



# City of Destin

July 22, 2002

Order No. 02-35

3<sup>rd</sup> Amended Final Development Order:

**“MARBELLA, 3<sup>rd</sup> AMENDMENT”:**  
**A MAJOR DEVIATION TO A PREVIOUSLY APPROVED**  
**MAJOR DEVELOPMENT**  
**(SP-02-20)**

Based upon the City Council's approval of this Development Order, on July 15, 2002, and on the subsequent correction to the Technical Review Committee (TRC) Report by staff, this document will serve as your Final Development Order, to include all of the provisions of the attached TRC and with the following conditions, as specified by the City Council:

#### BACKGROUND / ISSUE:

- Applicant:** Campbell Engineering, Inc., on behalf of Oak Harbor Development, L.L.C.
- Location:** The proposed project is generally located directly west of Sandpiper Cove along the north side of the Destin Harbor, more specifically known as Property Appraiser's parcel I.D.'s. 00-2S-22-0701-000N-0010, 00-2S-22-0701-000M-0110, and 00-2S-22-0701-000M-0090.
- Request:** Approval of a Major Deviation to a previously approved Major Development identified as “Marbella, 3<sup>rd</sup> Amendment.” The proposed amended project mainly consists of the following:  
1. Phasing has changed (previous Phase III is now Phase I and vice versa); 2. Number of stories has increased to nine (9) for the new proposed Phase I; portions of the site were reconfigured to preserve more vegetation along U.S. Highway 98 East.
- Parcel Size:** The property contains 8.98 acres more or less.
- Future Land Use:** Mixed Use (MU)
- Zoning District:** Residential Intensive Apartment (RIA)
- Density:** Allowed: 19.9 Dwelling Units per Acre  
Proposed: 14.0 Dwelling Units per Acre
- Intensity:** Allowed: 1.07 Floor Area Ratio (FAR)  
Proposed: 0.823 FAR (per Code Definition: 0.55 FAR)
- 3<sup>rd</sup> Amendment Application Date:** April 1, 2002
- 3<sup>rd</sup> Amendment TRC Date:** February 20, 2002
- 3<sup>rd</sup> Amendment Approved Site Plan Date:** June 14, 2002
- 3<sup>rd</sup> Amendment Planning Commission Date:** June 20, 2002
- 3<sup>rd</sup> Amendment City Council Date:** July 15, 2002

#### DETERMINATIONS:

1. All of the findings of the Final Development Order No. 99-35 are incorporated herein; and
2. This 3<sup>rd</sup> Amended Development Order does not extend the overall concurrency status determined by the Original Development Order (No. 99-35); and

3. All the findings of the Technical Review Committee report dated June 23, 1999, amended July 1, 1999, amended on June 14, 2002, and amended on July 8, 2002 are incorporated herein.

**CONDITIONS OF APPROVAL FOR "MARBELLA, 3<sup>rd</sup> AMENDMENT:" A MAJOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-02-20):**

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

Construction must commence within twelve (12) months of approval of the 3rd Amended Final Development Order on July 15, 2002 (no later than July 15, 2003), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated June 14, 2002).

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

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

2. If the applicant fully complies with the requirements of Condition Number 1 above, the concurrency status for "Marbella, 3<sup>rd</sup> Amendment" is protected 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 Amended 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. 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. All conditions identified within Final Development Order No. 99-35 are in affect, unless otherwise deleted or amended by the terms of approval of this application. Staff recommends condition "4h" be amended to reflect a required Condominium Declaration and "4k" be deleted due to the fact parking has been revised as part of this amendment.
5. **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.**

6. **Prior to obtaining any City Permits**, provide Florida Department of Environmental Protection (FDEP) stormwater (revised), joint COE/FDEP dredge and fill, Destin Harbor Board approvals (permits appropriate for requested phase).
7. **Prior to obtaining any City Permits**, submit the condo documents for review and approval by the City's Land Use Attorney.
8. **Prior to obtaining any City Permits**, provide Florida Department of Transportation approval and approved drawings.
9. **Prior to the issuance of a Clearing/Grading Permit**, a clearing/grading plan must be submitted and approved by the Community Development Department.
10. **Prior to the issuance of a Building Permit**, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).
11. **Prior to the issuance of any Certificate of Occupancy**, all applicable impact fees must be paid.
12. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
13. **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).”
14. Any additional revisions to the site plan 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 of the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].
15. The project is in the White Sand Zone ~~X~~<sup>I</sup>. Any red clay or other staining material uncovered during demolition must be removed from the site within 92 hours of uncovering (Ordinance 029.2). Prior to importing any fill material onto the site, provide a sample of the fill to the City of Destin Environmental Officer for approval for White Sand Zone ~~X~~<sup>I</sup> use.
16. The loading spaces required a 15' vertical clearance. Coordinate with Architect on the minimum vertical height of the Porte-Cochere.
17. No lane closure shall be allowed on arterial or collector roadways between 6 AM to 8 AM or between 4 PM and 6 PM. No lanes shall be closed from 12-noon forward on Friday afternoons. No daylight hour's lane closures (except emergencies) between 6 AM and 6 PM from Memorial Day through Labor Day for the tourist season. **Notify the Engineering Department at Destin City Hall (837-4242) 24 hours in advance of any lane closure.**

18. Entire overlapping drainage areas must be constructed in conjunction with each building phase.
19. If groundwater is observed standing in stormwater structure, the Stormwater Management Plan shall be void and require a Stormwater Management Plan to be reviewed and approved.
20. Cross-section of landscaping over parking. These areas shall be considered roof top planters and must be counted as impervious areas.
21. The minimum acceptable scale of drawings per the Destin LDC is 1" = 20'. The City reserves the option to require the minimum acceptable scale of drawings. Upon request the applicant shall provide the mentioned drawings within (5) five working days. Any code violations found during construction shall be required to come into compliance with the Destin LDC.

## TECHNICAL REVIEW COMMITTEE REPORT

### "MARBELLA, 3<sup>rd</sup> AMENDMENT": A MAJOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-02-20)

TRC Report: June 14, 2002, and amended July 8, 2002

#### ISSUE:

- Applicant:** Campbell Engineering, Inc., on behalf of Oak Harbor Development, L.L.C.
- Location:** The proposed project is generally located directly west of Sandpiper Cove along the north side of the Destin Harbor, more specifically known as Property Appraiser's parcel I.D.'s. 00-2S-22-0701-000N-0010, 00-2S-22-0701-000M-0110, and 00-2S-22-0701-000M-0090.
- Request:** Approval of a Major Deviation to a previously approved Major Development identified as "Marbella, 3<sup>rd</sup> Amendment." The proposed amended project mainly consists of the following:  
1. Phasing has changed (previous Phase III is now Phase I and vice versa); 2. Number of stories has increased to nine (9) for the new proposed Phase I; portions of the site were reconfigured to preserve more vegetation along U.S. Highway 98 East.
- Parcel Size:** The property contains 8.98 acres more or less.
- Future Land Use:** Mixed Use (MU)
- Zoning District:** Residential Intensive Apartment (RIA)
- Density:** Allowed: 19.9 Dwelling Units per Acre  
Proposed: 14.0 Dwelling Units per Acre
- Intensity:** Allowed: 1.07 Floor Area Ratio (FAR)  
Proposed: 0.823 FAR (per Code Definition: 0.55 FAR)
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- 3<sup>rd</sup> Amendment Planning Commission Date:** June 20, 2002
- 3<sup>rd</sup> Amendment City Council Date:** July 15, 2002

#### DISCUSSION/FINDINGS:

Campbell Engineering, Inc., on behalf of Oak Harbor Development, LLC, is requesting approval of a Major Deviation to a previously approved Major Development identified as "Marbella, 3<sup>rd</sup> Amendment." The proposed project consists of a multi-phased 126-unit condominium and 58-slip residential marina development. The proposed project is generally located directly west of Sandpiper Cove along the north side of the Destin Harbor, more specifically known as Property Appraiser's parcel I.D.'s. 00-2S-22-0701-000N-0010, 00-2S-22-0701-000M-0110, and 00-2S-22-0701-000M-0090. The combined parcel area is 8.98 acres more or less.

The original proposed Marbella Development was approved on July 12, 1999, with specific conditions set forth by City Council and staff as described in Final Development Order No. 99-35 (Exhibit J). All conditions previously described in Final Development Order No. 99-35 are still in affect and will be carried forth if this amendment is approved and specifically modified by these amendments.

The specific differences between the Marbella, 3<sup>rd</sup> Amendment and the previously approved development are as follows:

1. The previously approved Phase III is now the proposed Phase I and vice versa.
2. The proposed amendment does not have any lodging units.
3. The original site plan called for the tallest structure to be seven (7) stories (with units in the "attic"/ 8<sup>th</sup> story) and 143 feet to the top of roof from a finished floor elevation of 25.8 feet above mean sea level. The amended site plan proposed a nine (9)-story structure. Although the number of stories has increased, the structure has been reduced 9 feet to 134 feet to the top of roof from a finished floor elevation of 25.8 feet above mean sea level.

Height of structures in the RIA four or more (3 or more floors) zoning district is determined by the setback requirements (i.e. as the structure increases in height, so does the setback distances) and compatibility. The total height (as defined in the Destin Land Development Code) of the nine (9)-story building is proposed to be 102.4 feet (128 feet 2 inches at mean roof height minus 25.8 feet finished floor elevation). The proposed height of all structures meets the requirements set forth within the RIA four or more (3 or more floors) zoning district and is compatible with the surrounding area.

4. A dwelling unit structure was removed from each of the side phases (Phase II and old Phase I). The units removed were then added to the newly proposed Phase I structure, which results in the increased stories.
5. The developer wants to preserve more of the vegetation along U.S. Highway 98 East. In order to do so, the main structure was relocated farther south from U.S. Highway 98 East and the accessways were reconfigured.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions as described on pages 12-14. Refer to Exhibit "C" for the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated June 11, 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 located within the Community Redevelopment Area.

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

#### **COMPREHENSIVE PLAN/ZONING:**

The property currently has a Future Land Use designation of Mixed Use (MU) and a Zoning designation of Residential Intensive Apartment (RIA). The proposed use is consistent with the MU Future Land Use designation and is a permitted principal use in the RIA Zoning district.

#### **COMPATIBILITY:**

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions. Refer to Exhibit "C" for the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated June 11, 2002.

**DENSITY:**

Not applicable.

**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 to nine (9) stories in the center of the site. The proposed sizes, dimensions, and locations are consistent with the Land Development Code. The front portion of the nine (9)-story building (at the center of the site) will stop at three (3) stories. The remaining back portion of the building continues to nine (9) stories. The total height (as defined in the Destin Land Development Code) of the nine (9)-story building is proposed to be 102.4 feet (128 feet 2 inches at mean roof height minus 25.8 feet finished floor elevation). The proposed height of all structures meets the requirements set forth within the RIA zoning district.

Building height is also regulated by a compatibility analysis. Refer to Exhibit "C" for the complete Compatibility Analysis Report from Les Solin, dated June 11, 2002, which describes the height and finds the proposed project compatible with the surrounding area in regards to height.

**FLOOR AREA RATIO:**

The Mixed Use Future Land Use designation has a maximum floor area ratio (FAR) of 1.07.

The FAR calculation methodology as defined in Article 3, Section 3.00.01 "Floor Area Ratio" of the Destin Land Development Code is as follows:

$$\frac{\text{(Total gross floor area)} - \text{(Total square feet of required setbacks and open space + parking)}}{\text{Total square feet of site}} = \text{FAR}$$

$$\frac{\text{(321,947 sq. ft.)} - \text{(101,282 sq. ft. + 5,985 sq. ft. of parking)}}{391,174 \text{ sq. ft.}} = \text{FAR}$$

$$\frac{\text{(321,947 sq. ft.)} - \text{(107,267 sq. ft.)}}{391,174 \text{ sq. ft.}} = \text{FAR}$$

$$214,680 \text{ sq. ft.} / 391,174 \text{ sq. ft.} = 0.55 \text{ FAR as indicated on the site plan}$$

Utilizing the formula as defined above, the FAR of 0.55 is below the maximum of 1.07 and thus is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update also results in an FAR of 0.823, which is below 1.07 and is as follows:

$$\text{Total square feet of existing and proposed buildings} / \text{square feet of subject parcel} = \text{FAR}$$

$$321,947 \text{ sq. ft.} / 391,174 \text{ sq. ft.} = 0.823 \text{ FAR as indicated on the application and site plan}$$

**RIGHT-OF-WAY DEDICATION:**

No right-of-way dedication is required for this project.

**CONCURRENCY MANAGEMENT:**

Concurrency requirements have been met:

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

Please refer to the attached Exhibits "D" through "H" for approved Concurrency Evaluation Certificates.

**TRAFFIC ANALYSIS:**

According to the traffic review conducted by the City's traffic consultant, Renaissance Planning Group, Inc., the proposed amended development will not result in any new PM Peak Hour directional trips on Segment "A" Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibit "D").

**SUBDIVISION OR PUD - PLAT:**

Not applicable.

**WHITE SANDS ZONE:**

The proposed project is located within White Sand Zone 1.

**PHASING:**

The applicant has proposed to construct the project in four (4) phases. The first phase, Phase I (previously Phase III) is the nine (9) story, 69 unit condominium structure. Phase II is proposed to be the 58 slip marina. Phase III (previously Phase I) is the proposed east 30 unit complex with tennis court. Phase IV is the proposed west 27 unit complex. The complete phasing plan is on Sheet 3 of 15 of the proposed site plan (Exhibit I).

**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 the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

**SETBACKS:**

The buildings meet and exceed all of the required setbacks for the RIA Zoning district. The RIA Zoning district requires the following setbacks for development of four or more families (3 or more floors): front – 20 feet, side – 20 feet for structures three stories and increased two feet for each story over four, and rear – Not applicable for along the Harbor. The setbacks provided for the proposed amended development are: front– 40 feet (north), side(s) - 25 feet (east side), 37.8 feet (west side), rear – Not applicable.

**SIGNS:**

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



**COX COMMUNICATIONS:**

Cox Communications approved the project in a letter dated April 10, 2002.

**DESTIN FIRE CONTROL DISTRICT:**

The Destin Fire Control District approved the project in a letter dated May 30, 2002.

**GULF POWER:**

Gulf Power approved the project in a letter dated April 17, 2002.

**OKALOOSA GAS:**

Okaloosa Gas approved the project in a letter dated April 17, 2002.

**SPRINT:**

Sprint approved the project in a letter dated April 9, 2002.

**NEWSOUTH COMMUNICATIONS:**

Newsouth Communications approved the project at the April 17, 2002, meeting.

**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated April 17, 2002.

**UTILITIES:**

Underground utilities are required.

**STORMWATER:**

The City Engineer approved the stormwater plan in a memorandum dated June 5, 2002, and had the following stormwater conditions:

1. Prior to obtaining any City permits, provide Florida Department of Environmental Protection (FDEP) stormwater (revised), joint COE/FDEP dredge and fill, Destin Harbor Board approvals (permits appropriate for requested phase).
2. Entire overlapping drainage areas must be constructed in conjunction with each building phase.
3. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be void and a revised stormwater plan shall be re-submitted for review and approval.
4. Cross-section of landscaping over parking. These areas shall be considered roof top planters and must be counted as impervious areas.

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:**

The primary ingress/egress point for the proposed development is provided by a single two-way access drive off of U.S. Highway 98 East. The developer has also provided two emergency entrances off of U.S. Highway 98 East, one at the far eastern side and the other at the far western side. The proposed ingress/egress points meet the requirements of the Destin Land Development Code.

A deceleration turn lane will accompany the primary entry 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.

**REFUSE COLLECTION:**

Refuse collection is to be provided by dumpster service. The proposed dumpsters, if located outside, must be fully enclosed.

**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.

**LANDSCAPE:**

The project meets or exceeds the landscape requirements of the Destin Land Development Code as indicated on the proposed plans and as follows:

**Open Space Requirements:**

391,174 sq. ft. of property x 18 % + 171 sq. ft. per 2500 sq. ft. of garage parking = 74,942 sq. ft. required  
Site plan provides 42.9 % = 167,949 sq. ft. provided

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (181 trees x 2 credits per tree):	362
Credits for Existing Trees (7" to 12" diameter) on Site (- trees x 3 credits per tree):	NA
Credits for Existing Trees (13" to 19" diameter) on Site (- trees x 4 credits per tree):	NA
Credits for Existing Trees (20" to 24" diameter) on Site (- trees x 5 credits per tree):	NA
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>362 +</u>
Total Reforestation Credits for Trees Required on Site:	362 +
Reforestation Trees (1 per every .10 of an acre: $8.98 \times 10 = 90$ ) Required on Site:	<u>90</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u><u>0*</u></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 on Site:	0
Front Perimeter Trees (1 per 25') Required on Site:	37
Parking Lot Trees (1 per end row and landscape island) Required on Site:	4
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	13
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	<u>9</u>

**TOTAL TREES REQUIRED: 63**  
**TOTAL TREES PROVIDED (Does not include trees kept): 113+**

A five (5) foot Common Boundary Landscape Area is required along eastern property lines. A ten (10) foot Front Perimeter Landscape Area is required along the northern property line and a ten (10) foot buffer zone is required along the western property line. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three (3) years of planting. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. The required ten (10) foot buffer zone shall provide a six-foot tall continuous, opaque screen. 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. If shrubs are used in the required buffer areas, they must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material has been inspected and approved by the Community Development Department.**

PARKING:

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

Per code:

Dwelling, multifamily, marina, and Harbor Master's Office:

2.25 spaces per multifamily dwelling unit, 1 space per slip, and 1 space per 200 square feet.

Per site plan:

Dwelling, multifamily, marina, and Harbor Master's Office:

$$126 \text{ dwelling units, } 58 \text{ slips, and } 576 \text{ square feet} = (126 \times 2.25) + (576 / 200) + 58 = 345$$

**TOTAL REQUIRED: 345 parking spaces (including 13 handicap spaces)**

**TOTAL PROVIDED: 378 parking spaces (including 14 handicap spaces)**

**LOADING SPACE (ZONE):**

The project meets or exceeds the loading space requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

**TOTAL REQUIRED: 3 loading spaces**

**TOTAL PROVIDED: 3 loading 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. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this project and is on file.

**IMPACT FEES:**

The owner/applicant must pay the following impact fees prior to the issuance of a Certificate of Occupancy:

Parks: The parks impact fees were calculated using the "Multi-family" \$113.03 per unit category.

Multi-family:

$$126 \text{ units} \times \$113.03 = \$14,242.78$$

Public Library: The public library impact fees were calculated using the "Multi-family" \$76.19 per unit category.

Multi-family:

$$126 \text{ units} \times \$76.19 = \$9,599.94$$

Police Protection: The police protection impact fees were calculated using the "U.S. Highway 98 Corridor Resort Residential per unit = \$14.64" category.

Resort Residential:

$$126 \text{ units} \times \$14.64 = \$1,844.64$$

Road: The road impact fees were calculated using the “Multi-family dwelling unit (per dwelling unit.) = \$334.00” category.

Multi-family dwelling unit:

126 units x \$334.00 = ***\$42,084.00***

Parks:	=	\$14,242.78
Public Library: (not applicable)	=	\$9,599.94
Police Protection:	=	\$1,844.64
<u>Roads:</u>	=	<u>\$42,084.00</u>
<b>TOTAL:</b>	=	<b><u>\$67,771.36</u></b>

**OTHER FEES:**

The fees listed below are based on the most recent information available and are required to be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Consultant:	\$0.00	Planning Commission Advertising:	\$55.00
City Traffic Consultant:	\$678.78	City Council Advertising:	TBD
City Surveyor:	N/A		

**COMMENTS:**

Public Input:

Comments were directed toward staff in regards to the extensive vegetation proposed along the eastern side of the property. Staff informed the citizens that the developer is willing and planning on meeting with property owners etc., to discuss in detail any concerns, such as the vegetation. Staff also informed the citizens of the exact requirements per code for that area. The proposed landscape plan is showing more than what is required and there are possible alternatives to meet the needs and wants of the developer and surrounding property owners while maintaining code compliance.

Per Community Development Department:

1. All conditions identified within Final Development Order No. 99-35 are in affect, unless otherwise deleted or amended by the terms of approval of this application. Staff recommends condition “4h” be amended to reflect a required Condominium Declaration and “4k” be deleted due to the fact parking has been revised as part of this amendment.
2. 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.
3. Prior to the issuance of a Clearing/Grading Permit, a clearing/grading plan must be submitted and approved by the Community Development Department.
4. Prior to the issuance of a Building Permit, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).
5. Prior to the issuance of any Certificate of Occupancy, all applicable impact fees must be paid.

6. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
7. Any additional revisions to the site plan 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 of the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].

Per Engineering Department (Per approval memo dated June 5, 2002):

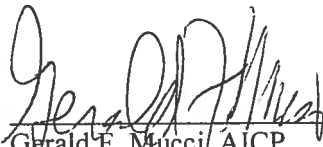
1. The project is in the White Sand Zone ~~X~~<sup>1</sup>. Any red clay or other staining material uncovered during demolition must be removed from the site within 92 hours of uncovering (Ordinance 029.2). Prior to importing any fill material onto the site, provide a sample of the fill to the City of Destin Environmental Officer for approval for White Sand Zone ~~X~~<sup>1</sup> use.
2. The loading spaces required a 15' vertical clearance. Coordinate with Architect on the minimum vertical height of the Porte-Cochere.
3. No lane closure shall be allowed on arterial or collector roadways between 6 AM to 8 AM or between 4 PM and 6 PM. No lanes shall be closed from 12-noon forward on Friday afternoons. No daylight hour's lane closures (except emergencies) between 6 AM and 6 PM from Memorial Day through Labor Day for the tourist season. **Notify the Engineering Department at Destin City Hall (837-4242) 24 hours in advance of any lane closure.**
4. Prior to obtaining any City permits, provide Florida Department of Environmental Protection (FDEP) stormwater (revised), joint COE/FDEP dredge and fill, Destin Harbor Board approvals (permits appropriate for requested phase).
5. Entire overlapping drainage areas must be constructed in conjunction with each building phase.
6. If groundwater is observed standing in stormwater structure, the Stormwater Management Plan shall be void and require a Stormwater Management Plan to be reviewed and approved.
7. Cross-section of landscaping over parking. These areas shall be considered roof top planters and must be counted as impervious areas.
8. Prior to obtaining any City permits, submit the condo documents for review and approval by the City's Land Use Attorney.
9. Prior to obtaining any City permits, provide Florida Department of Transportation approval and approved drawings.
10. The minimum acceptable scale of drawings per the Destin LDC is 1" = 20'. The City reserves the option to require the minimum acceptable scale of drawings. Upon request the applicant shall provide the mentioned drawings within (5) five working days. Any code violations found during construction shall be required to come into compliance with the Destin LDC.

11. 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).”

**OUTSTANDING ISSUES:**

None.

  
Gerald F. Mucci, AICP  
Community Development Director

7-23-02  
Date

  
Oak Harbor Development, L.L.C.,  
Owner  
Steven P. DelGallo,  
Managing Member

12-02-02  
Date