



May 24, 1999

ORDER #99-24

**Final Development Order:**

**“JOE’S BAYOU BOAT RAMP RECREATION AREA AND MATTIE KELLY PARK-  
MASTER PLAN: PHASE I AND PHASE II”:  
A MAJOR DEVELOPMENT  
(SP #99-15 AND SP #99-18)**

Based upon the City Council’s approval of this Development Order, on May 10, 1999, this document will serve as the 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:** City of Destin
- Location:** The proposed project is generally located on Beach Drive and on Joe’s Bayou, approximately 100’ north of First Street and on the east side of the intersection of First Street and Beach Drive.
- Request:** Approval of a Major Development identified as “Mattie Kelly Park & Joe’s Bayou Boat Ramp-Phase I and II”. The proposed project consists of completing the remaining items identified in the master plan previously approved by the City Council. Phase I will provide: additional paved parking spaces at the Joe’s Bayou Boat Ramp Park, while keeping the existing building on-site; improved landscaping; adding a double wide boat launch with pier; and expanding the northern ramp to a double wide launch. Phase II will provide a fishing pier; wetlands-nature boardwalk; paved parking; picnic area; paved overflow parking for the boat ramps (at the Mattie Kelly Park); and sidewalks along the right-of-way, to allow pedestrian movement to each park.
- Parcel Size:** The property contains 13.5 +/- acres.
- Land Use:** REC (Recreational), LDR (Low Density Residential) and MLDR (Medium Low Density Residential)
- Zoning District:** RSS and RUS
- Density:** N/A
- Intensity:** N/A
- Application Date:** March 22, 1999
- TRC Date:** March 24, 1999
- Approved Site Plan Date:** April 9, 1999
- Planning Commission Date:** April 15, 1999
- City Council Date:** May 10, 1999 (approved with conditions)

**DETERMINATIONS:**

1. The Planning Commission considered the proposal on April 15, 1999. The Planning Commission's motion to approve the proposed Major Development passed by a vote of 5-0. Mr. Clauson, Kroeger, Breithaupt, Link, Sauders voted for the motion; Mr. Morgan was excused before the issue was heard and Ms. Drowne had an excused absence; and
2. A hearing was held by the Destin City Council on May 10, 1999, whom approved the development with conditions; and
3. All the findings of the Technical Review Committee report dated April 9, 1999, are incorporated herein.

**CONDITIONS OF APPROVAL FOR "JOE'S BAYOU BOAT RAMP RECREATION AREA AND MATTIE KELLY PARK-MASTER PLAN: PHASE I AND PHASE II": A MAJOR DEVELOPMENT (SP #99-15 AND SP #99-18):**

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

1. Construction must commence within twelve (12) months of approval of the Final Development Order on May 20, 1999 (no later than May 20, 2004) and must be completed as shown on plans approved with conditions by the City Council (stamp dated 5-10-99).

**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.**

2. If "Joe's Bayou Boat Ramp Recreation Area and Mattie Kelly Park-Master Plan: Phase I & Phase II" fully complies with the requirements of Condition Number 1 above, the concurrency status "Joe's Bayou Boat Ramp Recreation Area And Mattie Kelly Park-Master Plan: Phase I And Phase II" is protected (for five years) through April 26, 2004. **The protected concurrency status, however, will be lost if:**
  - A. **Construction activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order, or**
  - B. **Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.**
3. "Joe's Bayou Boat Ramp Recreation Area and Mattie Kelly Park- Master Plan: Phase I & Phase II" must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):

- a. disturbance to the city's rights of way.
  - b. pavement cuts.
  - c. construction of any kind.
  - d. clearing and grubbing.
  - e. paving, grading, drainage, sidewalks.
  - f. signage.
  - g. installation of utilities.
  - h. construction trailers.
4. **Before the issuance of a building permit**, a revised site plan must be submitted in accordance to the conditions placed upon the project by the City Council, at their meeting held on May 10, 1999. Specifically, 1) the required 10' vegetative buffer on the south property line of the Mattie Kelly Park property must contain enhanced landscaping; 2) the solid wood fence on the south property line to the Mattie Kelly property must be a minimum of 8' tall and extend from the right-of-way line of Beach Drive westward a distance of 150'; 3) Sheet C-3 must be amended to adjust the table indicating the number of trees being removed as 23 rather than 20; 4) Sheet C-3 must be amended to indicate the tree in the new one-way drive off of the existing parking lot is to be removed; and 5) A clearing plan must be presented to, and approved by the Community Development Director prior to issuance of a clearing permit. This must include the names and addresses of the surrounding property owners within 300' of the project.
  5. **Before the issuance of a certificate of occupancy**, the landscape material shall be inspected by the Community Development Department to insure compliance with the Development Order.
  6. **Before the issuance of a certificate of occupancy**, any damages to the existing and/or required five (5) foot sidewalk, adjacent to the right-of-way lines of Beach Drive must be "bonded, replaced, or installed".
  7. Requirements identified by the Technical Review Committee:

**TECHNICAL REVIEW COMMITTEE REPORT  
COMMUNITY DEVELOPMENT DEPARTMENT**

**"JOE'S BAYOU BOAT RAMP RECREATION AREA AND MATTIE KELLY PARK-  
MASTER PLAN: PHASE I AND PHASE II":**

**A MAJOR DEVELOPMENT**

**(SP #99-15 AND SP #99-18)**

**TRC Report: April 9, 1999**

**ISSUE**

**Applicant:** City of Destin

**Location:** The proposed project is generally located on Beach Drive and on Joe's Bayou, approximately 100' north of First Street; and on the east side of the intersection of First Street and Beach Drive.

**Request:** Approval of a Major Development identified as "Mattie Kelly Park & Joe's Bayou Boat Ramp-Phase I and II". The proposed project consists of completing the remaining items identified in the master plan previously approved by the City Council. Phase I will provide: additional paved parking spaces at the Joe's Bayou Boat Ramp Park, while keeping the existing building on-site; improved landscaping; adding a double wide boat launch with pier; and expanding the northern ramp to a double wide launch. Phase II will provide a fishing pier; wetlands-nature boardwalk; paved parking; picnic area; paved overflow parking for the boat ramps (at the Mattie Kelly Park); and sidewalks along the right-of-way, to allow pedestrian movement to each park.

**Parcel Size:** The property contains 13.5 +/- acres.

**Land Use:** REC (Recreational), LDR (Low Density Residential) and MLDR (Medium Low Density Residential)

**Zoning District:** RSS and RUS

**Density:** N/A

**Intensity:** N/A

**Application Date:** March 22, 1999

**TRC Date:** March 24, 1999 (special meeting)

**Approved Site Plan Date:** April 9, 1999

**Planning Commission Date:** April 15, 1999

**City Council Date:** May 10, 1999

**DISCUSSION:**

Approval of a Major Development identified as "Joe's Bayou Boat Ramp Recreation Area And Mattie Kelly Park-Master Plan: Phase I And Phase II": A Major Development (Sp #99-15 And Sp #99-18). The proposed project consists of completing the remaining items identified in the master plan, previously approved by the City Council. Phase I will provide: additional paved parking spaces at the Joe's Bayou Boat Ramp Park, while keeping the existing building on-site; improved landscaping; adding a double wide boat launch with pier; and expanding the northern ramp to a double wide launch. Phase II will provide a fishing pier; wetlands-nature boardwalk; paved parking; picnic area; paved overflow parking for the boat ramps (at the Mattie Kelly Park); and sidewalks along the right-of-way, to allow pedestrian movement to each park.

The proposed project is generally located on Beach Drive and on Joe's Bayou, approximately 100' north of First Street and on the east side of the intersection of First Street and Beach Drive.

The proposed request is consistent with the Comprehensive Plan, Land Development Code, including Compatibility review, Concurrency Management review, and LOS review. The Technical Review Committee reviewed the project on March 24, 1999, and approved the project with specific conditions and changes.

**ZONING/COMPREHENSIVE PLAN**

The property is zoned RSS and RUS with the Future Land Use Categories of LDR, REC, and MLDR. The proposed use "Public Park" is a permitted principal use within both zoning districts.

## COMPATIBILITY

The uses surrounding this project are:

- North - Joe's Bayou and Cement Plant
- South - BT Zoning single family dwellings
- East - BT Zoning Joe's Bayou and Cement Plant
- West - BT Zoning vacant and single family dwellings

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 and activity of a park is a permitted use in the impacted Zoning Districts.

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

The existing home will remain. The Master Plan proposes constructing two (2) boardwalks and several picnic pavilions. The structures are to be located on the interior of the site (except for the fishing pier) and should not constitute an incompatible use of the property.

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

The City Council has previously approved the "Master Plan" for the subject property. The access drives and interconnections have not been amended from the previous "Master Plan".

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

A review of the traffic generated, lighting plan, elevation plans, and architectural plans, in relation to lot sizes and use, indicates that the proposed project will be compatible with the surrounding development.

The City is proposing an eight (8) foot solid wood fence between the residential homes and the overflow parking spaces on the Mattie Kelly Park property, to provide additional buffering and reduce any impacts of light and noise. It is also recommended that Mattie Kelly Park operates from dawn to dusk and that a gate (with lock) be included for the parking areas. This will help reduce impacts to adjacent residential properties.

### **E) Alteration of light and air;**

No lighting plan is proposed at this time.

### **F) Setbacks and buffers.**

The overall site plan meets the open space requirements. The only buffers required are the standard five (5) foot common boundary landscape area on the west line, and the standard ten (10) foot front perimeter landscape area on the north and east property lines, as well as a ten (10) foot vegetative buffer along the

south property line on the Mattie Kelly Park property. The ten (10) foot vegetative buffer will have more trees than the minimum required by LDC and will have an eight (8) foot tall wood fence rather than the minimum six (6) foot tall fence.

Parking islands and required tree/vegetation/reforestation placement is also required. The location of the required landscape areas minimizes the impact of the park on the surrounding residential properties.

**DENSITY**

N/A

**HEIGHT**

N/A

**FLOOR AREA RATIO**

N/A

**RIGHT-OF-WAY DEDICATION**

No right-of-way dedication is required.

**CONCURRENCY MANAGEMENT**

Concurrency requirements met:

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

**TRAFFIC ANALYSIS**

According to the review conducted by the City staff, the proposed development will not affect any Segments of Hwy 98.

**SUBDIVISION OR PUD - PLAT**

N/A

**AIRPORT PROTECTION**

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

**SETBACKS**

No buildings are proposed other than a fishing pier, picnic shelters, and a wetland boardwalk. These structures exceed all required setbacks. All other non-structural improvements do not encroach into the required buffer or landscape areas.

### WHITE SANDS ZONE

A portion of the project is located within White Sand Zone II and will be required to meet the Code for appropriate materials.

### SIGNS

The existing park signs are being relocated on the same property. The locations comply with the LDC. (Note: a sign permit is required for the relocation of the existing ground signs.)

### WATER/SEWER

Destin Water Users Inc. approved the project in a letter dated March 24, 1999.

### FIRE DEPARTMENT REVIEW

The Fire Department approved the project in a letter dated March 24, 1999.

### OKALOOSA GAS

Okaloosa Gas approved the project at the March 24, 1999, TRC meeting.

### UNIVERSAL COM

Universal Com approved the project at the March 24, 1999, TRC meeting.

### SPRINT

Sprint approved the project at the March 24, 1999, TRC meeting.

### UTILITIES

Underground utilities are required.

### STORMWATER

The City Engineer approved the stormwater plan in a memorandum dated April 9, 1999. This memo is on file with the Community Development Department.

### INGRESS/EGRESS

The City Council has previously approved the "Master Plan" for the subject property. The access drives and interconnections are consistent with the approved "Master Plan".

### SIDEWALKS

A five (5) ft. wide sidewalk is required along the south side of Beach Drive, as shown on the site plan.

## LANDSCAPE

The project meets the landscape requirements of the Land Development Code. NOTE: the actual placements of the trees are to be field approved by the Community Development Department, prior to installation. Furthermore, no certificate of occupancy will be issued until the required landscape material has been inspected by the Community Development Department.

## PARKING

Parking for project is based on the following calculations:

*Per code:*

Park: 1 handicap space per park.

*Per site plan:*

Mattie Kelly Park: = 18 spaces (including 2 handicap spaces) and 12 car & trailer spaces

Joe's Bayou Park: = 44 car & trailer spaces

**Total = 74 spaces**

**TOTAL REQUIRED (Both Phases) = 2 handicap spaces**

**TOTAL PROVIDED (Both Phases) = 74 spaces (including 2 handicap spaces)**

## COMMENTS

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

## CONDITIONS:

Per Community Development:

1. Sheet C-3 must be amended to adjust the table indicating the number of trees being removed as 23 rather than 20.
2. Sheet C-3 must be amended to indicate the tree in the new one-way drive off of the existing parking lot is to be removed.
3. A clearing plan must be presented to, and approved by the Community Development Director prior to issuance of a clearing permit. This must include the names and addresses of the surrounding property owners within 300' of the project.
4. That the Mattie Kelly Park operate from dawn to dusk and that a gate (with lock) be included for the parking areas.


Per City Engineer:

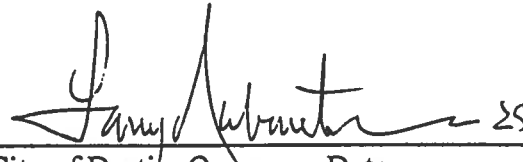
1. See attached letter dated 4-9-99.



Per City Council:

1. **Before the issuance of a building permit**, a revised site plan must be submitted in accordance to the conditions placed upon the project by the City Council, at their meeting held on May 10, 1999. Specifically, 1) the required 10' vegetative buffer on the south property line of the Mattie Kelly property must contain enhanced landscape; 2) the solid wood fence on the south property line of the Mattie Kelly property must be a minimum of 8' tall and extend from the right-of-way line of Beach Drive to a distance of 150' westward; 3) Sheet C-3 must be amended to adjust the table indicating the number of trees being removed as 23 rather than 20; 4) Sheet C-3 must be amended to indicate the tree in the new one-way drive off of the existing parking lot is to be removed; and 5) A clearing plan must be presented to, and approved by the Community Development Director prior to issuance of a clearing permit. This must include the names and addresses of the surrounding property owners within 300' of the project.

  
\_\_\_\_\_  
Robert P. Franke, AICP      5/25/99      Date  
Community Development Director

  
\_\_\_\_\_  
City of Destin, Owner,      25 May 99      Date  
Larry Rubenstein, City Manager