



# Community Development

## Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-650-0693 | [www.cityofdestin.com](http://www.cityofdestin.com)

**January 15, 2013**

**Order No. 13-05**

**Final Development Order:**

**“MATTIE KELLY ARTS FOUNDATION, 3<sup>RD</sup> AMENDMENT”  
A MINOR TIER 1 DEVIATION TO A MAJOR DEVELOPMENT  
(13-02-SP)**

**Based upon the City's approval and issuance of this Development Order on January 15, 2013, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.**

Mattie Kelly Arts Foundation, Inc. is requesting approval of a Minor Tier 1 Deviation to a previously approved Major Development identified as “Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment.” The proposed development consists of expanding the existing amphitheater area and construction of a new stage; paving the existing gravel drive and parking areas; construction of a new grass parking area; and construction of permanent restroom facilities. The proposed project is located at 4323 Commons Drive also identified by the Okaloosa County Property Appraiser as Parcel No. 00-2S-22-0000-0001-B17F. The overall property contains 44.92 acres, more or less. This phase of the development (phase 1b) contains 6.76 acres, more or less.

**DETERMINATIONS:**

1. This final development order is in accordance with the approved construction documents, which is inclusive of the site plan, drainage plan, landscape plan, outdoor lighting plan, architectural plans, etc., and dated approved January 8, 2013.
2. All the findings of the Technical Review Committee report dated January 8, 2013 are incorporated herein.

**CONDITIONS OF APPROVAL:**

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

Construction of infrastructure 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 **January 15, 2013** (no later than **January 15, 2013**), 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) for either the construction of infrastructure or construction of the entire project and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated (Article 2, Section 2.21.00).**



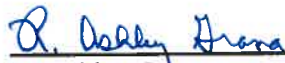
**NOTE: Construction of infrastructure shall be defined as site work, grading, or other construction activity (not including clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations (Article 2, Section 2.21.00).**

**NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline for either the construction of infrastructure or construction of the entire project must submit a written 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 of infrastructure or construction of the entire project. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, of the Destin Land Development Code for further explanation of the Development Order extension process.**

1. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for “**Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment**” will be protected. **However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:**
  - A. **Construction permit(s) in association with construction of infrastructure or construction of the entire project are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or**
  - B. **Construction activity ceases for a period of one (1) year after a building permit for construction of infrastructure or construction of the entire project has been issued so that concurrency is not maintained under Article 6 of the Destin Land Development Code.**
2. 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 (Note: Applicant must obtain the proper ROW permit(s) from the Public Services Department prior to issuance of building permits, unless otherwise exempted by the Public Services Director).
  - 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.
5. The following items must be addressed in the appropriate order:
  - A. **Prior to the issuance of the Final Development Order**, all outstanding costs associated with this project and are owed to the City must be paid in full.
  - B. **Prior to the issuance of any City Permit**, a sign must be posted on the subject property notifying the public of the emergency contact information of the person responsible for the project. Refer to section 7.01.02(B) of the Land Development Code for details on the size, location and contents of the sign. Additionally, a posting of emergency contact information sign affidavit must be submitted to the Planning Division prior to the issuance of any permits.

- C. **Prior to the issuance of any City Permit**, obtain a Okaloosa County Right-of-Way Construction approval as needed and submit a copy to the Public Services Department.
- D. **Prior to the issuance of any City Permit**, obtain a Florida Department of Environmental Protection (FDEP) National Pollution Discharge Elimination System (NPDES) permit and submit a copy to the Public Services Department.
- E. **Prior to the issuance of any City Permit**, a copy of the Northwest Florida Water Management District (NFWFMD) storm water permit and a storm water construction generic Permit (if applicable) approval shall be provided to the Planning Division.
- F. **Prior to the issuance of any City Permit**, a sidewalk easement or property dedication must be approved by the City, executed and recorded in the Okaloosa County records and an original recorded document provided to the Public Services Department. Refer to LDC Article 8.09.03.A.6.
- G. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees and other outstanding costs associated with this project that are owed to the City must be paid in full.
- H. **Prior to the issuance of a Certificate of Occupancy**, the site work, landscaping, outdoor lighting and architectural design must be inspected and approved by the Community Development Department.
- I. **Prior to the issuance of a Certificate of Occupancy**, a Stormwater Operation/Maintenance Plan (SWOMP) approved by the City shall be acknowledged and signed by the Owner.
- J. **Prior to the issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
- K. **Prior to the issuance of a Certificate of Occupancy**, the developer/owner, engineer of record and the contractor shall make themselves familiar with these codes and comply with the codes prior to obtaining a Certificate of Occupancy. Refer to LDC Article 8 *Transportation* and Section 11.09.00. *Illicit Discharge.*

Additionally, the owner must comply with all of the comments, notes and conditions of the Technical Review Committee members as stated on pages 4 through 16 of the attached TRC Report dated January 8, 2013.



R. Ashley Grana  
 Planning Manager  
 City of Destin

01-15-2013

Date



Marcia Hull, Executive Director  
 Mattie Kelly Arts Foundation, Inc.

01-16-2013

Date

## TECHNICAL REVIEW COMMITTEE REPORT

### “MATTIE KELLY ARTS FOUNDATION, 3<sup>RD</sup> AMENDMENT” A MINOR TIER 1 DEVIATION TO A MAJOR DEVELOPMENT (13-02-SP)

TRC Report: January 8, 2013

#### ISSUE:

- Applicant:** Mattie Kelly Arts Foundation, Inc. is requesting approval of a Minor Tier 1 Deviation to a previously approved Major Development identified as “Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment.”
- Request:** The request for approval consists of expanding the existing amphitheater area and construction of a new stage; paving the existing gravel drive and parking areas; construction of a new grass parking area; and construction of permanent restroom facilities.
- Location:** The proposed project is located at 4323 Commons Drive West also identified by the Okaloosa County Property Appraiser as Parcel No. 00-2S-22-0000-0001-B17F.
- Parcel Size:** The overall property contains 44.92 acres, more or less. This phase of the development (phase 1b) contains 6.76 acres, more or less.
- Future Land Use:** Institutional (INST) and Residential, Office and Institutional (ROI)
- Zoning District:** Institutional (INST) and Residential, Office and Institutional – General Development (ROI-GD)
- Density:** Allowed: N/A  
Proposed: N/A
- Intensity:** Allowed: 0.50  
Proposed: 0.002
- Application Date:** October 17, 2013
- TRT Date:** N/A
- Approved Site Plan Date:** January 8, 2013

#### DISCUSSION/FINDINGS:

The proposed request as presented and described is consistent with Comprehensive Plan: 2010 and Land Development Code, which include a Concurrency Management review, and a Level of Service review. This project is not located within the Town Center or the Harbor Community Redevelopment Areas, but is located within the Crystal Beach sub-area of the Multimodal Transportation District. The Technical Review Team (TRT) reviewed and approved the project with specific conditions as stated below.

#### COMPREHENSIVE PLAN/ZONING:

This application was reviewed pursuant to the City of Destin’s Comprehensive Plan: 2010 and Land Development Code (LDC). The property currently has a Future Land Use designation of Institutional (INST) and Residential, Office and Institutional (ROI) and a Zoning designation of Institutional (INST) and Residential, Office and Institutional – General Development (ROI-GD). The proposed land use is consistent with the intent of the INST Future Land Use designation as an acceptable land use pursuant to Comprehensive Plan: 2010.

**CONCURRENCY MANAGEMENT:**

The proposed site changes do not change the previously approved Concurrencies as approved in Development Order No. 05-30.

**TRANSPORTATION ANALYSIS:**

No change from DO-05-30.

**SIDEWALKS/PEDESTRIAN CONNECTIVITY:**

1. **Prior to the issuance of any City Permit**, a sidewalk easement or property dedication must be approved by the City, executed and recorded in the Okaloosa County records and an original recorded document provided to the Public Services Department. Refer to LDC Article 8.09.03.A.6.

**SUBDIVISION OR PUD – PLAT:**

The proposed project does not include a subdivision or PUD - plat.

**RIGHT-OF-WAY DEDICATION:**

No change from DO-05-30.

**PHASING:**

A phasing plan was not submitted for review as part of this application.

**ADDRESSING:**

The following condition shall apply:

1. **Prior to the issuance of a Certificate of Occupancy**, assigned address number for the principal building shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*

**AIRPORT PROTECTION:**

No change from DO-05-30.

**DENSITY:**

No change from DO-05-30.

**INTENSITY:**

This project has an Institutional (INST) FLUM designation (for phase 1b), which allows for a maximum Floor Area Ratio (FAR) of 0.50 for a Tier 1 development. The proposed FAR for this project is 0.002 which below the maximum allowed for a Tier 1 development in the INST designation.

**HEIGHT:**

The Institutional (INST) Zoning District is the applicable zoning district to help determine height limitations for this development. The proposed one-story restroom building is 14 feet in height from the average grade of the site to the cornice line of the building per the City adopted Comprehensive Plan: 2010 height definition. This height is well below the maximum of 35 feet allowed by the INST Zoning District.

**SETBACKS:**

All of the proposed buildings meet and exceed all of the required setbacks and buffers for the Town Center Mixed Use (TCMU) Zoning District: (Note: Distances provided are from the proposed expanded building to the nearest property lines)

<u>Setbacks</u>	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front:	0'	N/A	Far exceeds
Side:	0'	N/A	42' (east side) Far exceeds (west side)
Rear:	0'	100'	Far exceeds

FPLA = Front Perimeter Landscaped Area, CBLA = Common Boundary Landscaped Area.

The following condition applies to this project:

1. Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement. *Ref. LDC Section 7.09.02(B)(1).*

**SIGNS:**

No change from DO-05-30.

**UTILITIES:**

The following condition applies to this project:

1. All new development projects shall be required to place all existing and proposed utility lines located on the subject property, regardless of who the utilities serve, underground. *Ref. LDC Section 20.12.00.*

**OUTDOOR LIGHTING:**

The outdoor lighting plan for this project has been approved. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky in accordance with the approved outdoor lighting plan.

**COASTAL MANAGEMENT AND CONSERVATION:**

No change from DO-05-30.

**WHITE SANDS ZONE:**

The subject property is not located in either the White Sand Zone 1 or Zone 2.

**STORMWATER MANAGEMENT:**

The City approved the stormwater management plan on November 2, 2012, and had the following stormwater related notes and conditions:

1. **Note:** It should be noted that the bottom of the retention pond is only 0.5 feet above the Seasonal High Groundwater Table Elevation as compared to standard practice of having a minimum 2 foot separation. This 0.5 foot separation is allowable because the mounding analysis shows a 12.92 hour and 9.45 hour recovery time. However, should the actual recovery time exceed 72 hours the stormwater management system must be corrected to meet the maximum 72 hour recovery time.
2. **Note:** The Engineer of Record is cautioned to review the construction documents as submitted to assure thorough information is provided to allow proper construction. All stormwater management facilities shall be required to be constructed per the Codes of the City of Destin.
3. **Condition:** If groundwater is observed standing in the storm structures, the SWOMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for approval.
4. **Condition:** Prior to the issuance of any City Permit, a copy of the Northwest Florida Water Management District (NFWFMD) storm water permit and a storm water construction generic Permit (if applicable) approval shall be provided to the Planning Division.
5. **Condition:** Prior to the issuance of a Certificate of Occupancy, a Stormwater Operation/Maintenance Plan (SWOMP) approved by the City shall be acknowledged and signed by the Owner.

**INGRESS/EGRESS:**

The location of the ingress and egress point to the project is not changing with this application.

**REFUSE COLLECTION:**

The following condition applies to this project:

1. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. Ref. LDC Section 7.09.02(B)(3).

**NOISE:**

The following condition applies to this project:

1. **Condition:** The Mattie Kelly Arts Foundation shall ensure sound/noise levels of all amplified activities at the site do not exceed those levels as allowed under the City's Code of Ordinances for

this use. The Mattie Kelly Arts Foundation shall utilize on site sound level meters/monitors during all activities utilizing amplified sound. The Mattie Kelly Arts Foundation shall provide the City's Code Enforcement Division and the Okaloosa County Sherriff's Office – Destin Substation a contact phone number prior to all scheduled activities utilizing amplified sound.

**PARKING:**

The parking provided complies with Land Development Code Section 8.06.00. *Vehicle and bicycle parking standards*, as indicated on the approved plans.

<u>PARKING REQUIREMENTS</u>		Total
Type of Use:	Parking standard: Sq. ft. of Use:	
713990 All other	1 / 150 sq. ft. of 38,100 sq. ft. of seating area	
Amusement and recreation Industries	ground area	254
Handicap Spaces Required/Provided = 4		
		Total vehicle spaces required: 254
		Total vehicle spaces provided: 274
On site paved and handicap parking provided:		24
Paved parking provided by agreement with Church:		212
Paved parking provided by agreement with YMCA:		<u>38</u>
TOTAL:		274
Additional grass overflow parking on site:		168

**LOADING SPACE (ZONE):**

No change from DO-05-30.

**OPEN SPACE/LANDSCAPE:**

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

Open Space Requirements:

Site Development Area (Total Area): 294,465 sq. ft. (6.76 acres, more or less for phase 1b)  
 Total Required Open Space: 30.0% (88,340 sq. ft.)  
 Total Provided Open Space: 89.0% (262,182 sq. ft.)

Tree Requirements:

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):	<u>0</u>
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u><u>0</u></u>



Reforestation Trees Required on Site: (1 per every .10 of an acre 3.10 x 10 = 31)	31
Total Reforestation Credits for trees on Site	<u>0</u>
<b>Total Reforestation Trees Required on Site: (1 per every .10 of an acre minus credits)</b>	<b><u>31</u></b>

**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:	31
Front Perimeter Trees (1 per 25') Required on Site:	0
Parking Lot Trees (1 per end row and landscape island) Required on Site:	0
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	<u>3</u>
<b>TOTAL TREES REQUIRED:</b>	<b>34</b>
<b>TOTAL TREES PROVIDED:</b>	<b>34</b>

Unless otherwise noted, all required trees must be a minimum of twelve (12) 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, one-third shall be a minimum of thirty-six (36) inches in height time of planting; one-third shall be a minimum of eighteen (18) inches in height when measured immediately after planting; and one-third shall be round cover plantings of a one-gallon size. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

**IMPACT FEES:**

Per the Annexation Agreement among the City of Destin and the Mattie Kelly Arts Foundation, Inc. dated January 18, 2005 no Impact Fees will be assessed on this project.

**MULTIMODAL TRANSPORTATION MITIGATION FEES:**

No changes to previously approved Transportation Concurrency occurred.

**OTHER FEES:**

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

Application Fee:	\$381.10 (pd.)
City Surveyor:	N/A
City Traffic Consultant:	N/A
Re-Review Fees (Community Dev.):	\$92.70 (pd.)
Administrative:	N/A
Surrounding Property Notification:	\$31.15 (pd.)
City Council Advertising:	<u>N/A</u>
<b>TOTAL (as of 01/15/13)</b>	<b>Paid in Full</b>

**STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:**

The following state permits are required prior to the issuance of any city permit:

1. **Prior to the issuance of any City Permit**, obtain a Florida Department of Environmental Protection (FDEP) National Pollution Discharge Elimination System (NPDES) permit and submit a copy to the Public Services Department.
2. **Prior to the issuance of any City Permit**, a copy of the Northwest Florida Water Management District (NWFWMD) storm water permit and a storm water construction generic Permit (if applicable) approval shall be provided to the Planning Division.

**PUBLIC INPUT:**

A letter was received by the Planning Division on December 6, 2012 from Mr. Robert S. Fairweather, Jr. of 64 Indian Bayou Drive, Destin, Florida 32541. Mr. Fairweather objects to the proposed changes detailed in this application. The objection was noted and the letter was forwarded to the project engineer, Mr. Jim Martelli via e-mail on December 2, 2012 at 2:33 pm.

**TECHNICAL REVIEW TEAM MEMBER COMMENTS, NOTES AND CONDITIONS:**

**BUILDING DIVISION:**

The Building Division of the Community Development Department approved the project in a memo dated December 14, 2012. Please refer to **Exhibit "A"** for a copy of the approval memo.

**PLANNING DIVISION:**

The Planning Division of the Community Development Department approved the project with conditions in a letter dated December 19, 2012. Please refer to **Exhibit "B"** for a copy of the approval letter.

**STORMWATER MANAGEMENT:**

The stormwater management plan was found acceptable and approved with conditions on November 2, 2012. Please refer to **Exhibit "C"** for a copy of the stormwater related notes and conditions.

**PUBLIC SERVICES DEPARTMENT:**

The Public Services Department approved the project with conditions on October 25, 2012. Please refer to **Exhibit "D"** for a copy of the Public Services Department conditions.



Community  
Development  
Building Division

Phone: 654-1119

Fax: 837-7949

# MEMORANDUM

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**DATE:** December 14, 2012

**TO:** Project Manager/Ashley Grana

**THRU:** Administrative Assistance/Larry Beat

**CC:** Building Official/ Larry Ballard

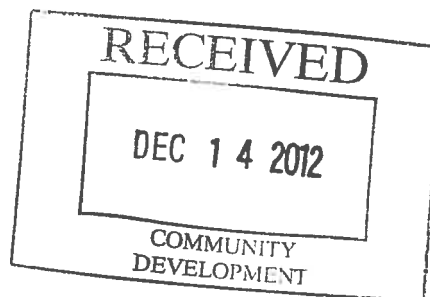
**FROM:** Combo Building Insp. & Plans Examiner/ Noell Bell *NS*

**SUBJECT:** 2<sup>nd</sup> Submittal Review for TRT

**PROJECT:** 13-02-SP, Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment  
4323 Commons Dr. a Minor Tier 1 Deviation

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A Technical Review of the project plans 2<sup>nd</sup> submittal has resulted in no comments.





# Community Development

## Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-650-0693 | www.cityofdestin.com

January 8, 2013

Mattie Kelly Arts Foundation, Inc.  
 Attn: Ms. Marcia Hull  
 4323 Commons Drive West  
 Destin, Florida 32541

**SUBJECT: 3<sup>rd</sup> review of 13-02-SP Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment, a Minor Tier 1 Deviation to a previously approved Major Development 4323 Commons Drive - Destin, FL**

Dear Ms. Hull:

The Development Order Application resubmittal package you submitted was received on January 4, 2013. Staff forwarded the second submittal package to the Technical Review Team (TRT) members on January 4, 2013 and asked that they provide their comments back to the Planning Division before or on January 18, 2013. The following **TRT comments** are provided for your review and comment. Please ensure you read the comments and **bolded notes** listed below.

Process Timeline:

- Applicant's original submittal date: October 17, 2012
- Completeness review date: October 19, 2012
- Staff's first submittal review comments due date: November 2, 2012
- Staff's actual first submittal review comments date: November 16, 2012
- Applicant's second submittal target date: January 16, 2012
- Applicant's actual second submittal date: December 12, 2012
- Staff's second submittal review comments due date: December 31, 2012
- Staff's actual second submittal review comments date: December 17, 2012
- Applicant's third submittal target date: February 17, 2013
- Applicant's actual second submittal date: January 4, 2013
- Staff's third submittal review comments due date: January 18, 2013
- Staff's actual third submittal review comments date: January 8, 2013
- o Note: Land Development Code requires resubmittal within 60 days.
- o Note: The applicant may request ONE 15-day extension to the 60 day resubmittal deadline.

**A. Planning Division Comments: Approved with conditions**, please refer to the comments listed below. To discuss these comments or conditions, please contact at 850-837-4242, extension 3175.

1. **Prior to the issuance of any City Permit**, a sign must be posted on the subject property notifying the public of the emergency contact information of the person responsible for the project. Refer to section 7.01.02(B) of the Land Development Code for details on the size, location and contents of the sign.
2. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees and other outstanding costs associated with this project that are owed to the City must be paid in full.



3. **Prior to the issuance of a Certificate of Occupancy**, the landscaping, site improvements and outdoor lighting must be inspected and approved by the Community Development Department.
4. **Prior to issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
5. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement. *Ref. LDC Section 7.09.02(B)(1).*
6. **Condition:** All new development projects shall be required to place all existing and proposed utility lines located on the subject property, regardless of who the utilities serve, underground. *Ref. LDC Section 20.12.00.*
7. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. *Ref. LDC Section 7.09.02(B)(3).*
8. **Condition:** Signage, if installed, must be reviewed and approved by the Community Development Department. Signage requires the issuance of City building permit, unless otherwise stated by staff. All signage shall meet the requirements set forth in Article 16 of the City's Land Development Code.
9. **Condition:** The Mattie Kelly Arts Foundation shall ensure sound/noise levels of all amplified activities at the site do not exceed those levels as allowed under the City's Code of Ordinances for this use. The Mattie Kelly Arts Foundation shall utilize on site sound level meters/monitors during all activities utilizing amplified sound. The Mattie Kelly Arts Foundation shall provide the City's Code Enforcement Division and the Okaloosa County Sherriff's Office – Destin Substation a contact phone number prior to all scheduled activities utilizing amplified sound.

**FINAL NOTE:**

Staff will prepare a Development Order for the project within the next five business days. Someone from the Planning Division will contact you when it is time to pick up the Development Order for your signature.

Page 3 of 3

January 8, 2013

Review for 13-02-SP, Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment

If you have questions or need additional information, please feel free to contact me at (850) 837-4242, ext. 3175.

Sincerely,



R. Ashley Grana  
Planning Manager

RAG/

cc: File: 13-02-SP  
Letter Log

**COMMUNITY DEVELOPMENT DEPARTMENT**  
*Planning Division*

**MEMORANDUM**

DATE: November 2, 2012

TO: Larry Beat, Administrative Assistant

FROM: David M. Forstrom, Planner & Stormwater/Floodplain Manager *DF*

SUBJECT: 13-02-SP, Mattie Kelly Arts Foundation, 3<sup>rd</sup> Amendment, a Minor Tier 1 Deviation  
to a previously approved Major Development, 4323 Commons Drive  
**TRT First Submittal Stormwater Review Comments**

A submittal was received on October 17, 2012 from Innerlight Engineering Corporation. The Stormwater Management Plan (SWMP) and the construction drawings are **hereby approved** with the following conditions as noted:

1. **Note:** It should be noted that the bottom of the retention pond is only 0.5 feet above the Seasonal High Groundwater Table Elevation as compared to standard practice of having a minimum 2 foot separation. This 0.5 foot separation is allowable because the mounding analysis shows a 12.92 hour and 9.45 hour recovery time. However, should the actual recovery time exceed 72 hours the stormwater management system must corrected to meet the maximum 72 hour recovery time.
2. **Note:** The Engineer of Record is cautioned to review the construction documents as submitted to assure thorough information is provided to allow proper construction. All stormwater management facilities shall be required to be constructed per the Codes of the City of Destin.
3. **Condition:** If groundwater is observed standing in the storm structures, the SWOMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for approval.
4. **Condition:** Prior to obtaining any City permit, a copy of the Northwest Florida Water Management District (NFWMD) stormwater permit and a National Pollution Discharge Elimination System (NPDES) stormwater construction generic Permit (if applicable) shall be provided.
5. **Condition:** Prior to obtaining a Certificate of Occupancy, a Stormwater Operation/Maintenance Plan (SWOMP) approved by the City shall be acknowledged and signed by the Owner.

If you have questions or need additional information, please contact my office.

DMF/

File: Memo  
Project File: 13-02-SP

## OFFICE OF PUBLIC SERVICES

MEMORANDUM

October 25, 2012

**RECEIVED**

**TO:** Administrative Assistant/Larry Beat  
Planning Manager/Ashley Grana

OCT 26 2012

**FROM:** Engineering Assistant II/ Joseph D. Bodi

**COMMUNITY  
DEVELOPMENT**

**SUBJECT:** 13 02 SP Mattie Kelly Arts, 3<sup>rd</sup> Amendment, 4323 Commons Drive  
Right of Way & Wetlands Impact Review ONLY

A submittal was received on October 19, 2012 and the right-of-way & wetlands areas only were reviewed. **The current submittal is approved with conditions.** There appear to be no impacts to the right-of-way or environmentally sensitive areas. The following standard conditions of the D.O.:

1. **Condition:** Prior to obtaining any City permits, obtain a Okaloosa County Right-of-Way Construction approval as needed and submit to the Public Services Department.
2. **Condition:** Prior to obtaining any City of Destin permits, obtain a FDEP NPDES permit and submit copy to the Public Services Director.
3. **Condition:** Refer to LDC Article 8, Transportation, - The developer/owner, engineer of record and the contractor shall make themselves familiar with these codes and comply with the codes prior to obtaining a Certificate of Occupancy.
4. **Condition:** Refer to LDC Article 11.09.00., Illicit Discharge - The developer/owner, engineer of record and the contractor shall make themselves familiar with these codes and comply with the codes prior to obtaining a Certificate of Occupancy.
5. **Condition:** Refer to LDC Article 8.09.03.A.6. Prior to obtaining any City permits, a sidewalk easement or property dedication must be approved by the City, executed and recorded in the Okaloosa County records and an original recorded document provided to the Public Services Dept.

cc:  
PS Files