

The City of Destin



4200 Two Trees Road Destin, Florida 32541 (904) 837-4242 FAX (904) 837-3267

April 24, 1997

ORDER # 97-16

Amended Final Development Order: **MAGNOLIA PARK, PUD**

Type of Development:	Major Development
Acres:	9.9 acres, more or less Phase I - 6.04 acres, more or less Phase II - 3.86 acres, more or less
Zoning:	Residential Intensive Apartment (RIA)
Land Use Category:	Medium Density Residential (MDR)
City Council Approval Date:	August 19, 1996
Approved use:	Phase I - 40 single family lots Phase II - 53 townhouse units
Proposed Density:	9.39 units per acre
Owner/Agent:	Shane Cannon
Property Address:	Beach Drive and Bent Arrow
Property Legal Description:	On plat

Determinations:

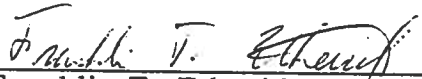
1. The applicant has requested an amendment to the existing final development order (# 96-08) to reflect changes in infrastructure improvements required prior to release of the mylar.
2. A Quasi-Judicial hearing was held by the Destin City Council on August 19, 1996; and,
2. All the findings of the Technical Review Committee report are incorporated herein in addition to the conditions stipulated at the Quasi-Judicial hearing.

Conditions of Approval of the amended final development order for the MAGNOLIA PARK PLANNED UNIT DEVELOPMENT, a Major Development:

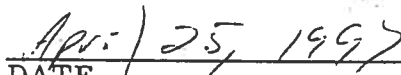
Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Development must commence within twelve months of City Council's original approval on August 19, 1996 (no later than August 18, 1997); and,
2. Final Development Order 96-08, dated August 20, 1996 (exhibit 1) remains the valid development order for Magnolia Park, PUD, except as here modified.

3. The concurrency status of Magnolia Park, PUD, is identified in the attached Technical Review Committee Report dated May 16, 1996 and identified as Exhibit 2 here to; and,
4. The mylar was presented, reviewed and approved by the City of Destin on August 19, 1996. The mylar must be recorded and copies provided to the City prior to the issuance of any building permit. All public infrastructure must be in place, approved and preliminarily accepted by the City of Destin prior to the release of the mylar. Upon preliminary acceptance by the City of Destin the applicant may request the infrastructure bond be reduced to a maintenance bond, reflecting 25% of the cost of infrastructure improvements. A maintenance bond pursuant to the requirements of the land development code shall then be provided for a minimum of 12 months and shall be renewed by the owner or their assigns until the infrastructure has final acceptance by the City Council.
5. Sidewalks not completed prior to the preliminary acceptance of infrastructure by the City of Destin must continue to be bonded at 120% of construction cost and be completed within 18 months of preliminary acceptance of the infrastructure. The City of Destin may use the infrastructure bond to complete any sidewalks not completed prior to October 18, 1998.
6. Exhibit 3 addresses the landscaping requirements for Magnolia Park, as amended on April 23, 1997.
7. All other aspects of the existing Final Development Order remain valid and in effect.



Franklin T. Etheridge, Senior Planner
Acting Planning Director
Community Development Department



DATE

cc: Permit & Inspections Division
City Clerk
Public Works
Applicant

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EXHIBIT 1

The City of Destin



Final

Post Office Box 399 Destin, Florida 32540 (904) 837-4242 FAX (904) 837-3267

ORDER # 96-08

Final Development Order:
MAGNOLIA PARK, PUD

Type of Development:	Major Development
Acres:	9.9 acres, more or less
	Phase I - 6.04 acres, more or less
	Phase II - 3.86 acres, more or less
Zoning:	Residential Intensive Apartment (RIA)
Land Use Category:	Medium Density Residential (MDR)
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	Phase II - 53 townhouse units
Proposed Density:	9.39 units per acre
Owner/Agent:	Shane Cannon
Property Address:	Beach Drive and Bent Arrow
Property Legal Description:	on plat

Determinations:

1. A Quasi-Judicial hearing was held by the Destin City Council on August 19, 1996; and,
2. All the findings of the Technical Review Committee report are incorporated herein in addition to the conditions stipulated at the Quasi-Judicial hearing.

Conditions of Approval for the MAGNOLIA PARK PLANNED UNIT DEVELOPMENT, a Major Development:

curbs, sidewalks), the pilot street tree program shall have been implemented by the owner of the project or his or her assigns. The pilot street tree program shall consist of street trees planted 25 feet on center, both sides of the street for the length of Bent Arrow through the project. This will constitute no less than 60 trees, which shall all be of the same type and installed at 10 feet in height minimum with a single trunk and a minimum of five feet of clear trunk. The street trees will be in addition to any required landscaping and in addition to an entry feature landscaping site at the corner of Beach and Bent Arrow. Owner shall also install a temporary sign which shall state "First Street Tree Project" or other similar language. Owner shall plant the trees in the locations shown on the attached site plan. Owner and or his/her assigns, including a homeowners association, shall be responsible for perpetual maintenance and replacement if any street tree dies. The documents setting forth the maintenance responsibility shall be reviewed and accepted by the city prior to the release of the mylar for recording.

8. Azalea Corridor: Owner shall dedicate on the Magnolia Park Plat a sixty (60) foot right of way for the Azalea Trail comprehensive plan corridor. Bent Arrow shall be designed to intersect with the existing Bent Arrow and Indian Oaks Drive, as shown on the Magnolia Park Plat. The owner shall post a letter of credit, bond or other financial instrument with the City Clerk of the City of Destin concerning the construction of the intersection of new Bent Arrow with old Bent Arrow and Indian Oaks. At the time of the first Certificate of Occupancy and on the one year anniversary of the issuance of the first Certificate of Occupancy thereafter until the time the multifamily units are permitted, a traffic study will be performed by the owner or his/her assigns to determine if, based on FDOT standards, the construction of that intersection is yet warranted. Until such time as it is warranted or until the owner constructs the intersection, the bond or other financial instrument shall be kept in place by the owner, renewing it annually.

When the owner or his/her assigns or heirs is ready to construct the townhouse units on the east end of master plan, they shall confer with the city as to the final the location of the Azalea Trail corridor as it passes through the townhouse project. At that time, the City will also have determined ownership of and the need for a southern extension of Indian Oaks.

9. A neighborhood association is required to exist which will at minimum perform the following tasks: a) maintain the common landscape areas and b) maintain the common drainage retention areas. Prior to the issuance of the first certificate of occupancy, the owner shall provide recorded homeowners association documents which incorporate a) and b).

EXHIBIT 2

AMENDED TECHNICAL REVIEW COMMITTEE REPORT

PLANNING AND ZONING DEPARTMENT
MAGNOLIA PARK, MASTER PLAN
A PLANNED UNIT DEVELOPMENT AND A MAJOR DEVELOPMENT
BEACH DRIVE

MAY 16, 1996

ISSUE

Request approval of MAGNOLIA PARK MASTER PLAN, a Planned Unit Development and a Major Development. The proposed project includes two phases: Phase 1 consists of 37 single family lots; and Phase 2 consists of 53 residential townhome units. The proposed project is generally located off of Beach Drive adjacent to the Destin United Methodist Church. Request is made by Mr. Rick Stokes, Geci and Horne Engineers as agent for SLC Investments, Shane Cannon, owner. The property contains 9.9 acres, more or less.

ZONING/COMPREHENSIVE PLAN

The property is zoned RIA (Residential Intensive Apartment) and the Land Use Category is MU (Mixed Use). This is an allowable land use within the zoning district.

The property located adjacent to the north of the subject parcel consists of residential development. The property located to the south of the subject property consists of Destin United Methodist Church. The property located to the east consists of a residential development. The property located to the west across Beach Drive consists of the First Baptist Church.

Although the project is addressed as an overall development, there are two separate plats representing different phases of the development. Density of these phases is as follows:

	<u>Acres</u>	<u>Units</u>	<u>Units/Acre</u>
Phase I	6.04	37	6.13
Phase II	3.86	53	13.73

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Sanitary Sewer	<u> X </u>	Potable Water	<u> X </u>	Roadways	<u> X </u>
Solid Waste	<u> X </u>	Recreation	<u> X </u>	Drainage	<u> X </u>

WHITE SANDS ZONE

The project lies within:

Zone #1 _____ Zone #2 _____ Neither X

LANDSCAPE

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

263,102 s.f. of property X 18% = 47,358 s.f. required
Site plan provides 59 % = 150,003 s.f. provided

TREES REQUIRED:

Reforestation 60 Perimeter 138 Parking Lot N/A
(10 per acre) (1 per 25') (Islands)

Protected Trees on Site (12" to 23" diameter):	<u>None</u>	} $\sqrt{198}$ 5.4 185 <u>130</u>
Preserved Trees on Site (24" or more diameter):	<u>None</u>	
Credits for Protected/Preserved Trees :	<u>None</u>	
TOTAL TREES REQUIRED :	<u>198</u>	
TOTAL TREES PROVIDED :	<u>198</u>	

PARKING

The project meets or exceeds the parking requirements based on the following standards:

- 2 spaces per lot in Phase 1 - Single Family Homes
- 2.25 spaces per unit in Phase 2 - Townhomes

MYLAR

The mylars are required for the subdivision of property. The mylars must be submitted and approved for each phase.

STREETLIGHTS

Streetlights are required and must be installed as part of the infrastructure. The lighting plan must be submitted for approval to the City Engineer upon final layout.

ENVIRONMENTAL ISSUES

N/A

GENERAL COMMENTS

There have been no objections filed with Staff regarding this project. A DEP permit for stormwater management must be received prior to the issuance of a building permit.

FINDINGS OF FACT
for
MAGNOLIA PARK - PHASE I, A PUD

1. Magnolia Park Phase I is a proposed 37 lot single family residential project. It is joined on the north by single family residences and the Destin United Methodist Church along with vacant land is to the south.
2. The first phase of the project is, by nature, compatible with the adjacent land uses.
3. The site work will be protected from erosion by hay bales or silt fence during construction. All areas disturbed by construction will be seeded and mulched with sodded retention basins.
4. Magnolia Park Phase I will provide for leisure recreation by providing public green space in a park area. Drainage facilities are planned for a 100 year critical storm with no overflow.
5. Phase I of Magnolia Park includes 37 residential lots and is compatible with the adjacent land uses.
6. The primary roads are adequate for the volume of traffic flow that will be generated.
7. Water and sewer is available to the site.
8. The project will provide open space benefits.
9. The PUD will comply with the city of Destin development plan.
10. The project conforms and is compatible with open space and residential requirements.

REPORT & RECOMMENDATION

TO: DESTIN CITY COUNCIL
FROM: KELLY CARPENTER, COMMUNITY DEVELOPMENT DIRECTOR
DATE: NOVEMBER 18, 1996
RE: AMENDMENT TO THE SITE PLAN LAYOUT OF MAGNOLIA PARK

BACKGROUND

Magnolia Park, Planned Unit Development, Master Plan was previously approved by the City Council and a Development Order was issued on September 18, 1996.

The developer has requested a modification from the site plan approved in that the center island with lots has been removed and thus allows for traffic to flow in a linear manner and two cul-de-sacs have been added.

This proposed change has been reviewed and approved by the Technical Review Committee.

RECOMMENDATION

The amended site plan be adopted and the mylar should be approved and the signed by the Mayor.

AMENDED TECHNICAL REVIEW COMMITTEE REPORT

PLANNING AND ZONING DEPARTMENT
MAGNOLIA PARK, MASTER PLAN
A PLANNED UNIT DEVELOPMENT AND A MAJOR DEVELOPMENT
BEACH DRIVE

MAY 16, 1996, AMENDED APRIL 23, 1997

ISSUE

Request approval of MAGNOLIA PARK MASTER PLAN, a Planned Unit Development and a Major Development. The proposed project includes two phases: Phase 1 consists of 37 single family lots; and Phase 2 consists of 53 residential townhome units. The proposed project is generally located off of Beach Drive adjacent to the Destin United Methodist Church. Request is made by Mr. Rick Stokes, Geci and Horne Engineers as agent for SLC Investments, Shane Cannon, owner. The property contains 9.9 acres, more or less.

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Although the project is addressed as an overall development, there are two separate plats representing different phases of the development. Density of these phases is as follows:

	<u>Acres</u>		<u>Units</u>	<u>Units/Acre</u>
Phase I	6.04	37	6.13	
Phase II	3.86	53	13.73	

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Sanitary Sewer	<u>X</u>	Potable Water	<u>X</u>	Roadways	<u>X</u>
Solid Waste	<u>X</u>	Recreation	<u>X</u>	Drainage	<u>X</u>

TRAFFIC ANALYSIS

A traffic analysis was conducted by J.E. Dorman & Associates, Inc., and the report is on file in the Planning and Zoning Department --- 693 trips generated for both Phase I and Phase II.

STORMWATER

The Stormwater Management Plan must be reviewed and approved by the City Engineer for each Phase. A DEP permit for stormwater management is required prior to the issuance of a building permit.

WATER/SEWER

Water and sewer are available through Destin Water Users.

FIRE DEPARTMENT REVIEW

The Fire Department has reviewed and approved Phase I of the Master Plan. Approval letter dated April 25, 1996.

UTILITIES

Underground utilities are required within the development.

INGRESS/EGRESS

Access to the entire development is provided by a 25' entryway off of Beach Drive.

SETBACKS

PHASE I -

	<u>REQUIRED</u>	<u>PROVIDED</u>
FRONT:	20'	20'
SIDES:	5'	5'
REAR:	10'	10'

SIDEWALKS

Sidewalks are required/provided.

SIGNS

No signs have been requested as part of this submittal. All signs must comply with the City's sign regulations.

REFUSE COLLECTION

Refuse collection for Phase I will be provided by curbside pickup.

WHITE SANDS ZONE

The project lies within:

Zone #1 _____ Zone #2 _____ Neither X

LANDSCAPE

***** (See Attached Amended Landscaping Requirement Sheets) *****
The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

263,102 s.f. of property X 18% = 47,358 s.f. required
Site plan provides 59 % = 150,003 s.f. provided

TREES REQUIRED:

Reforestation 60 Perimeter 138 Parking Lot N/A
(10 per acre) (1 per 25') (Islands)

Protected Trees on Site (12" to 23" diameter): None
Preserved Trees on Site (24" or more diameter): None
Credits for Protected/Preserved Trees : None
TOTAL TREES REQUIRED : 198
TOTAL TREES PROVIDED : 198 - 27 =

PARKING

The project meets or exceeds the parking requirements based on the following standards:

- 2 spaces per lot in Phase 1 - Single Family Homes
- 2.25 spaces per unit in Phase 2 - Townhomes

MYLAR

The mylars are required for the subdivision of property. The mylars must be submitted and approved for each phase.

STREETLIGHTS

Streetlights are required and must be installed as part of the infrastructure. The lighting plan must be submitted for approval to the City Engineer upon final layout.

ENVIRONMENTAL ISSUES

N/A

GENERAL COMMENTS

There have been no objections filed with Staff regarding this project. A DEP permit for stormwater management must be received prior to the issuance of a building permit.

FINDINGS OF FACT

The developer has submitted a proposed "Findings of Fact" in support of the request to develop this Planned Unit Development. Staff has no objections to their stated facts and these are included as a part of the TRC Report.

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**FINDINGS OF FACT
for
MAGNOLIA PARK - PHASE I, A PUD**

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3. The site work will be protected from erosion by hay bales or silt fence during construction. All areas disturbed by construction will be seeded and mulched with sodded retention basins.
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FINDINGS OF FACT FOR LANDSCAPING REQUIREMENTS
for
MAGNOLIA PARK - PHASE I, A PUD
April 23, 1997

LANDSCAPE

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

Phase I

263,102 s.f. of property X 18%	=	<u>47,358</u> s.f. required
Site plan provides <u>59</u> %	=	<u>150,003</u> s.f. provided

Phase II

168,142 s.f. of property X 18%	=	30,265 s.f. required
Site plan provides - Will be determined at Staff review of Phase II		

Project Total (Phase 1 & 2)

431,244 s.f. of property X 18%	=	77,624 s.f. required
Site plan provides - Final determination will be made when staff reviews Phase II		

TREES REQUIRED:

Reforestation <u>99</u> (10 per acre)	Perimeter <u>102</u> (1 per 25')	Parking Lot <u>N/A</u> (Islands)
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Pilot Street Tree Program (Per Development Order)	<u>60</u>
Protected Trees on Site (12" to 23" diameter):	<u>28</u>
Preserved Trees on Site (24" or more diameter):	<u>None</u>
Credits for Protected/Preserved Trees :	<u>112</u>
TOTAL TREES REQUIRED :	<u>261</u>
TOTAL TREES PROVIDED :	<u>261</u>

The Applicant will preserve 28 trees, located in Phase I, with a minimum DBH of 12 inches which will provide credit for 112 of the required trees. There will be a minimum of 135, real, trees in Phase I. This will include 28 existing trees, 65 trees in support of the pilot street tree program and landscaping requirement, and an additional tree for each of the 41 lots in Phase I. The Pilot Tree Street Program will be completed within 5 years. Any of the Pilot Tree Street Program trees identified on the attached landscape plan will be planted by the 58 month; any unbuilt lot will have its tree requirement installed by the homeowners association.

A minimum of 48 trees will be planted in Phase 2.

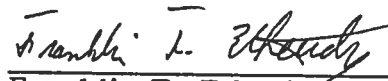
If any of the 28 preserved trees on Phase 1 are damaged or killed during development they will have to be replaced by 4 new trees and will be planted in Phase 2. These preserved trees will be clearly identified with surveyors tape and be roped off to prevent disturbance during construction of the infrastructure and single

SLP
FTI

family homes.


The applicant has planted 2 Live Oak, 6 Wax Mrytles, and 3 Southern Magnolia in the western common area which count towards the Pilot Tree Street Program. Each homeowner will be responsible for planting one tree, type specified on the landscape plan, along the property frontage and one additional tree. Lots 7, 13, 14, and 21, Block B, will be required to plant two specified trees in thier property frontage and one additional tree on the property. The attached Landscaping plan for Phase 1 contains the total requirements for trees which will be planted in Phase 1.

Any proposed changes to the landscape plan and this docuement must be agrred to by the City and the developer prior to any change being made.



Franklin T. Etheridge, Senior Planner
Community Development Department

April 23, 1997
DATE



Shane L. Cannon, President
SLC Investments, INC.

April 23, 1997
DATE



Robert J. Lewanda, Landscapper
Robert Lewanda Landscaping and Irrigation, INC.

DATE April 23, 1997