



City of Destin

January 27, 2004

Order No. 04-05

Final Development Order:

**“OLD BAY VILLAGE”
A MAJOR DEVELOPMENT
(SP-04-01)**

Based upon the City Council’s approval of this development order on January 20, 2004, 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 City Council:

BACKGROUND / ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of Bonezzi Development Company, is requesting approval of a Major Development identified as “Old Bay Village.”

Request: The proposed development consists of a 3-story, 18-unit condominium building, 56 townhouse units, dedication of property for public right-of-way, and a 20-foot wide easement for a public pedestrian/bicycle pathway.

Location: The proposed development is located south/southeast of the current termination of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser’s parcel I.D. number 00-2S-22-0000-0001-053G.

Parcel Size: The total site area is 6.48 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Urban Apartment (RUA)

Density: Allowed: 19.9 units per acre
Proposed: 74 units / 6.48 acres = 11.4 units per acre

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.42 FAR (per Code Definition: 0.04 FAR)

Application Date: November 3, 2003

TRC Date: November 19, 2003

Approved Site Plan Date: December 22, 2003

City Council Date: January 20, 2004

DETERMINATIONS:

1. The Destin City Council held a public hearing on January 20, 2004. The Council voted unanimously, to approve the project as presented in the agenda package and subject to all applicable conditions identified within the Final Development Order and TRC report dated December 22, 2003, and amended January 20, 2004, with all necessary changes and updates, and contingent upon payment of all outstanding fees prior to the issuance of the Development Order.

2. All the findings of the Technical Review Committee report dated December 22, 2003, and amended January 20, 2004, are incorporated herein.

CONDITIONS OF APPROVAL FOR "OLD BAY VILLAGE" A MAJOR DEVELOPMENT (SP-04-05):

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

Construction 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 27, 2004 (no later than January 27, 2005), 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) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline must submit a 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. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant/owner should review Article 2, Section 2.15.00, of the Destin Land Development Code and City Ordinance 02-06-LC for further explanation of the Development Order extension process.

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Old Bay Village" will be protected. However, the protected concurrency status 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 so that concurrency is not maintained under section 6.02.00.B.3 of the Destin Land Development Code, 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 (Must obtain ROW permit(s) from Engineering Department).
 - 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.

Conditions Per Community Development Department:

1. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project and are owed to the City must be paid in full.
2. The final design of the public street, known as “Mattie M. Kelly Boulevard” and as identified on the site plan, shall be delayed until such time as necessary for City Staff to finalize the dedication and acceptance of 30’ of property to the west of the “Old Bay Village Development.” Once the dedication of 30’ of property to the west of the “Old Bay Village Development” is finalized, the applicant has 90 days to submit to the City an approvable final design of the public street. The intent is that in combination with the 50’ dedicated as part of the “Old Bay Village” development and the 30’ from the property to the west, the City will have established the required 80’ of ROW to properly design and construct the new Mattie M. Kelly Boulevard.
3. Prior to the first request for a Certificate of Occupancy, the final design of the public street, as described above, will be constructed by the developer to a point approximately 300 feet from the northern property line. In the event the full 80’ of ROW is not acquired by this time, such public street shall be designed and constructed as may be accommodated within the dedicated 50’ of ROW. It will then be the City’s intention to continue its initiative to acquire from the adjacent property owners the additional 30’ of land for the ROW and thus bringing the total ROW to the City’s full 80’ standard to facilitate pedestrian and bicycle access and provide for public safety. The remainder of the “Mattie M. Kelly” public street will be designed and constructed by the City at such time as the north-south connector road from Airport Road to U.S. Highway 98 is finalized and funding provided.
4. Traffic control markers for street termination shall be installed approximately 55’ north of the northern boundary of the Gulf Power Easement. This is to ensure public safety and prevent undesirable uses (i.e. parking of boats, trailers, etc., on public right-of-way).
5. The final design of the public street shall include, but not be limited to centering the pavement within the 80’ ROW.
6. Bike lanes will be part of the final design of the street to be constructed.
7. Sidewalks along the eastern side of the new 80’ ROW will be required and installed by the developer.
8. A 20’ wide easement as depicted on Sheet 3.1 will be granted to the City of Destin to be used for a pedestrian/bike pathway system as planned for within the City of Destin’s Pathways Plan.
9. **Prior to the issuance of a Building Permit for vertical construction**, the plat based on the subdivision plan, Sheet 3.1, must be reviewed, approved by the City of Destin, and then properly recorded by the applicant.
10. The subject site is located within Airport Noise Zone “C”, and thus it is a condition that the owner provides a “disclosure statement” for the properties to be sold and provide increased construction standards for the structures to be built to meet the standards described in the LDC, Article 7, Section 7.15.00 and Chapter 21, Article III of the City’s Code of Ordinances.

11. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
12. **Prior to the issuance of a Certificate of Occupancy**, the Declaration of Covenants, Conditions, and Restriction documents must be reviewed and approved by the City Land Use Attorney. Additionally, a copy of the Declaration of Covenants, Conditions, and Restriction documents that have been recorded with the state must be submitted to the City of Destin.
13. **Prior to the issuance of a Certificate of Occupancy within the condominium building**, the Condominium Documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. The Condominium Documents must contain, at a minimum, the provisions stated in the Condominium Affidavit dated December 3, 2003. Additionally, a copy of the Condominium Documents, once recorded with the state, must be submitted to the City of Destin.
14. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.
15. 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 stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.

Per City Engineer's Letter dated December 18, 2003:

1. **NO STORMWATER RUNOFF** for the design storms shall be directed from the site toward the Mattie M. Kelly Blvd Right-of-Way (ROW).
2. We assume that the additional 30 feet of Right-of-Way (ROW) shall be available prior to the final road and drainage construction. Prior to construction of the ADS-Storm Compressor and Mattie M. Kelly Boulevard inlets and pavement as shown on the Grading and Drainage Plan, Sheet 4.0, dated 12-03-2003, it **shall be revised** to meet the 80 feet wide Right-of-Way, which shall eliminate the ADS-Storm Compressor system and **provide roadside swale drainage system**.
3. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
4. **Prior to obtaining any city permit**, a copy of the FDEP stormwater & NPDES approvals shall be forwarded to the City Engineer's office to be stamped "Received" and then forwarded to the Community Development Department.

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).

TECHNICAL REVIEW COMMITTEE REPORT

"OLD BAY VILLAGE" A MAJOR DEVELOPMENT (SP-04-01)

TRC Report: December 22, 2003 and amended January 20, 2004

ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of Bonezzi Development Company, is requesting approval of a Major Development identified as "Old Bay Village."

Request: The proposed development consists of a 3-story, 18-unit condominium building, 56 townhouse units, dedication of property for public right-of-way, and a 20-foot wide easement for a public pedestrian/bicycle pathway.

Location: The proposed development is located south/southeast of the current termination of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-0000-0001-053G.

Parcel Size: The total site area is 6.48 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Urban Apartment (RUA)

Density: Allowed: 19.9 units per acre
Proposed: 74 units / 6.48 acres = 11.4 units per acre

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.42 FAR (per Code Definition: 0.04 FAR)

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TRC Date: November 19, 2003

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City Council Date: January 20, 2004

DISCUSSION/FINDINGS:

Moore Bass Consulting, Inc., on behalf of Bonezzi Development Company, is requesting approval of a Major Development identified as "Old Bay Village." The proposed development consists of a 3-story, 18-unit condominium building, 56 townhouse units, dedication of property for public right-of-way, and a 20-foot wide easement for a public pedestrian/bicycle pathway. The proposed development is located south/southeast of the current termination of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-0000-0001-053G. The total site area is 6.48 acres, more or less.

The proposed project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review that is detailed below under the "Compatibility" section of this TRC Report.

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 "Town Center" Community Redevelopment Agency District.

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

COMPREHENSIVE PLAN/ZONING:

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

COMPATIBILITY:

The LDC requirements regulating compatibility are "*intended to ensure functional and attractive development by requiring that all future development be consistent with accepted planning practices and principles as well as natural area limitations*" [LDC, §7.09.01]. The Comprehensive Plan and Land Development Code further require that compatibility be measured based on the characteristics of proposed development and its impact on the immediate or surrounding area and especially homogeneous residential neighborhoods. Characteristics for consideration include:

1. Type of land use, zoning district, and land use category;
2. Building location, dimensions, height, and floor area ratio;
3. Location and extent of parking, access drives, and service areas;
4. Traffic generation, hours of operation, noise levels, and outdoor lighting;
5. Alteration of light and air; and
6. Setbacks and buffers.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the requirements as detailed below.

1. **Type of Land Use, Zoning District, and Future Land Use Designation:**

The proposed land use will consist of a 3-story, 18-unit condominium building, and 56 townhouse units. The property currently has a Future Land Use designation of Mixed Use (MU) and a Zoning designation of Residential Urban Apartment (RUA). The proposed use is consistent with the MU Future Land Use designation and is a permitted principal use within the RUA zoning district.

2. **Location of Structure, Dimensions, Height, and Floor Area Ratio:**

The proposed development consists of an 18-unit condominium building located along the western property line. The townhouse units are bundled into 7 individual buildings of 8-units in each located aptly throughout the remainder of the property. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Mixed Use	Residential Urban Duplex (RUD)	North: Nursing Home and Vacant Undeveloped Land
South	Commercial	Business Tourism (BT)	South: 100' Gulf Power Easement and Vacant and partially improved land for "Big Kahuna's"
East	Mixed Use / Medium Low Density Residential	Residential Urban Duplex (RUD)	Vacant Undeveloped Land and Single-family residential subdivision
West	Mixed Use	Residential General Development (RGD)	Vacant Undeveloped Land

The density of the project is detailed below. All structures within the proposed development are two stories in height, excepting the condominium building, which is three stories in height. Height is detailed below. The Mixed Use (MU) Future Land Use designation has a maximum floor area ratio (FAR) of 1.07. The project's FARs, as calculated below, are compliant.

As described herein, the surrounding uses include single family residential, a nursing home facility, and vacant undeveloped land. The proposed uses are highly complementary to the surrounding uses, which are mainly residential in nature. The intensity of development is considerably below the maximum intensity provided for in the Land Development Code. The use and intensity of the development is compatible with the surrounding area.

Density:

Allowed: 19.9 units per acre

Proposed: 74 units / 6.48 acres = 11.4 units per acre

Height:

The RUA (four or more family) Zoning District does not have a maximum building height. Building height in this district is determined by compatibility and whether the proposed structures are three stories or more, which require increased setbacks. The proposed conceptual condominium structure is three stories (40' 5" to the midpoint of the roof) and meets all setback requirements.

Floor Area Ratio:

The Mixed Use (MU) 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:

(Total gross floor area) - (Total square feet of required setbacks and open space + parking) = FAR
Total square feet of site

119,600 sq. ft. - 107,625 sq. ft. = FAR
282,387 sq. ft.

11,975 / 282,387 sq. ft. = 0.04 FAR

Utilizing the formula as defined above, the FAR of 0.04 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 results in an FAR of 0.20, which is below 1.07 and is calculated as follows:

Total square feet of existing and proposed buildings / square feet of subject parcel = FAR

119,600 sq. ft. / 282,387 sq. ft. = 0.42 FAR

3. Location and Extent of Parking, Access Drives, and Service Areas:

These characteristics of the proposed development are technically consistent with the Comprehensive Plan and LDC and are considered compatible. Further details are provided within the TRC Report regarding "Ingress/Egress" and "Parking."

4. Traffic Generation, Hours of Operation, Noise Levels and Outdoor Lighting:

- a. **Traffic Generation:** This analysis does not address traffic generation. Please refer to the "Traffic Analysis" section below.
- b. **Hours of Operation:** No adverse impacts are anticipated that require restriction on hours of operation.
- c. **Noise Levels:** No adverse noise impacts have been identified.
- d. **Outdoor Lighting:** The applicant is installing street lighting consistent with designs by Gulf Power Company that are utilized throughout the City of Destin.

5. Alteration of Light and Air: The plan does not generate any adverse impacts to light and air

6. Setbacks and Buffers: The setbacks and buffers meet requirements for land use compatibility.

The site plan for the "Old Bay Village" residential development complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09.

All proposed future revisions or additions to outdoor lighting plans must provide outdoor lighting specifications, including photometrics. Any future lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky. The source of all illumination should not be visible from off-site.

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].

RIGHT-OF-WAY DEDICATION:

Right-of-way dedication is required for this project in accordance with the adopted Corridor Management Plan for this area. The land for the dedicated right-of-way is depicted on Sheet 3.1 of the plans and will be used for an extension of the existing Mattie M. Kelly Boulevard (currently a private street). As part of the City's Corridor Management Plan, this existing private street in conjunction with future improvements and dedications is planned to be a north-south connector from Airport Road to U.S. Highway 98. In order to achieve this portion of the plan, the City requires 80' of right-of-way and the dedication of land from adjacent property owners to achieve the necessary roadway design.

The applicant for "Old Bay Village" has agreed to dedicate 50' of the 80' needed. The City does not, at this time, have the 30' of property west of the "Old Bay Village" property, but City Staff is working at this time with the property owner to the west of the "Old Bay Village" property to obtain the additional 30' needed. More specifically, City Staff and the City's Land Use Attorney are working to reinstate a previously considered Developer Agreement, which is currently on "hold" with the property owner to the west of the "Old Bay Village" property. As part of the initial agreement, the property owner will dedicate to the City 30' of property along their eastern property line. We are anticipating the finalization of the dedication, via the completed Developer Agreement, to occur no later than March 2004. In order for this development to move forward, the City Staff have established the following conditions:

Condition: The final design of the public street, known as "Mattie M. Kelly Boulevard" and as identified on the site plan, shall be delayed until such time as necessary for City Staff to finalize the dedication and acceptance of 30' of property to the west of the "Old Bay Village Development." Once the dedication of 30' of property to the west of the "Old Bay Village Development" is finalized, the applicant has 90 days to submit to the City an approvable final design of the public street. The intent is that in combination with the 50' dedicated as part of the "Old Bay Village" development and the 30' from the property to the west, the City will have established the required 80' of ROW to properly design and construct the new Mattie M. Kelly Boulevard.

Condition: Prior to the first request for a Certificate of Occupancy, the final design of the public street, as described above, will be constructed by the developer to a point approximately 300 feet from the northern property line. In the event the full 80' of ROW is not acquired by this time, such public street shall be designed and constructed as may be accommodated within the dedicated 50' of ROW. It will then be the City's intention to continue its initiative to acquire from the adjacent property owners the additional 30' of land for the ROW and thus bringing the total ROW to the City's full 80' standard to facilitate pedestrian and bicycle access and provide for public safety. The remainder of the "Mattie M. Kelly" public street will be designed and constructed by the City at such time as the north-south connector road from Airport Road to U.S. Highway 98 is finalized and funding provided.

Condition: Traffic control markers for street termination shall be installed approximately 55' north of the northern boundary of the Gulf Power Easement. This is to ensure public safety and prevent undesirable uses (i.e. parking of boats, trailers, etc., on public right-of-way).

Condition: The final design of the public street shall include, but not be limited to centering the pavement within the 80' ROW.

Condition: Bike lanes will be part of the final design of the street to be constructed.

Condition: Sidewalks along the eastern side of the new 80' ROW will be required and installed by the developer.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Solid Waste: **X**

Potable Water: **X**

Sanitary Sewer: **X**

Traffic: **X**

Stormwater Management: **X**

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Transportation Manager, and approved on November 19, 2003, the proposed development will not degrade the level of service of those major transportation facilities in the City of Destin (urban collectors and arterials). The major transportation facility segments and links, as identified per the RAC Interlocal Agreement / Unified Transportation Concurrency Methodology, impacted the most by the proposed development are as follows:

- Airport Road between U.S. Hwy 98 and Indian Bayou Trail: 11 Trips
- Airport Road between Indian Bayou Trail and Main Street: 10 Trips

Traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

SUBDIVISION OR PUD - PLAT:

The proposed development will be a condominium residential use and thus Condominium Documents are necessary. In lieu of providing draft Condominium Documents, the applicant has provided a Condominium/Townhouse Affidavit, dated December 3, 2003, (Exhibit "I"). In addition, the property must be properly subdivided and platted for the townhouse portion. **Condition: Prior to the issuance of a Building Permit for vertical construction, the plat based on the subdivision plan, Sheet 3.1, must be reviewed, approved by the City of Destin, and recorded.**

WHITE SANDS ZONE:

The project property is not located in either White Sand Zone I or II.

PHASING:

The proposed development will not be a phased development.

AIRPORT PROTECTION:

The subject site is located within an airport protection area, more specifically the Airport Noise Zone "C" as described in the LDC, Article 7, Section 7.15.00 and Appendix I, Article III. As a result of the subject site located within this Airport Noise Zone, it is a condition that the owner provides a "disclosure statement" for the properties to be sold and provide increased construction standards for the structures to be built. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion 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 proposed buildings meet and exceed all of the required setbacks for the RUA – Four or more family Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (west):	20'	10' FP	20.00' including the 10' FP
Side (north):	10'	5' CB	11.52' including the 5' CB
Side (south):	10'	5' CB	102.73' including the 5' CB
Rear (east):	10'	10' VB	19.22' including the 10' VB
Between Bldgs.:	10'	N/A	20.73'

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: the standard five (5) foot common boundary buffers along the northern and southern property lines. The 10' VB is required along the eastern property line.

SIGNS:

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

UTILITIES:

Underground utilities/service (existing and proposed) are required.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated November 6, 2003.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated November 19, 2003.

GULF POWER:

As a result of not attending or providing documentation denying the project, as a default, Gulf Power approved the project at the November 19, 2003, TRC meeting.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated November 19, 2003

SPRINT:

Sprint approved the project in a letter dated November 7, 2003.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated November 18, 2003.

STORMWATER:

The City Engineer approved the stormwater management plan on December 18, 2003, and had the following stormwater related conditions:

1. **Condition:** **NO STORMWATER RUNOFF** for the design storms shall be directed from the site toward the Mattie M. Kelly Blvd Right-of-Way (ROW).
2. **Condition:** We assume that the additional 30 feet of Right-of-Way (ROW) shall be available prior to the final road and drainage construction. Prior to construction of the ADS-Storm Compressor and Mattie M. Kelly Boulevard inlets and pavement as shown on the Grading and Drainage Plan, Sheet 4.0, dated 12-03-2003, it **shall be revised** to meet the 80 feet wide Right-of-Way, which shall eliminate the ADS-Storm Compressor system and **provide roadside swale drainage system.**
3. **Condition:** If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
4. **Prior to obtaining any city permit,** a copy of the FDEP stormwater & NPDES approvals shall be forwarded to the City Engineer's office to be stamped "Received" and then forwarded to the Community Development Department.
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:

A 26' +/- wide two-way ingress/egress access is proposed at the northern portion of the property connecting to the future extension of Mattie M. Kelly Boulevard. A second 25' +/- wide two-way ingress/egress access is proposed at the southern portion of the property connecting to the future extension of Mattie M. Kelly Boulevard.

PARKING:

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

Per code:

Dwelling, townhouses: 2.25 space per dwelling unit

Dwelling, multi-family (4 stories or less): 2.25 per dwelling unit

Per site plan:

74 dwelling units x 2.25 spaces = 167 parking spaces

TOTAL REQUIRED: 167 parking spaces

TOTAL PROVIDED: 168 parking spaces (including 3 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 are as follows:

TOTAL REQUIRED: 1 loading space

TOTAL PROVIDED: 1 loading space

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service for the condominium units and curbside pickup for the townhouse units. The proposed dumpster must be screened by a gated enclosure at least six feet tall.

SIDEWALKS:

A 5' wide sidewalk is required adjacent to the western property line and within the Mattie M. Kelly Boulevard right-of-way. The interior sidewalks vary from 4' wide to 5' wide depending on location as depicted on the approved site plans. Pedestrian connectivity is effectively provided throughout the development.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 282,387 sq. ft. (6.48 acres, more or less)
Required 18% Open Space: 50,829.66 sq. ft.
Provided Open Space: 124,748 sq. ft. (44%)

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):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>0</u>
Reforestation Trees (1 per every .10 of an acre: 6.48 x 10 = 65 Required on Site):	<u>65</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>65</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:	65
Front Perimeter Trees (1 per 25') Required on Site:	19
Parking Lot Trees (1 per end row and landscape island) Required on Site:	25
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: (Includes additional vegetation per Compatibility Analysis)	116
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	<u>0</u>
TOTAL TREES REQUIRED:	225
TOTAL TREES PROVIDED:	252

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (north, south, and east). A ten (10) foot Front Perimeter Landscape Area is required along the western property line. A 10' Vegetative Buffer in combination with the 5' Common Boundary buffer is required along the eastern property line that abuts the less intense zoning district. 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. If required, the ten (10) foot Front Perimeter Landscape Buffer shall be calculated as one (1) tree per twenty-five (25) linear feet of buffer. Unless otherwise noted, 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 per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

The following impact fee amounts may be subject to change. **Final impact fee amounts will be determinative upon the gross floor area of the development and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested.** Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees. The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Parks: The park fees were calculated using the "Multi-family = \$113.03 per unit" amount.

Multi-family:

74 proposed units x \$113.03 = \$8,364.22

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

Multi-family:

74 proposed units x \$76.19 = \$5,638.06

Police Protection: The police protection impact fees were calculated using the "Multi-family = \$14.50 per unit."

Multi-family:

74 proposed units x \$14.50 = \$1,073.00

Road: The road impact fees were calculated using the "Multi-family = \$577.00 per unit."

Multi-family:

74 proposed units x \$577.00 = \$42,698.00

Totals:

Parks:	=	\$8,364.22
Public Library:	=	\$5,638.06
Police Protection:	=	\$1,073.00
Roads:	=	\$42,698.00
TOTAL:	=	\$57,773.28

Totals for proposed individual townhouse or condo unit:

Parks:	=	\$113.03
Public Library:	=	\$76.19
Police Protection:	=	\$14.50
Roads:	=	\$577.00
TOTAL:	=	\$780.72

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (January 22, 2004). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	Paid
City Compatibility Consultant:	N/A
City Surveyor:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Stormwater Man.)	Paid
Administrative Costs:	Paid
<u>City Council Advertising:</u>	Paid
TOTAL (as of 1/22/04) =	\$0.00

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

FDEP stormwater and NPDES approvals shall be forwarded to the city engineer's office for stamp received and then forwarded to the Community Development Department.

COMMENTS/CONDITIONS:

Public Input:

No public comments have been presented to staff at the time of this report.

Per Community Development Department:


1. **Prior to the issuance of the Development Order, all outstanding costs associated with this project and are owed to the City must be paid in full.**
2. **The final design of the public street, known as "Mattie M. Kelly Boulevard" and as identified on the site plan, shall be delayed until such time as necessary for City Staff to finalize the dedication and acceptance of 30' of property to the west of the "Old Bay Village Development." Once the dedication of 30' of property to the west of the "Old Bay Village Development" is finalized, the applicant has 90 days to submit to the City an approvable final design of the public street. The intent is that in combination with the 50' dedicated as part of the "Old Bay Village" development and the 30' from the property to the west, the City will have established the required 80' of ROW to properly design and construct the new Mattie M. Kelly Boulevard.**
3. **Prior to the first request for a Certificate of Occupancy, the final design of the public street, as described above, will be constructed by the developer to a point approximately 300 feet from the northern property line. In the event the full 80' of ROW is not acquired by this time, such public street shall be designed and constructed as may be accommodated within the dedicated 50' of ROW. It will then be the City's intention to continue its initiative to acquire from the adjacent property owners the additional 30' of land for the ROW and thus bringing the total ROW to the City's full 80' standard to facilitate pedestrian and bicycle access and provide for public safety. The remainder of the "Mattie M. Kelly" public street will be designed and constructed by the City at such time as the north-south connector road from Airport Road to U.S. Highway 98 is finalized and funding provided.**

4. Traffic control markers for street termination shall be installed approximately 55' north of the northern boundary of the Gulf Power Easement. This is to ensure public safety and prevent undesirable uses (i.e. parking of boats, trailers, etc., on public right-of-way).
5. The final design of the public street shall include, but not be limited to centering the pavement within the 80' ROW.
6. Bike lanes will be part of the final design of the street to be constructed.
7. Sidewalks along the eastern side of the new 80' ROW will be required and installed by the developer.
8. A 20' wide easement as depicted on Sheet 3.1 will be granted to the City of Destin to be used for a pedestrian/bike pathway system as planned for within the City of Destin's Pathways Plan.
9. **Prior to the issuance of a Building Permit for vertical construction**, the plat based on the subdivision plan, Sheet 3.1, must be reviewed, approved by the City of Destin, and then properly recorded by the applicant.
10. The subject site is located within Airport Noise Zone "C", and thus it is a condition that the owner provides a "disclosure statement" for the properties to be sold and provide increased construction standards for the structures to be built to meet the standards described in the LDC, Article 7, Section 7.15.00 and Chapter 21, Article III of the City's Code of Ordinances.
11. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
12. **Prior to the issuance of a Certificate of Occupancy**, the Declaration of Covenants, Conditions, and Restriction documents must be reviewed and approved by the City Land Use Attorney. Additionally, a copy of the Declaration of Covenants, Conditions, and Restriction documents that have been recorded with the state must be submitted to the City of Destin.
13. **Prior to the issuance of a Certificate of Occupancy within the condominium building**, the Condominium Documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. The Condominium Documents must contain, at a minimum, the provisions stated in the Condominium Affidavit dated December 3, 2003. Additionally, a copy of the Condominium Documents, once recorded with the state, must be submitted to the City of Destin.
14. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.

IN A SMALL SECTION

within the zone. 90% of the projects


Not in the zone




15. 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 stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.

Per City Engineer's Letter dated December 18, 2003:

1. **NO STORMWATER RUNOFF** for the design storms shall be directed from the site toward the Mattie M. Kelly Blvd Right-of-Way (ROW).
2. We assume that the additional 30 feet of Right-of-Way (ROW) shall be available prior to the final road and drainage construction. Prior to construction of the ADS-Storm Compressor and Mattie M. Kelly Boulevard inlets and pavement as shown on the Grading and Drainage Plan, Sheet 4.0, dated 12-03-2003, it **shall be revised** to meet the 80 feet wide Right-of-Way, which shall eliminate the ADS-Storm Compressor system and **provide roadside swale drainage system**.
3. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
4. **Prior to obtaining any city permit**, a copy of the FDEP stormwater & NPDES approvals shall be forwarded to the City Engineer's office to be stamped "Received" and then forwarded to the Community Development Department.
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).


Gerald F. Mucci, AICP 1-27-04
Community Development Director Date


Bonezzi Development Company 1/27/04
Owner Date
Robert A. Bonezzi
President