



August 27, 1999

ORDER #99-35

Final Development Order:

**"MARBELLA –
A MIXED USE CONDOMINIUM
WITH A RESIDENTIAL MARINA: ”
A MAJOR DEVELOPMENT
(SP-99-29)**

Based upon the City Council's approval of this Development Order, on July 12, 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 Community Development Director:

BACKGROUND / ISSUE:

- Applicant:** Ms. Delys Dearmon, as agent
Harbor Escape Development, L.C., Owner
- Location:** The proposed project is located directly west of Sandpiper Cove, on the south side of US Hwy 98.
- Request:** Request Approval of a Plat and Major Development identified as "Marbella – a mixed use condominium with a residential marina and three (3) clubhouses-noncommercial."
- Parcel Size:** The property contains approximately 8.98 acres.
- Land Use:** MU (Mix Use)
- Zoning District:** RIA (Residential Intensive Apartment)
- Density:** 60 short-term units (120 lodging units-l.u.) & 66 multi-family dwelling units (dwelling units d.u.)
8.98 acres x 19.9 = 178 dwelling units
178 d.u. – 66 d.u. = 112 d.u. remaining
112 d.u. x 1.5 (the multiplier for 19.9 d.u. and 30 l.u.) = 168 l.u.
168 l.u. – 120 l.u. = 48 l.u. remaining
- Intensity:** 0.835 Floor Area Ratio
- Application Date:** May 3, 1999
- TRC Date:** May 19, 1999
- Approved Site Plan Date:** June 4, 1999 with conditions (amended July 1, 1999)
- Planning Commission Date:** June 23, 1999
- City Council Date:** July 12, 1999 with conditions

DETERMINATIONS:

1. A hearing was held by the Destin City Council on July 12, 1999, and approved the development by a vote of 7-0 with conditions; and
2. The Planning Commission considered the proposal on June 23, 1999, and recommended the City Council approve the proposed project as presented by staff. The motion passed by a vote of 5-0. Mr. Clauson, Mr. Breithaupt, Mr. Link, Ms. Drowne, and Mr. Kroger voted for the motion; Mr. Morgan was absent.
3. All the findings of the Technical Review Committee report dated June 23, 1999 amended July 1, 1999, are incorporated herein.

CONDITIONS OF APPROVAL FOR "MARBELLA – A MIXED USE CONDOMINIUM WITH A RESIDENTIAL MARINA: "A MAJOR DEVELOPMENT (SP-99-29)

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 August 27, 1999 (no later than August 27, 2000) and must be completed as approved with conditions by City Council and documented within this Development Order.

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 "Marbella" fully complies with the requirements of Condition Number 1 above, the concurrency status "Marbella" is protected (for five years) through July 12, 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. "Marbella" 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 and grubbing.
 - E. Paving, grading, drainage, sidewalks.
 - F. Signage.
 - G. Installation of utilities.
 - H. Construction trailers.

4. **City Council conditions of approval:** The following items must be included on a revised site plan and approved by the Community Development Director prior to the issuance of a building permit:
 - a. Provide a right turn lane for the east entrance.
 - b. Provide a 6' wide public pedestrian easement along the entire eastern boundary.
 - c. Provide an appropriate recorded document to ensure that no additional residential units or lodging units will be added to the property, this must run with the land.
 - d. Approval of the project is subject to City Council's acceptance of the traffic concurrency mitigation plan.
 - e. The traffic concurrency mitigation plan shall be designed, funded, installed, and constructed by the developer.
 - f. No certificate of occupancies may be issued until condition (e) above has been inspected and approved by the City Engineer. Construction of all traffic concurrency mitigation factors must be completed prior to issuance of a Certificate of Occupancy.
 - g. That no commercial activities may be conducted within any of the three "private club houses", nor elsewhere on the site. All three buildings must reflect the language "private club house."
 - h. The City Surveyor and City Council must approve and sign the condominium plat prior to the issuance of a building permit.
 - i. An acceptable outdoor lighting plan must be provided prior to the issuance of a building permit.
 - j. The residential marina shall not contain more than 60 residential slips (unless approved otherwise by City Council) and must receive approvals from the Harbor Board, DEP (or any other state agencies), and then City Council, before building permits will be issued for the marina.
 - k. Site table and parking table within the site plan must be amended; reference to commercial uses shall be removed from the site plan and submitted for review by staff; and complete floor plans for all buildings shall be submitted and approved by staff, prior to issuance of a building permit.
 - l. Applicant shall amend the site plan, to address all conditions of approval, prior to issuance of a building permit.
5. **Prior to the issuance of a building permit,** a revised site plan indicating all conditions of approval by City Council, six (6) signed and sealed copies, must be submitted and approved by the Community Development Director.
6. **Prior to the issuance of a clearing permit,** a copy of the approved site plan must be submitted indicating what is to be cleared from the subject property and must be approved by the Community Development Department.
7. **Prior to the issuance of a building permit,** an outdoor lighting plan must be submitted to and approved by the Community Development Department.
8. **Prior to the issuance of a certificate of occupancy,** the required five-foot (5') wide sidewalk adjacent to the northern boundary line of the subject site, fronting on Hwy 98, must be installed.
9. **Prior to the issuance of a certificate of occupancy,** the required landscaping must be inspected and approved by the Community Development Department.
10. **Prior to the issuance of a certificate of occupancy,** the traffic concurrency mitigation plan must be completed by the owner or others.

11. Requirements identified by the Technical Review Committee:

TECHNICAL REVIEW COMMITTEE REPORT

**“MARBELLA – THE LIGHT ON THE DESTIN HARBOR:
A MIXED-USE CONDOMINIUM WITH A RESIDENTIAL MARINA”
A MAJOR DEVELOPMENT
(SP#99-29)**

TRC Report: June 23, 1999 amended July 1, 1999

ISSUE

Applicant: Ms. Delys Dearmon, as agent
Harbor Escape Development, L.C., Owner

Location: The proposed project is located directly west of Sandpiper Cove, on the south side of US Hwy 98.

Request: Request Approval of a Plat and Major Development identified as “Marbella – a mixed-use condominium with a residential marina and three (3) clubhouses-noncommercial.”

Parcel Size: The property contains approximately 8.98 acres.

Land Use: MU (Mix Use)

Zoning District: RIA (Residential Intensive Apartment)

Density: 60 short-term units (120 lodging units-l.u.) & 66 multi-family dwelling units (dwelling units d.u.)
8.98 acres x 19.9 = 178 dwelling units
178 d.u. – 66 d.u. = 112 d.u. remaining
112 d.u. x 1.5 (the multiplier for 19.9 d.u. and 30 l.u.) = 168 l.u.
168 l.u. – 120 l.u. = 48 l.u. remaining

Intensity: 0.835 Floor Area Ratio

Application Date: May 3, 1999

TRC Date: May 19, 1999

Approved Site Plan Date: June 4, 1999 with conditions (amended July 1, 1999)

Planning Commission Date: June 23, 1999

DISCUSSION/FINDINGS:

Ms. Delys Dearmon, as agent for Harbor Escape Development, L.C., owner, requests approval of a Major Development identified as “Marbella – the light on the Destin Harbor: a mixed-use condominium with a residential marina and three (3) clubhouses-noncommercial.” The applicant proposes to develop a mixed-use project consisting of four (4) phases, generally located on the Harbor and Hwy 98, directly adjacent to the west of Sandpiper Cove. **Phase I** – 36 multi-family dwelling units within six (6) buildings at three (3) stories each. **Phase II** – 60 slip, residential marina (non-rental). **Phase III** – 60 short-term units, equaling a total of 120 lodging units (40 – 2 bedrooms, 10 – 3 bedrooms, and 10 – 1 bedrooms) within a single condominium, three (3) stories staggered to seven (7) stories with an attic. **Phase IV** – 30 multi-family dwelling units within five (5) buildings at three (3) stories each. All Phases contain underground parking garages and at-grade parking lots.

The subject property is zoned RIA with a Future Land Use Category of MU, and the site contains approximately 8.98 acres.

Staff has determined that the proposed use is compatible with the surrounding area. In addition, the review conducted by the City's traffic consultant shows the proposed development will affect Segment "A" of Hwy 98; however, due to the traffic concurrency mitigation plan to be provided by the applicant, the consultant has verified that capacity exists for this project. Furthermore, the trips generated by the traffic concurrency mitigation plan will improve the LOS for the road system. The report has been reviewed and approved for concurrency purposes by the City's traffic consultant on July 8, 1999.

The Technical Review Committee reviewed the project on May 19, 1999, and approved the project with specific conditions and changes.

ZONING/COMPREHENSIVE PLAN

The property is zoned RIA (Residential Intensive Apartment) and the Future Land Use Category is MU (Mix Use). The proposed uses, residential condominium and residential marina, are permitted principal uses within the RIA district and MU Land Use Category. **Note: The residential marina is being reviewed for only use and maximum number of slips. The configuration, design, and total number of slips will be determined by DEP and the Harbor Board.**

COMPATIBILITY

The uses surrounding this project are:

- North: commercial
- South: Harbor and Dolphin Point
- East: Sandpiper Cove
- West: single-family

The project, as required by the Comprehensive Plan and Land Development Code, has undergone a compatibility review and meets the minimum code requirements. The General Compatibility Checklist, the applicant's compatibility responses, and the following items were included in the compatibility review.

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

The proposed use and activities of a mixed-use residential condominium (with no retail, restaurant, or other commercial activity) are permitted uses in the MU Future Land Use Category and the RIA Zoning District. The proposed project consists of a total of 120 lodging units and 66 multi-family dwelling units. This equates to a total of 128 front doors. **No commercial activities shall be conducted on site.** The Mixed Use Land Use Category allows for both dwelling units as well as lodging units.

The site currently has a single-family residence on the western portion of the site, while the remaining portion of the site is vacant. The property is located outside of the Community Redevelopment Area, however, it is located within the study boundaries of the Harbor Task Force.

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

The proposed structures are intended to create a varied skyline on the site, with staggered rooflines, building separations, and detached structures ranging from three (3) stories on the eastern and western boundaries graduating to seven (7) stories in the center of the site. The proposed sizes, dimensions, and locations are consistent with the Land Development Code. The floor area ratio is required to be limited to a maximum of 1.07. This proposal does not exceed the maximum FAR of 1.07. The front half of the seven (7) story lodging unit building (at the center of the site) will stop at three (3) stories. The remaining back half of the building continues to seven (7) stories. A private clubhouse will be located behind this structure and two others in front of this structure. The total height of the seven (7) story building is proposed to be approximately 80 feet. Finally, the combination of all of the proposed buildings' heights, in relation to each other and the abutting buildings within the immediate area, is not out-of-place, due to the staggering from seven (7) stories in the center to three (3) stories along both abutting property lines. At seven (7) stories (80 feet +/-), the proposed structure, with a step down to three (3) stories (40' +/-), works well with the concepts being discussed by the Harbor Task Force. The two (2) stand-alone buildings at the front of site will be common area buildings for residential gatherings, meetings, etc...

As for the residential marina, this structure is, as previously stated, an allowed use within the RIA zoning and the MU Future Land Use category. The project review for this marina is for use only (restricted to residential) and the maximum number of slips (60). The number of requested slips are less than the allowed number of slips, by the Land Development Code. [One (1) slip is allowed for each eight (8) liner feet along the harbor, which equates to 100 slips ($806' / 8 = 100.75$ or 100)] Furthermore, the configuration, design, and number of slips (not to exceed 60) will be determined by DEP and the Harbor Board.

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

The applicant will be removing the only existing driveway for this site on Hwy 98, and will be providing a total of three (3) driveway connections onto Hwy 98. The primary ingress and egress will be provided at the center of the site, while an additional ingress/egress drive will be added near the northeastern corner of the site. The third access is proposed as a service access only, which will be located near the northwestern corner of the site.

The main entry will be accompanied by a deceleration turn lane into the site. A portion of this new turn lane is proposed on the subject site. The City Engineer may require that the land used for the turn lane, which lies upon the subject site, be dedicated to the City as right-of-way.

The applicant is also proposing a traffic light, to be provided by the applicant at the main entrance of the site on Highway 98. This new traffic light will have to receive FDOT approval prior to the construction of the light. Staff has concerns that this proposed light may be located too close to the existing Main Street and Hwy 98 traffic light.

Parking on the site is provided predominately underground, by both single and double parking levels under all structures. Only a fraction of the required parking spaces will be located at-grade parking. Public parking will be provided at-grade as well as under Phase III and IV. Note: all parking garages must meet the definitions of a "basement" by SBC definitions, in order to not require additional setbacks.

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

Hall Planning & Engineering, Inc., conducted a traffic analysis for the applicant, dated June 22, 1999. According to the review conducted by the City's traffic consultant, the proposed development will substantially affect Segment "A" of Hwy 98; however, the applicant has proposed a traffic concurrency mitigation plan. The City's traffic consultant has verified that the proposed mitigation is acceptable and will provide additional capacity onto Segment "A" of Hwy 98. Furthermore, the trips generated by the mitigation of improving the intersection of Benning Drive and Hwy 98, as well as adjusting the signalization on the Segment, will generate an additional 143 PM/PK hour directional trips for Segment "A". **Therefore, with the acceptance and the installation of the traffic concurrency mitigation plan (installed by the applicant), the proposed project will not lower the LOS for the road system.** The report has been reviewed and approved for concurrency purposes by the City's traffic consultant. **According to the City's consultant, this project (with no commercial activities) will generate ten (10) new PM/PK HR directional trips (due to the internal pedestrian movement and water taxi) that will affect Segment "A", will provide 143 PM/PK hour directional trips to the capacity of Segment "A" (by installing the mitigation plan), and will in turn leave 138 PM/PK HR directional trips on Segment "A" for future projects. Currently, Segment "A" has five (5) PM/PK HR directional trips available for future projects. Failure to approve the proposed traffic concurrency mitigation plan, will result in a denial of the entire project due to the fact that concurrency would not be satisfied in accordance with the City's Land Development Code or Comprehensive Plan.**

The uses of residential (long term and short term) will not negatively effect the hours of operation, noise levels, and outdoor lighting, on surrounding properties, and it is not anticipated that the proposed uses will operate differently than the similar residential uses within the area.

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

Staff has evaluated whether the proposed marina would generate safety concerns within the Harbor. It appears the placement of the slips will not cause any safety concerns provided the slips do not encroach into the channel. The location will be determined at a later date and review by the Department of Environmental Protection (DEP), the Harbor Board, and the City Council.

E) Alteration of light and air;

The proposed buildings provide a varied roofline, and in-turn, a varied skyline within itself and within the site as a whole. The City currently does not require a specific test for shadowing and lighting. An outdoor lighting plan will be provided prior to the issuance of a building permit, however, it is anticipated that, due to the architectural design, separation, proposed vegetation, and existing vegetation which will remain on site, no negative effects to light or air will be created by this project.

F) Setbacks and buffers.

The proposed buffers exceed the buffers required by the City's Land Development Code and Comprehensive Plan. Furthermore, the applicant is proposing to maintain a large section of existing vegetation between Phase I and Phase II, as well as along the lower edge of the bluff between Phase III and Phase IV.

The location of the buildings and the increased landscape areas minimize the impact of the structures on the surrounding parcels. The project will also have more than the percentage of open space required by the LDC.

DENSITY

The proposed project will contain 120 lodging units = 40 – 2 bedrooms, 10 – 3 bedrooms, and 10 – 1 bedrooms; and 66 dwelling units. This equates to 126 front doors. The allowable density per the Comprehensive Plan is as follows:

8.98 acres x 19.9 = 178 dwelling units
178 d.u. – 66 d.u. = 112 d.u. remaining
112 d.u. x 1.5 (the multiplier for 19.9 d.u. and 30 l.u.) = 168 l.u.
168 l.u. - 120 l.u. = 48 l.u. remaining

This project is consistent with the density requirements set forth by the Comprehensive Plan and the bulk regulations of the Land Development Code.

HEIGHT

The proposed structures are intended to create a varied skyline on the site, with staggered rooflines, building separations, and detached structures ranging from three (3) stories on the eastern and western boundaries graduating to seven (7) stories in the center of the site. The proposed sizes, dimensions, and locations are consistent with the Land Development Code. The floor area ratio is required to be limited to a maximum of 1.07. This proposal does not exceed the maximum FAR of 1.07. The front half of the seven (7) story lodging unit building (at the center of the site) will stop at three (3) stories. The remaining back half of the building continues to seven (7) stories. A private clubhouse will be located behind this structure and two clubhouses in front of this structure. The total height of the seven (7) story building is proposed to be approximately 80 feet. Finally, the combination of all of the proposed buildings heights, in relation to each other and the abutting buildings within the immediate area is not out-of-place, due to the staggering from seven (7) stories in the center to three (3) stories along both abutting property lines. At seven (7) stories (80 feet +/-), the proposed structure, with a step down to three (3) stories (40 feet +/-), works well with the concepts being discussed by the Harbor Task Force. The proposed heights are allowed within the RIA zoning district.

FLOOR AREA RATIO

Maximum FAR is 1.07. This proposal has the FAR of 0.835.

RIGHT-OF-WAY DEDICATION

Right-of-way dedication may be required for the portion of property which is planned for both the required sidewalk and the deceleration right-turn lane. This requirement will be determined by the City Engineer prior to the City Council meeting.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

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

TRAFFIC ANALYSIS

Hall Planning & Engineering, Inc., conducted a traffic analysis for the applicant, dated June 22, 1999. According to the review conducted by the City’s traffic consultant, the proposed development will substantially affect Segment “A” of Hwy 98; however, the applicant has proposed a traffic concurrency mitigation plan. The City’s traffic consultant has verified that the proposed mitigation is acceptable and will provide additional capacity onto Segment “A” of Hwy 98. Furthermore, the trips generated by the mitigation of improving the intersection of Benning Drive and Hwy 98, as well as adjusting the signalization on the Segment, will generate an additional 143 PM/PK hour directional trips for Segment “A”. **Therefore, with the acceptance and the installation of the traffic concurrency mitigation plan (installed by the applicant), the proposed project will not lower the LOS for the road system.** The report has been reviewed and approved for concurrency purposes by the City’s traffic consultant. **According to the City’s consultant, this project (with no commercial activities) will generate ten (10) new PM/PK HR djrectional trips (due to the internal pedestrian movement and water taxi) that will affect Segment “A”, will provide 143 PM/PK hour directional trips to the capacity of Segment “A” (by installing the mitigation plan), and will in turn leave 138 PM/PK HR directional trips on Segment “A” for future projects. Currently, Segment “A” has five (5) PM/PK HR directional trips available for future projects. Failure to approve the proposed traffic concurrency mitigation plan, will result in a denial of the entire project due to the fact that concurrency would not be satisfied in accordance with the City’s Land Development Code or Comprehensive Plan.**

Furthermore, it is important to note that the ten (10) new PM/PK HR directional trips generated by this project takes into account of a 30% internal capture rate, due to the services of the provided water taxi and the pedestrian paths.

SUBDIVISION OR PUD - PLAT

A Condominium Plat is required for this project. The submitted plat has been forwarded to the City Surveyor, who has approved the Plat. The City Surveyor and City Council must approve the plat prior to the issuance of a building permit.

AIRPORT PROTECTION

The subject site is not located within the airport protection area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from FAA for temporary encroachment into this restrictive area and a copy of completed FAA Form 7460, must be place on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

SETBACKS

<u>Project</u>	<u>Required</u>	<u>Provided</u>	<u>Buffers</u>
Front (Hwy 98):	10'	40'	10' FPLA
Rear (Harbor):	0'	21'	n/a
Side (west):	15'	37.8'	10' Vegetative Buffer-100% opacity and six feet tall at planting or 6' tall fence and one tree per 25 linear feet.
Side (east):	15'	15'	5' Common Boundary- 50% opacity and six feet tall within three years.

NOTE: The 5' common boundary, front perimeter boundary, parking islands, and reforestation must comply with the requirements the LDC.

WHITE SANDS ZONE

The project is located within White Sand Zone I. All fill material and exposed material shall conform to the White Sand Zone Ordinance.

SIGNS

No signage is requested for approval at this time. All proposed signage will be required to meet the requirements of Appendix A of the LDC.

WATER/SEWER

Destin Water Users Inc., approved the project in a letter dated June 21, 1999.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project, with five (5) conditions, in a letter dated May 19, 1999.

OKALOOSA GAS

Okaloosa Gas approved the project at the May 19, 1999, TRC meeting.

UNIVERSAL COM

Universal Com approved the project at the May 19, 1999, TRC meeting.

SPRINT

Sprint approved the project at the May 19, 1999, TRC meeting.

UTILITIES

Underground utilities are required.

STORMWATER

The City Engineer has not approved the stormwater plan in accordance with the memorandum dated June 22, 1999, with 15 comments. No updated memorandum has been received. This memo is on file with the Community Development Department.

INGRESS/EGRESS

The applicant will be removing the only existing driveway for this site on Hwy 98, and will be providing a total of three (3) driveway connections onto Hwy 98. The primary ingress and egress will be provided at the center of the site, while an additional ingress/egress drive will be added near the northeastern corner of the site. The third access is proposed as a service access only, which will be located near the northwestern corner of the site.

The main entry will be accompanied by a deceleration turn lane into the site. A portion of this new turn lane is proposed on the subject site. The City Engineer may require the land used for the turn lane, which lies upon the subject site, to be dedicated to the City as right-of-way.

SIDEWALKS

A five (5) ft. wide sidewalk is required along Hwy 98 and must be repaired, bonded, or built prior to the issuance of a certificate of occupancy. If any existing sidewalks are destroyed or damaged during construction, they must be repaired or replaced by the developer. All proposed internal pathways and pedestrian connections must be maintained on site.

REFUSE COLLECTION

Trash collection is provided by dumpster service. The dumpster location is shown on the site plan, and is indicated to be screened by either a six (6) foot privacy fence or vegetation, on three sides, and a gate on the front.

LANDSCAPE

This project meets the landscape requirements as follows:

OPEN SPACE: 391,174 sq.ft. x 18% plus 171 sq.ft. per 2,500 sq.ft. of parking garage

REQUIRED = 82,600 sq.ft.
PROVIDED = 177,678 sq.ft.

TREES REQUIRED:

Reforestation: 90 Perimeter: 37 Parking Lot: 10
Buffers: 13 (west) Replacement of protected trees: 0

Protected Trees on Site (12" to 23" diameter): 13
Preserved Trees on Site (24" or more diameter): 0
Reforestation Credit for saved trees: 36

TOTAL TREES REQUIRED: 105
TOTAL TREES PROVIDED: 242

NOTE: all required trees must be 6' tall at planting, and reach a 20' crown at maturity.

PARKING

Parking for the project is based on the following calculations:

Per code:

Multi-family dwelling: 2.25 spaces per unit (front door)
Lodging/Resort dwelling: 1.75 space per unit (front door)

Per site plan:

66 Multi-family: = 149 spaces
60 Lodging units: = 105 spaces
Total = 254 spaces

TOTAL REQUIRED = 254 spaces
TOTAL PROVIDED = 431 spaces

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. An FDOT Permit is required and must be submitted prior to the issuance of a building permit.
2. FDEP Permits are required and must be submitted prior to the issuance of a building permit.

COMMENTS

There have been no comments of support or opposition filed with staff regarding this project. However, there were approximately two persons who opposed the project during the Planning Commission meeting.

CONDITIONS

Per Community Development:

1. Approval of the project is subject to City Council's acceptance of the traffic concurrency mitigation plan.
2. The traffic concurrency mitigation plan shall be designed, funded, installed, and constructed by the developer.
3. No certificate of occupancies may be issued until condition number 2 above has been approved by the City Engineer. Construction of all traffic concurrency mitigation factors must be completed prior to issuance of a Certificate of Occupancy.
4. That no commercial activities may be conducted within any of the three "private club houses", nor elsewhere on the site.
5. The City Surveyor and City Council must approve and sign the condominium plat prior to the issuance of a building permit.
6. An acceptable outdoor lighting plan must be provided prior to the issuance of a building permit.
7. The residential marina shall not contain more than 60 residential slips (unless approved otherwise by City Council) and must receive approvals from the Harbor Board, DEP (or any other state agencies), and then City Council, before building permits will be issued for the marina.
8. Site table and parking table within the site plan must be amended; reference to commercial uses shall be removed from the site plan and submitted for review by staff; and complete floor plans for all buildings shall be submitted and approved by staff, prior to issuance of a building permit.
9. Applicant shall amend the site plan, to address all conditions of approval, prior to issuance of a building permit.

Per City Engineer:

1. See letter dated June 23, 1999.

