



The City of Destin

4200 Two Trees Road, Destin, Florida 32541 (850) 837-4242 FAX (850) 837-3267

November 22, 1999

ORDER # 99-46

Final Development Order:

“HOLIDAY BEACH RESORT PHASE II”: A MAJOR DEVELOPMENT (SP-99-30)

Based upon the City Council's approval of this Development Order, on November 1, 1999, this document will serve as your Final Development Order, to include all of the provisions of the attached Technical Review Committee Report and with the following conditions, as specified by the City Council:

BACKGROUND / ISSUE:

Applicant: Bob Windham, on behalf of Holiday Beach Resort Condominium Association.
Location: The proposed project is located at 1006 Highway 98.
Request: Approval of a Major Development identified as “Holiday Beach Resort Phase II”.
Parcel Size: The property contains 10.00 acres +/-.
Future Land Use: Mixed Use (MU)
Zoning District: Business Tourism (BT)
Density: 12.4 lodging units per acre (phase I & II)
Intensity: 0.25 Floor Area Ratio
Application Date: June 1, 1999
TRC Date: June 16, 1999
Approved Site Plan Date: September 21, 1999
Planning Commission Date: October 7, 1999
City Council Date: November 1, 1999

DETERMINATIONS:

1. A hearing was held by the Destin City Council on November 1, 1999, and approved the development by a vote of 6-1 with conditions; and
2. The Planning Commission considered the proposal on October 7, 1999 and recommended the City Council approve the proposed project as presented by staff. The motion passed by a vote of 4-0. Mr. Breithaupt, Mr. Link, Ms. Drowne, and Ms. Zollner voted for the motion. Mr. Kroger, Mr. Clauson and Mr. Shirley were not present.

3. All the findings of the Technical Review Committee report dated September 21, 1999 and amended on October 8, 1999 are incorporated herein.

**CONDITIONS OF APPROVAL FOR "HOLIDAY BEACH RESORT PHASE II":
A MAJOR DEVELOPMENT (SP-99-30)**

Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Construction must commence within twelve (12) months of approval of the Final Development Order on November 1, 1999 (no later than November 1, 2000) and must be completed as shown on plans approved by the Technical Review Committee (stamp dated September 21, 1999).

WARNING: If the applicant/owner has not obtained a construction permit(s) within 365 days of issuance of the final development order, the final development order is void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month deadline shall submit a request to the Community Development Department, no less than sixty (60) days prior to the expiration of the twelve (12) month deadline to obtain a construction permit. The applicant/owner should review Article 2, Section 2.15.00 of the Destin Land Development Code for further explanation of the Development Order extension process.

2. If "Holiday Beach Resort" fully complies with the requirements of Condition Number 1 above, the concurrency status "Holiday Beach Resort" is protected (for five years) through November 1, 2004. The protected concurrency status, however, will be lost if:

Construction activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order, or

Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.

3. "Holiday Beach Resort" must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):
 - A. Disturbance of the City's right-of-way.
 - B. Pavement cuts.
 - C. Construction of any kind.
 - D. Clearing, grubbing, or demolition.
 - E. Paving, grading, drainage, sidewalks.
 - F. Signage.
 - G. Installation of utilities.
 - H. Construction trailers.

4. **Prior to the issuance of a Clearing/Demolition Permit**, a clearing/demolition plan must be reviewed and approved by the Community Development Department.
5. **Prior to the issuance of a Building Permit**, an exterior lighting plan must be reviewed and approved by the Community Development Department.
6. **Prior to the issuance of a Building Permit**, an Operations & Maintenance Plan, which is acknowledged and signed by the owner, must be submitted and approved by the Engineering Department. The Operations & Maintenance Plan shall contain, among other things, the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, line, and grade."
7. **Prior to the issuance of a Building Permit**, a cross-access easement and agreement must be forwarded to the City for review and approval by the City Attorney (per City Council).
8. **Prior to the issuance of a Building Permit**, a revised sheet C-1 and Proposed Parking Lot sheet must be reviewed and approved by the Community Development Department (per City Council).
9. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
10. **Prior to the issuance of a Certificate of Occupancy**, a copy of the condominium documents that have been recorded with the State must be provided to the Community Development Department.
11. **Requirements identified by the Technical Review Committee:**

TECHNICAL REVIEW COMMITTEE REPORT

"HOLIDAY BEACH RESORT PHASE II" A MAJOR DEVELOPMENT (SP-99-30)

TRC Report: September 21, 1999 and Amended October 8, 1999

ISSUE:

Applicant: Bob Windham, on behalf of Holiday Beach Resort Condominium Association.

Location: The proposed project is located at 1006 Highway 98.

Request: Approval of a Major Development identified as "Holiday Beach Resort Phase II".

Parcel Size: The property contains 10.00 acres +/-.

Future Land Use: Mixed Use (MU)

Zoning District: Business Tourism (BT)

Density: 12.4 lodging units per acre (phase I & II)

Intensity: 0.25 Floor Area Ratio

Application Date: June 1, 1999

TRC Date: June 16, 1999

Approved Site Plan Date: September 21, 1999

Planning Commission Date: October 7, 1999

City Council Date: November 1, 1999

DISCUSSION/FINDINGS:

Bob Windham, on behalf of Holiday Beach Resort Condominium Association, is requesting approval of a Major Development identified as "Holiday Beach Resort Phase II". The proposed project consists of a five (5) story twenty-unit condominium building (33,000 sq. ft.). Each unit is a two-bedroom unit, which equates to a total of 40 proposed lodging units. The proposed project is located at 1006 Highway 98, more specifically described as the plat of Holiday Beach Resort as recorded in Condo Book 2, Page 94, of the public records of Okaloosa County, Florida.

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate two (2) new PM Peak Hour directional trips on Segment "B" of U. S. Highway 98. Segment "B" currently has 376 PM Peak Hour directional trips available and, with this project, there will be 374 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

Staff has determined that the proposed request is compatible with the surrounding area. The existing use of the surrounding properties are as follows:

North: Condominiums/Convenience Store
South: Gulf of Mexico
East: Condominiums/Vacant
West: Condominiums

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes Compatibility review, Concurrency Management review, Level of Service review, and the Vision 2000 plan. This project is located outside the Community Redevelopment Area.

The Technical Review Committee reviewed the project on June 16, 1999, and approved the project with specific conditions and changes.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Mixed Use (MU) and a Zoning Designation of Business Tourism (BT). The proposed use is consistent with the MU Future Land Use Designation and is a permitted principal use in the BT Zoning District.

COMPATIBILITY:

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use</u>
North:	MU	BT	Condominiums/Convenience Store
South:	MU	BT	Gulf of Mexico
East:	MU	BT	Condominiums/Vacant
West:	MU	BT	Condominiums

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements.

A) Permitted uses, structures and activities allowed within the land use category;

The proposed use is a permitted principal use in both the MU Future Land Use Designation and the BT Zoning District.

B) Building location, dimensions, height, and floor area ratio;

The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning District. The proposed building will be 296 feet from the west side property line, 38 feet from the east side property line, 56 feet from the front property line (north), and approximately 700 feet to the existing rear property line. The BT Zoning District requires multi-family projects to comply with the schedule of dimensional requirements for the Residential Intensive Apartment (RIA) Zoning District. The RIA Zoning District has the following setbacks: front - 20 feet; side - 7 ½ feet and rear - 10 feet.

The proposed building dimensions are compatible with the surrounding buildings. The subject property currently has a one story office/common area building, four (4) two story and one (1) three story condominium buildings. Directly to the north are four (4) three story buildings (St. Martin Beach Walk Villas). To the east is a 16 story building (Destin Towers) and to the west is a 19 story building (Pelican Beach Resort).

The BT Zoning District does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The proposed height of the condominium

building (five stories) is 64 feet. The total floor area ratio for the subject property (Phase I & II) is 0.25, which is below the 1.07 maximum.

C) Location and extent of parking, access drives, and service areas;

The proposed project meets the parking requirements (172 reg. 8 h. c. proposed / 172 reg. 8 h. c. required). It also meets the requirements for access drives (24 feet provided) and service areas (dumpster is screened).

D) Traffic generation, hours of operation, noise levels, and outdoor lighting;

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate two (2) new PM Peak Hour directional trips on Segment "B" of U. S. Highway 98. Segment "B" currently has 376 PM Peak Hour directional trips available and, with this project, there will be 374 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

A review of the traffic generated, elevation plans, and architectural plans, in relation to lot sizes and use, indicates that the proposed project will be compatible with the surrounding development. No outdoor lighting plan is proposed at this time. Staff recommends as a condition that a lighting plan be approved by the Community Development Department prior to the issuance of a building permit.

E) Alteration of light and air;

The proposed five-story building will not significantly alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning District. The proposed building will be 296 feet from the west side property line, 38 feet from the east side property line, 56 feet from the front property line (north), and approximately 700 feet to the existing rear property line. The BT Zoning District requires multi-family projects to comply with the schedule of dimensional requirements for the Residential Intensive Apartment (RIA) Zoning District. The RIA Zoning District has the following setbacks: front - 20 feet; side - 7 ½ feet and rear - 10 feet.

The overall site plan meets the open space requirements (18% required / 52.5% provided). The following buffers are required: the standard five (5) foot common boundary landscape area on the west and north property lines

Parking islands and required tree/vegetation/reforestation requirements have been satisfied.

DENSITY:

The proposed project (phase II) consists of a five (5) story twenty-unit condominium building (33,000 sq. ft.). Each unit is a two-bedroom unit, which equates to a total of 40 proposed lodging units. Phase I consist of 20 one (1) bedroom, 6 two (2) bedroom and 52 studio condos for a total

of 84 lodging units. If the proposed project is approved the entire property (10.0 acres +/-) will contain a total of 124 lodging units or 12.4 lodging units per acre. The Mixed Use (MU) Future Land Use designation allows for 30.0 lodging units per acre.

HEIGHT:

The BT Zoning District does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The proposed height of the condominium building (five stories) is 64 feet.

FLOOR AREA RATIO:

The total floor area ratio for the subject property (Phase I & II) is 0.25, which is below the 1.07 maximum.

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Potable Water: X Roadways X Solid Waste X
Recreation: X Sewer: X Drainage: X

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate two (2) new PM Peak Hour directional trips on Segment "B" of U. S. Highway 98. Segment "B" currently has 376 PM Peak Hour directional trips currently available and, with this project, there will be 374 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

SUBDIVISION OR PUD - PLAT:

Not applicable.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area.

SETBACKS:

The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning District. The BT Zoning District requires multi-family projects to comply with the schedule of dimensional requirements for the Residential Intensive Apartment (RIA) Zoning District. The RIA Zoning District has the following setbacks: front - 20 feet; side - 7 ½ feet and rear - 10 feet.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (north):	20'	5' CB	56' + 5' CB
Side (east):	7 ½'	5' CB	38' + 5' CB
Side (west):	7 ½'	N/A	296'
Rear (south):	10'	N/A	700' approximately to water's edge
Between Bldgs.:	10'	N/A	205' to nearest building

Note: 10' FPLA = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. A 5' Common Boundary Buffer is required along the eastern and northern property lines.

WHITE SANDS ZONE:

The proposed project is located within the White Sand Zone One. All fill material will have to comply with the White Sands ordinance.

SIGNS:

No signs have been proposed with this project. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project at the June 16, 1999, TRC Meeting.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated July 28, 1999.

GULF POWER:

Gulf Power approved the project at the June 16, 1999, TRC Meeting.

OKALOOSA GAS:

Okaloosa Gas approved the project at the June 16, 1999, TRC meeting.

SPRINT:

Sprint approved the project at the June 16, 1999, TRC meeting.

UNIVERSAL COM:

Universal Com approved the project at the June 16, 1999, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users Inc. approved the project in a letter dated September 7, 1999.

UTILITIES:

Underground utilities are required for Phase II.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated October 6, 1999, with the following condition:

1. Submit an Operations & Maintenance Plan which shall be acknowledged and signed by the owner prior to obtaining a certificate of occupancy. It is not required prior to obtaining a development order or a building permit. The Operations & Maintenance Plan shall contain, amount other things the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, line, and grade."

Above-mentioned deficiencies must be satisfactorily addressed prior to the issuance of a building permit or as noted.

INGRESS/EGRESS:

The ingress/egress point for the proposed condominium building is provided by the existing access drive off of U. S. Highway 98.

SIDEWALKS:

No sidewalks are required or proposed for this project.

LANDSCAPE:

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

435,600 sq. ft. of property x 18% = 78,408 sq. ft. required
 Site plan provides 52.5% = 228,900 sq. ft. provided

TREES REQUIRED:

Reforestation: <u>12</u> (10 per acre)	Perimeter: <u>0</u> (1 per 25')	Parking Lot: <u>2</u>	Vegetative Buffer: <u>N/A</u> (1 per 25')
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Replacement: 2
(removal of trees
over 12" d.b.h.)

Existing Trees on Site (7" to 12" diameter):	<u>1</u>
Protected Trees on Site (12" to 23" diameter):	<u>1</u>
Preserved Trees on Site (24" or more diameter):	<u>0</u>
Credits for Existing, Protected or Preserved Trees:	<u>6</u>
TOTAL TREES REQUIRED:	<u>10</u>
TOTAL TREES PROVIDED:	<u>20</u>

A 5' Common Boundary Buffer is required along the eastern and northern property lines. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three years of planting. All required trees shall have a minimum height of six (6) feet at time of planting and reach a crown of 20' at maturity. Trees having an average mature spread of crown less than 20 feet may be arranged in groupings so as to create the equivalent of 20-foot crown spread. If shrubs are used in the required buffer areas they must be a minimum of 12 inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material has been inspected and approved by the Community Development Department.**

PARKING:

Parking for the project is based on the following calculations:

Per code:

Multifamily Resort:

1.75 spaces per dwelling unit (require condo document filed with state allowing short-term rentals for daily, weekly).

Per site plan:

Multifamily Resort:

78 existing dwelling units (Phase I)
20 proposed dwelling units (Phase II)
98 dwelling units (total)

98 dwelling units / 1.75 spaces per dwelling units = 172 parking spaces (including 7 handicap spaces).

TOTAL REQUIRED: 172 parking spaces (including 7 handicap spaces)
TOTAL PROVIDED: 172 parking spaces (including 8 handicap spaces)

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this project and is on file.

COMMENTS:

There have been no comments of support or opposition filed with Staff regarding this project.

CONDITIONS:

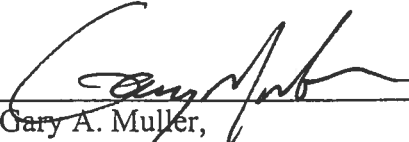
Per Community Development:

1. Prior to the issuance of a Clearing/Demolition Permit, a clearing/demolition plan must be reviewed and approved by the Community Development Department.
2. Prior to the issuance of a Building Permit, a lighting plan must be reviewed and approved by the Community Development Department.
3. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
4. Prior to the issuance of a Certificate of Occupancy, a copy of the condominium documents that have been recorded with the state must be provided to the Community Development Department.


Per City Engineer:

1. Submit an Operations & Maintenance Plan which shall be acknowledged and signed by the owner prior to obtaining a certificate of occupancy. It is not required prior to obtaining a development order or a building permit. The Operations & Maintenance Plan shall contain, amount other things the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, line, and grade."

Above-mentioned deficiencies must be satisfactorily addressed prior to the issuance of a building permit or as noted.



Gary A. Muller, Date
Acting Community Development Director



Holiday Beach Resort Condo. Ass., Date
Owner,
Garry Eminger,
President