short-term on street parking South of Hwy 100 in the vicinity of Flagler Beach City Hall is often exceedingly hard to find due to the large number of people wishing to frequent many local businesses, construction activity, and very importantly the large number of vehicles parked for long periods of time (e.g. all day and in some cases multiple days).
2. Surveys indicate that up to 90 percent of people coming to enjoy the beach live outside of Flagler Beach. With refurbished beaches and new pier, Flagler Beach can expect many more people coming for day trips further increasing the demand for all day parking in the vicinity of Flagler Beach City Hall.
3. Businesses and their customers (particularly older and handicapped customers) are inconvenienced and damaged due to the frequent shortage of short term on street parking.
4. The City of Flagler Beach set up a so called "parking pool" (178 on street parking spaces) to encourage new commercial development south of Hwy 100. Businesses can apply to use a portion of the parking pool to satisfy land use parking requirements.
5. Barnhills Café Bar and Grill (202 S Central Avenue), Johnny D's (319 Moody Blvd), and the Margaritaville Hotel (111 S Daytona Ave.) have constructed substantial new facilities, approved by the City of Flagler Beach, with the understanding that their customers would utilize substantial amounts of on street parking (Barnhills, 65 on street parking spaces), (Johnny D's, 30 on street parking spaces) (Margaritaville, 58 on street parking spaces). Other new commercial projects under development also anticipate the use of on street parking.
6. When the Margaritaville hotel is finished (June 2025?) parking demand South of Hwy 100 will increase from registered hotel guests, hotel workers, hotel restaurant customers, and visitors of hotel registered guests.
7. The structures on the two blocks on Central Avenue between Hwy 100 and S. Third St., and two blocks on S. Second Street between S. Oceanshore Blvd. and Daytona Avenue are all used commercially.
8. Cities typically have metered parking and/or parking time limits in commercial areas.
9. It is anticipated that the City of Flagler Beach's overall parking review will consider many possibilities (metered parking, additional parking lots, parking structures, shuttles, etc.) and adoption of a new downtown parking plan will take years to complete.
10. It is possible to substantially reduce the inconvenience and cost to customers and businesses by creating short-term parking in a limited four block area.
11. Exceptions to the two-hour parking time limit could be established (e.g. City Commission Meetings).

Therefore, as an interim step prior to adoption of a new overall parking plan, it is proposed that the City of Flagler Beach designate all on street parking on Central Avenue between Hwy 100 and S. Third St., and all on street parking on S. Second Street between S. Oceanshore Blvd. and Daytona Avenue (a total of four blocks) to be two-hour parking between the hours of 6? AM and 9? PM. The City of Flagler Beach would erect street signs notifying the public of the two-hour parking time limit. Many people will voluntarily comply. The Flagler Beach Police Department would continue to be responsible for ticketing and enforcing parking violations. Cities often have a phone number for reporting parking violations. Some Cities use private companies for parking enforcement (ticketing, etc.).

Supporters of the above proposal include:

Businesses Supporting the Proposal
Barnhills Café Bar and GrillConnie M
Beachside Gyro
ConSalon
Country Road &Company Boutique
Elite Aesthetics Skin and Wellness Center
Flagler Fish Company
Flagler Tea Company
Gallery of Local Art
Johnny D's
Tavolacci Realty
The Shelby Group
Uncorked Wine Bar
Vessel Sandwich Co.