



City of Destin

November 20, 2003

Order No. 03-15

Final Development Order:

**"MADIE COURT SUBDIVISION"
A MAJOR DEVELOPMENT
(SP-02-41)**

Based upon the City Council's approval of this Development Order on June 16, 2003, 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: Regional Engineering, Inc., on behalf of George E. Day, Sr., Doris M. Day, and Bud Viking, Ltd., is requesting approval of a Major Development identified as "Madie Court Subdivision."

Request: The proposed development consists of a seven-lot single-family subdivision.

Location: The proposed development is located along Pine Street and Sibert Avenue, more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0310-000D-166A and 00-2S-22-0716-000H-0120.

Parcel Size: The combined property contains 1.5 acres, more or less.

Future Land Use: Medium Low Density Residential (MLDR)

Zoning Districts: Residential Urban Duplex (RUD) and Residential Urban Single (RUS)

Density: Allowed: 5.8 dwelling units per acre
Proposed: 4.7 dwelling units per acre

Intensity: Not applicable

Application Date: August 5, 2002

TRC Date: August 21, 2002

Approved Site Plan Date: April 28, 2003

Planning Commission Date: May 15, 2003

City Council Date: June 16, 2003

DETERMINATIONS:

1. The Destin City Council held a hearing on June 16, 2003. The City Council approved the development by a vote of 5-0. The recommended motion to approve the project as presented by staff, and documented in the TRC report, subject to all of the conditions identified within the report dated April 28, 2003, and amended May 16, 2003, June 17, 2003, and November 20, 2003.

2. The Planning Commission considered the proposal on May 15, 2003, and recommended that the City Council approve the proposed project as presented by staff. The motion passed by a vote of 4-0; and
3. All the findings of the Technical Review Committee report dated April 28, 2003, and amended May 16, 2003, and June 17, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR "MADIE COURT SUBDIVISION" A MAJOR DEVELOPMENT (SP-02-41):

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

Construction must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on November 20, 2003 (no later than November 20, 2004), and must be completed as shown on plans approved by the Technical Review Committee.

WARNING: If the applicant/owner has not obtained a building permit(s) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline must submit a request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.15.00, of the Destin Land Development Code and City Ordinance 02-06-LC for further explanation of the Development Order extension process.

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Madie Court Subdivision" will be protected. **However, the protected concurrency status 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 so that concurrency is not maintained under section 6.02.00.B.3 of the Destin Land Development Code, or**
 - B. **Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.**

3. The applicant 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 the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. **Prior to City Staff approval of the plat**, provide the Community Development Department with a letter from Okaloosa County Emergency Management (911) indicating their approval of the proposed right-of-way name.
6. **Prior to City Staff approval of the plat**, a Phase II Environmental Assessment Study (EAS) is required. (**Condition satisfied per letter dated November 13, 2003, from City Engineer.**)
7. **The sale of lots within the project** is contingent upon all environmental cleanup as required by the Florida Department of Environmental Protection (FDEP) and the City of Destin as determined by the Phase II EAS.
8. **Prior to the issuance of any Building Permit for construction**, City Staff, Planning Commission, and City Council must approve the plat. Once approved, the plat shall be released back to the developer and recorded.
9. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
10. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
11. Any additional revisions to the subdivision must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.
12. An assumption is made that the seasonal high groundwater table (SHGWT) is about elev. 7.10.
13. If groundwater is observed standing in the stormwater facility, the stormwater management plan shall be void and a revised stormwater plan shall be re-submitted for review and approval

14. The design for the each of the lots for allows for a maximum of 3000 sq. ft. of impervious area per the stormwater management plan. **This is very low and shall be noted on the grading and drainage plan (sheet 3 of 9).** If development on any lot exceeds 3000 sq. ft., additional stormwater analysis and facilities shall be required.
15. **Prior to obtaining a building permit,** a copy of the FDEP stormwater approval shall be forwarded to the city engineer's office.
16. **Prior to obtaining a Certificate of Occupancy,** the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

TECHNICAL REVIEW COMMITTEE REPORT

"MADIE COURT SUBDIVISION" A MAJOR DEVELOPMENT (SP-02-41)

TRC Report: April 28, 2003, and amended May 16, 2003, June 17, 2003, and
November 20, 2003

ISSUE:

Applicant: Regional Engineering, Inc., on behalf of George E. Day, Sr., Doris M. Day, and Bud Viking, Ltd., is requesting approval of a Major Development identified as "Madie Court Subdivision."

Request: The proposed development consists of a seven-lot single-family subdivision.

Location: The proposed development is located along Pine Street and Sibert Avenue, more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0310-000D-166A and 00-2S-22-0716-000H-0120. (Exhibit "A" for Location and Zoning Map).

Parcel Size: The combined property contains 1.5 acres, more or less.

Future Land Use: Medium Low Density Residential (MLDR)

Zoning Districts: Residential Urban Duplex (RUD) and Residential Urban Single (RUS)

Density: Allowed: 5.8 dwelling units per acre
Proposed: 4.7 dwelling units per acre

Intensity: Not applicable

Application Date: August 5, 2002

TRC Date: August 21, 2002

Approved Site Plan Date: April 28, 2003

Planning Commission Date: May 15, 2003

City Council Date: June 16, 2003

DISCUSSION/FINDINGS:

Regional Engineering, Inc., on behalf of George E. Day, Sr., Doris M. Day, and Bud Viking, Ltd., is requesting approval of a Major Development identified as "Madie Court Subdivision." The proposed development consists of a seven-lot single-family subdivision. The proposed development is located along Pine Street and Sibert Avenue, more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0310-000D-166A and 00-2S-22-0716-000H-0120. The total site area is 1.5 acres, more or less.

The proposed project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated October 2, 2002.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include a Compatibility review, Concurrency Management review, and a Level of Service review. This project is not located within the Community Redevelopment Agency District

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions.

COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Medium Low Density Residential (MLDR) and a Zoning designation of Residential Urban Duplex (RUD) and Residential Urban Single (RUS). The proposed use is consistent with the MLDR Future Land Use designation and is a permitted principal use within the RUD and RUS zoning districts.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to the complete Compatibility Analysis from the City's Compatibility Consultant; Mr. Les Solin dated October 2, 2002.

DENSITY:

Allowed - 5.8 dwelling units per acre: 5.8 dwelling units x 1.5 acres = 8 lots
Proposed - 4.7 dwelling units per acre: 4.7 dwelling units x 1.5 acres = 7 lots

HEIGHT:

The RUD and RUS Zoning Districts have a maximum building height of 35 feet as stated in the Destin Land Development Code (LDC), Article 7, Section 7.12.02. Note: No structures are proposed as part of this application for development.

FLOOR AREA RATIO:

Not applicable.

RIGHT-OF-WAY DEDICATION:

The right-of-way shall be dedicated as part of this project proposal. The dedication will be identified as part of the platting procedure.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Solid Waste: **X**
Potable Water: **X**
Sanitary Sewer: **X**
Traffic: **X**
Stormwater Management: **X**

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Renaissance Planning Group, Inc., dated August 20, 2002, the proposed development will have no impact to US Hwy 98. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

SUBDIVISION OR PUD - PLAT:

This project is a subdivision and shall require plat approval. The plans provided are for preliminary approval of the subdivision. Once the final plat is technically accepted and approved, action by the Planning Commission and City Council is required.

WHITE SANDS ZONE:

The project property is not located within either White Sand Zone I or II.

PHASING:

Not applicable.

AIRPORT PROTECTION:

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

SETBACKS:

The proposed lots indicate the required setbacks for the RUD and RUS Zoning Districts.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front:	20'	10' FP	N/A (no structures)
Back:	10'	N/A	N/A (no structures)
Sides:	7.5'	N/A	N/A (no structures)
Between Bldgs.:	10'	N/A	N/A (no structures)

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: the standard ten (10) foot front perimeter landscape buffer.

SIGNS:

No sign approval is part of this application. All future signs must comply with the applicable section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated August 19, 2002.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project with conditions in a letter dated August 21, 2002.

1. Move hydrant to inside the new curb
2. Cul-de-sac turnaround is 80' diameter paved surface 100' diameter all weather-driving surface without any mailboxes. This 50' radius complies with the Florida Prevention Code NFPA 1 3-5.2.

GULF POWER:

Gulf Power approved the project in a letter dated August 21, 2002.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated August 21, 2002.

SPRINT:

Sprint approved the project in a letter dated August 15, 2002.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project with conditions in a letter dated December 18, 2002.

1. The tap on the water main on Stahlman Avenue will be a hot tap performed by DWU. A tapping sleeve and saddle must be provided to DWU for this tap.
2. Two of the lots indicate more than one water service. Is this a typo?
3. Please make arrangements with Steve Schmitt to discuss concerns about the proposed gravity sewer, in particular from Manhole 2 to the tie-in at the existing sewer main on Sibert Avenue.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated April 25, 2003, and had the following **stormwater** related conditions and notes:

1. An assumption is made that the seasonal high groundwater table (SHGWT) is about elev. 7.10.
2. If groundwater is observed standing in the stormwater facility, the stormwater management plan shall be void and a revised stormwater plan shall be re-submitted for review and approval.
3. The design for the each of the lots for allows for a maximum of 3000 sq. ft. of impervious area per the stormwater management plan. **This is very low and shall be noted on the grading and drainage plan (sheet 3 of 9).** If development on any lot exceeds 3000 sq. ft., additional stormwater analysis and facilities shall be required.
4. **Prior to obtaining a building permit**, a copy of the FDEP stormwater & NPDES approvals shall be forwarded to the city engineer's office.

5. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

INGRESS/EGRESS:

Each lot within the platted subdivision will have access off of the proposed Madie Court right-of-way, except for the lot fronting off of the current Sibert Avenue right-of-way. All accessways shall meet the requirements set forth within the LDC at time of permitting for the development of each individual single-family lot.

REFUSE COLLECTION:

Refuse collection is to be provided by curbside pick-up for each individual lot.

SIDEWALKS:

A 4' wide sidewalk must be installed along the entire length of all rights-of-way (ROW) that abut the proposed project subdivision and areas affected by the development.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Subdivision Area: 65,340 sq. ft. (1.5 acres, more or less)
 Required 18% Open Space: 11,761 sq. ft.
 Provided Open Space (assuming 3,000 sq. ft. of impervious surface for each lot and proposed impervious surfaces): 33,858 sq. ft. (51.8%)

Tree Requirements:

Tree requirements will be determinant upon the development of each individual lot.

Under the current LDC regulations, the following is an example of the current requirements for proposed Lot 1:

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	0
Credits for Existing Trees (7" to 12" diameter) on Site (0 trees x 3 credits per tree):	0
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" to 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>0</u>
Reforestation Trees (1 per every .10 of an acre: $0.16 \times 10 = 1.6$ or 2) Required on Site:	<u>2</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>2</u>

Note: Per the Land Development Code, credit shall be received on the reforestation requirement of this section by preserving existing trees. Trees required for reforestation are in addition to other required trees within Article 12, Section 12.04.04.C.

Total Reforestation Trees Required for Lot 1:	2
Front Perimeter Trees (1 per 25') Required on Site:	3
Parking Lot Trees (1 per end row and landscape island) Required on Site:	N/A
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	N/A
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site: (Conditional Compatibility Vegetation):	0 N/A
TOTAL TREES REQUIRED:	5
TOTAL TREES PROVIDED:	5

A ten (10) foot Front Perimeter Landscape Area is required along the front property line abutting all rights-of-ways (public or private). The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. **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:

The project meets or exceeds the parking requirements of the Destin Land Development Code as indicated on the approved plans.

Per code:

Dwelling, single-family detached: 2.00 spaces per dwelling unit

Per site plan:

7 proposed single-family detached dwelling units. Each single-family dwelling unit development, at time of permitting, shall provide (indicate) 2 spaces.

TOTAL REQUIRED: 14 parking spaces
TOTAL PROVIDED: 14 parking spaces (2 spaces per dwelling unit)

LOADING SPACE (ZONE):

Not applicable.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A copy of the FDEP stormwater and NPDES approval shall be forwarded to the City Engineer's office.

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees. The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Parks: The park fees were calculated using the “Single-family detached = \$159.99” amount.

Single-family detached:

$$7 \text{ proposed single-family detached lots} \times \$159.99 = \$1,119.93$$

Public Library: The public library fees were calculated using the “Single-family detached = 107.84” amount.

Single-family detached:

$$7 \text{ proposed single-family detached lots} \times \$107.84 = \$754.88$$

Police Protection: The police protection impact fees were calculated using the “Single-family detached = \$20.53.”

Single-family detached:

$$7 \text{ proposed single-family detached lots} \times \$20.53 = \$143.71$$

Road: The road impact fees were calculated using the “Single-family detached = \$471.00.”

Single-family detached:

$$7 \text{ proposed single-family detached lots} \times \$471.00 = \$3,297.00$$

Totals for proposed 7-lot single-family detached dwelling unit subdivision:

Parks:	=	\$1,119.93
Public Library:	=	\$754.88
Police Protection:	=	\$143.71
Roads:	=	\$3,297.00
TOTAL:	=	\$5,315.52

Totals for a proposed single-family detached dwelling unit:

Parks:	=	\$159.99
Public Library:	=	\$107.84
Police Protection:	=	\$20.53
Roads:	=	\$471.00
TOTAL:	=	\$759.36

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (November 20, 2003). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	Paid
City Compatibility Consultant:	Paid
City Surveyor:	Paid
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering Dept.)	Paid
Administrative Costs:	Paid
Planning Commission Advertising:	Paid
City Council Advertising:	Paid
TOTAL (as of 11/20/03) =	\$0.00

COMMENTS/CONDITIONS:

Public Input:

No public comments have been presented to staff at the time of this report.

Per Community Development Department:

1. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
2. **Prior to City Staff approval of the plat**, provide the Community Development Department with a letter from Okaloosa County Emergency Management (911) indicating their approval of the proposed right-of-way name.
3. **Prior to the issuance of any Building Permit for construction**, City Staff, Planning Commission, and City Council must approve the plat. Once approved, the plat shall be released back to the developer and recorded.
4. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
5. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
6. Any additional revisions to the subdivision must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.

