



City of Destin

September 6, 2001

Order No. 01-31

Second Amended Final Development Order:

**THE OAKS INN, 2nd AMENDMENT:
A MINOR DEVIATION
TO A PREVIOUSLY APPROVED
MAJOR DEVELOPMENT
(SP-01-03)**

Based upon the City's approval of this Development Order, on September 6, 2001, this document will serve as your First Amended Final Development Order, to include all of the provisions and conditions of the attached Technical Review Committee Report:

BACKGROUND / ISSUE:

Applicant: Thomas H. Sides, Owner

Location: Lot 1, Block D, Calhoun Subdivision, (triangular parcel located between Calhoun Avenue, Sibert Avenue, and Zerbe Street)

Request: Approval of a Minor Deviation to a previously approved Major Development consisting of: A) adjusting the driveway location on Calhoun Avenue; B) adjusting the driveway location on Sibert Avenue; C) relocation of the loading zone and dumpster pad/enclosure; D) regarding of parking and retention areas; and D) increase building area (storage area added tot eh east side of the building).

Parcel Size: 0.87 acres more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Business Tourism (BT)

Density: No change.

Intensity: 0.43 Floor Area Ratio

2nd Amendment Application Date: January 17, 2001

2nd Amendment Approved Site Plan Date: September 6, 2001

DETERMINATIONS:

1. All of the findings, conditions of approval, requirements, etc... of the Final Development Order No. 98-25 are incorporated herein; and
2. This Second Amended Development Order does not extend the overall concurrency status determined by the Original Development Order (No. 98-25); and
3. All the findings of the Technical Review Committee report dated March 19, 1998, amended June 8, 1998, February 2, 2000, and September 6, 2001, and are incorporated herein.

CONDITIONS OF APPROVAL FOR "THE OAKS INN, 2ND AMENDMENT" A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-01-03):

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 Second Amended Final Development Order on September 6, 2001 (no later than September 6, 2001), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated September 6, 2001).

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 "The Oaks Inn, 2nd Amendment" is protected through July 13, 2003. **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. The applicant must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):
 - A. Disturbance of the City's right-of-way.
 - B. Pavement cuts.
 - C. Construction of any kind.
 - D. Clearing, grubbing, or demolition.
 - E. Paving, grading, drainage, sidewalks.
 - F. Signage.
 - G. Installation of utilities.
 - H. Construction trailers.
4. **Prior to the issuance of a Certificate of Occupancy, any outstanding costs associated with this project that are owed to the City must be paid in full**
5. **Prior to the issuance of a Certificate of Occupancy, all applicable impact fees must be paid.**

TECHNICAL REVIEW COMMITTEE REPORT

THE OAKS INN, 2nd AMENDMENT: A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-01-03)

TRC Report: March 19, 1998,
and amended on June 8, 1998,
February 2, 2000, and September 6, 2001

ISSUE:

Applicant: Thomas H. Sides, Owner
Location: Lot 1, Block D, Calhoun Subdivision, (triangular parcel located between Calhoun Avenue, Sibert Avenue, and Zerbe Street)
Request: Approval of a Minor Deviation to a previously approved Major Development consisting of: A) adjusting the driveway location on Calhoun Avenue; B) adjusting the driveway location on Sibert Avenue; C) relocation of the loading zone and dumpster pad/enclosure; D) regarding of parking and retention areas; and D) increase building area (storage area added tot eh east side of the building).
Parcel Size: 0.87 acres more or less.
Future Land Use: Mixed Use (MU)
Zoning District: Business Tourism (BT)
Density: No change.
Intensity: 0.43 Floor Area Ratio
2nd Amendment Application Date: January 17, 2001
2nd Amendment Approved Site Plan Date: September 6, 2001

DISCUSSION:

Mr. Thomas H. Sides is requesting approval of a Minor Deviation to a previously approved Major Development consisting of: A) adjusting the driveway location on Calhoun Avenue; B) adjusting the driveway location on Sibert Avenue; C) relocation of the loading zone and dumpster pad/enclosure; D) regarding o parking and retention areas; and D) increase building area (storage area added tot eh east side of the building). The property, which contains .87 acres, more or less, is located on a triangular parcel formed by the intersection of Sibert Avenue, Zerbe Street, and Calhoun Avenues.

ZONING/COMPREHENSIVE PLAN:

No change to this section of the previously approved development order by this amendment.

COMPATIBILITY:

No change to this section of the previously approved development order by this amendment.

DENSITY:

No change to this section of the previously approved development order by this amendment.

HEIGHT:

No change to this section of the previously approved development order by this amendment.

FLOOR AREA RATIO:

No change to this section of the previously approved development order by this amendment.

RIGHT OF WAY DEDICATION:

Not Applicable.

CONCURRENCY MANAGEMENT:

No change to this section of the previously approved development order by this amendment.

TRAFFIC ANALYSIS:

No change to this section of the previously approved development order by this amendment.

SUBDIVISION OR PUD – PLAT:

Not Applicable.

AIRPORT PROTECTION:

No change to this section of the previously approved development order by this amendment.

SETBACKS:

The BT Zoning district does not require setbacks for single-story buildings. However, landscape buffers are required for the proposed project, which are listed as follows:

	Required	Buffers	Provided
Front (west):	10'	10' FP	16.22' +/- including a 10' FP
Front (east):	10'	10' FP	21.62' +/- including 10' FP
Rear (north):	10'	10' VB	10.00' +/- including 10' VB
Between Bldgs.:	10'	N/A	N/A

NOTE: 10' FPLA = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. A ten (10) foot Front Perimeter Landscape Area is required along the eastern (Sibert Avenue) and western (Calhoun Avenue) property lines. A ten (10) foot vegetative buffer is required along the northern boundary of the lot, which abuts the Zerbe Street right-of-way. The 10-foot vegetative buffer is required because your property is located in the BT Zoning District and it abuts the Residential Suburban (RSS) and Residential Urban Duplex (RUD) residential Zoning Districts. Therefore, a six (6) foot high wooden fence or masonry wall is required along the length of the northern boundary and one (1) tree is required be planted for each twenty-five (25) linear feet of such landscape barrier or fractional part thereof. The existing trees located in this ten (10) foot wide buffer area can be incorporated into the required buffer.

WHITE SANDS ZONE:

No change to this section of the previously approved development order by this amendment.

SIGNS:

No change to this section of the previously approved development order by this amendment.

COX COMMUNICATIONS:

No change to this section of the previously approved development order by this amendment.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated May 7, 2001.

GULF POWER:

No change to this section of the previously approved development order by this amendment.

OKALOOSA GAS:

No change to this section of the previously approved development order by this amendment.

SPRINT:

No change to this section of the previously approved development order by this amendment.

NEWSOUTH/UNIVERSALCOM:

No change to this section of the previously approved development order by this amendment.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated June 4, 2001.

UTILITIES:

No change to this section of the previously approved development order by this amendment.

STORMWATER:

The City Engineer approved the stormwater plan in a memorandum dated September 6, 2001.

INGRESS/EGRESS:

Primary access to the property is provided by two separate 24' wide two-way drives. Both driveways connect off Calhoun Avenue from the east. The northern most driveway provides direct access to the main parking area and loading zone located in front of the building. While the southern most driveway provides access to the small overflow parking and dumpster areas.

REFUSE COLLECTION:

No change to this section of the previously approved development order by this amendment.

SIDEWALKS:

No change to this section of the previously approved development order by this amendment.

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 Requirement:

37,912 sq. ft. of property x 18 % = 6,824 sq. ft. required
Site plan provides 67.8 % = 24,746 sq. ft. provided

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (5 trees x 2 credits per tree):	10
Credits for Existing Trees (7" to 12" diameter) on Site (16 trees x 3 credits per tree):	48
Credits for Existing Trees (13" to 19" diameter) on Site (5 trees x 4 credits per tree):	20
Credits for Existing Trees (20" to 24" diameter) on Site (1 trees x 5 credits per tree):	5
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>83</u>
Total Reforestation Credits for Trees Required on Site:	83
Reforestation Trees (1 per every .10 of an acre: 0.87 x 10 = 9) Required on Site:	9
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>0*</u>
Total Reforestation Trees Required on Site:	0
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:	8***
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	<u>5</u>
TOTAL TREES REQUIRED:	13
TOTAL TREES PROVIDED:	39

*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.

****Note:** The design of the project, including the location of the building, parking areas, and drives, was configured to minimize the removal of the numerous trees on site, specifically the large oak trees. Only 5 trees (over 12" d.b.h.) are being removed from the project site outside of the building footprint. Along Calhoun and Sibert Avenues, the existing large oak trees will be incorporated into the Perimeter Landscaping Requirement. A 10' Vegetative Buffer is required along the northern property line fronting Zerbe Street and is delineated on the plans as a "Landscape Area". This 10' Vegetative Buffer shall include the construction of a six (6) foot high wooden fence or masonry wall and incorporate the existing tree along this buffer area to create a minimum tree ratio of at least 1 tree per 25 linear feet of buffer.

*****Note:** Nine trees are required, however, only eight new ones need to be planted as the 30" Oak tree can be counted towards the requirement.

A ten (10) foot Front Perimeter Landscape Area is required along the eastern (Sibert Avenue) and western (Calhoun Avenue) property lines. A ten (10) foot vegetative buffer is required along the northern boundary of the lot, which abuts the Zerbe Street right-of-way. The 10-foot vegetative buffer is required because your property is located in the BT Zoning District and it abuts the Residential Suburban (RSS) and Residential Urban Duplex (RUD) residential Zoning Districts. Therefore, a six (6) foot high wooden fence or masonry wall is required along the length of the northern boundary and one (1) tree is required be planted for each twenty-five (25) linear feet of such landscape barrier or fractional part thereof. The existing trees located in this ten (10) foot wide buffer area can be incorporated into the required buffer. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. 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.**

LOADING SPACE (ZONE):

No change to this section of the previously approved development order by this amendment.

PARKING:

No change to this section of the previously approved development order by this amendment.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

No change to this section of the previously approved development order by this amendment.

IMPACT FEES:

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

Park: The park impact fees were calculated using the "Hotel/Motel (per unit) = \$50.46" fee amount.

$$(22 \text{ units}) \times (\$50.46) = \$1,110.12$$

(number of units) x (Hotel/Motel per unit fee amount) = Impact Fee

Total Park Impact Fees to be paid for "The Oaks Inn, 2nd Amendment": \$1,110.12

Public Libraries: The public libraries impact fees were calculated using the "Hotel/Motel (per unit) = \$0.00" fee amount.

(22 units) x (\$0.00) = \$0.00

(number of units) x (Hotel/Motel per unit fee amount) = Impact Fee

Total Public Libraries Impact Fees to be paid for "The Oaks Inn, 2nd Amendment": \$0.00

Police Protection: The police protection impact fees were calculated using the "Hotel/Motel per unit = \$13.07" fee amount under the "Residential - U.S. 98 Corridor" category.

(22 units) x (\$13.07) = \$287.54

(number of units) x (Hotel/Motel per unit fee amount) = Impact Fee

Total Police Protection Impact Fees to be paid for "The Oaks Inn, 2nd Amendment": \$287.54

Road: The road impact fees were calculated using the following "Motel/Hotel (per room) = \$790.00" fee amounts.

(22 units) x (\$790.00) = \$17,380.00


(number of units) x (Hotel/Motel per unit fee amount) = Impact Fee

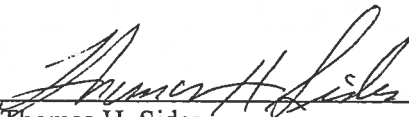
Total Road Impact Fees to be paid for "The Oaks Inn, 2nd Amendment": \$17,380.00

Parks:	=	\$1,110.12
Public Library (not applicable):	=	\$0.00
Police Protection:	=	\$287.54
Roads:	=	\$17,380.00
<u>TOTAL:</u>	=	<u>\$18,777.66</u>

COMMENTS:

There have been no public comments in support or opposition filed with Staff regarding this project.


Gerald F. Mucci, AICP
Community Development Director
Date 10-11-02


Thomas H. Sides,
Owner
Date 10/11/02