



City of Destin

July 13, 2004

Order No. 04-22

Final Development Order:

**“POMPANO LANDING TOWNHOME DEVELOPMENT”
(aka Quail Run Townhomes)
A MAJOR DEVELOPMENT
(SP-04-13)**

Based upon the City Council’s approval of this development order on July 6, 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: Jenkins, Stanford, and Associates, Inc., on behalf of Robert Donovan Construction, Inc., in conjunction with Courtyard Development, LLC, is requesting approval of a Major Development identified as “Pompano Landing Townhome Development.”

Request: The proposed development consists of a 98-unit townhome subdivision.

Location: The proposed development is located on Airport Road approximately 250 feet east of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-1612-0000-0010, 00-2S-22-1612-0000-0020, 00-2S-22-0000-0001-0531, and 00-2S-22-0000-0001-053H.

Parcel Size: The total site area is 9.28 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Business Retail (BR) and Residential Urban Apartment (RUA)

Density: Allowed: 19.9 dwelling units per acre
Proposed: 98 dwelling units / 9.28 acres = 10.6 dwelling units per acre

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.33 FAR (per Code Definition: -0.399 FAR)

Application Date: February 3, 2004

TRC Date: February 18, 2004

Approved Site Plan Date: June 17, 2004

City Council Date: July 6, 2004

DETERMINATIONS:

1. The Destin City Council held a public hearing on July 6, 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 June 17, 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 June 17, 2004, are incorporated herein.

CONDITIONS OF APPROVAL FOR "POMPANO LANDING (aka Quail Run Townhomes)" A MAJOR DEVELOPMENT (SP-04-13):

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 July 13, 2004 (no later than July 13, 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 "Pompano Landing (aka Quail Run Townhomes)" 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 (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
 - 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. This project is in close proximity to the Destin Airport. 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 (Sound Level Requirements – SLR) for the structures. Provide the following note on the final plat,

"This note is to aid in notifying prospective purchasers of property identified hereon of any noise-impacted areas. The properties as identified hereon are located within the Destin-Ft. Walton Beach Airport's *Noise Zone C*. A final determination shall be obtained from the City of Destin as to whether or not the prospective property or properties are located within the identified noise zone. A disclosure statement shall be completed and filed with the property deed for all residential property located in noise zone C."

Construction plans need to be certified and noted that they are compliant with SLR-25 reduction standards per the City's Land Development Code. Provide the following note on all construction plans,

"The buildings or structures as identified herein meet and/or exceed the City of Destin's Sound Level Reduction (SLR) requirements (See City of Destin Land Development Code, Appendix I, Article III, *Airport Zoning Regulations* and more specifically Division 1 and 3 and the incorporated Okaloosa County Ordinance 82-19) through a combination of building design, choice of building materials and execution of construction details in accordance with architectural and acoustical principals."

3. Prior to the issuance of a Building Permit for vertical construction, the final mylar plat based on the preliminary plat as depicted on Sheet C-2, must be reviewed, approved by the City of Destin, and recorded. NOTE: All necessary easements (cross drainage, cross access, etc.) shall be provided on the final townhome subdivision plat for Staff to review.

4. Prior to vertical construction, provide an 8' opaque fence or wall along the property lines within the 10' Vegetative Buffer areas and provide for increased vegetation (one indigenous tree with a diameter of at least 2" at breast height and at least 6' tall provided for each 20 linear feet of such landscaped buffer area and shrubs interspersed between the trees.) within the buffer area. Agreeing to this option/condition, the City will permit a maximum patio size of 5' deep by 6' wide for rear egress.
5. Units 11 through 32 of Townhouse "A" cannot be covered, as it will violate the 10' distance separation between structures. Show all the desired patios for each unit. Also, the covenants, restrictions, and conditions will need to reference those townhomes that can or cannot have patios and/or be covered.
6. **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. The Declaration of Covenants, Conditions, and Restriction documents must contain, at a minimum, the provisions stated in the affidavit dated April 20, 2004. 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.
7. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
8. **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.
9. 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.
10. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner.
11. **Prior to obtaining any city permit**, a copy of the FDEP stormwater approval shall be forwarded to the City.
12. **Prior to obtaining any city permit**, provide a NPDES Stormwater Construction Generic Permit (CGP) approval.
13. With respect to the preliminary plat provided, all stormwater management facilities associated with the project development are to be located in common areas or within easements specifically dedicated for drainage. It is understood that coordination of this matter is being handled through the City Planning Manager and must be properly addressed prior to the issuance of City permits.

14. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions 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.

TECHNICAL REVIEW COMMITTEE REPORT
"POMPANO LANDING TOWNHOME DEVELOPMENT"
(aka Quail Run Townhomes)
A MAJOR DEVELOPMENT
(SP-04-13)

TRC Report: June 17, 2004

ISSUE:

Applicant: Jenkins, Stanford, and Associates, Inc., on behalf of Robert Donovan Construction, Inc., in conjunction with Courtyard Development, LLC, is requesting approval of a Major Development identified as "Pompano Landing Townhome Development."

Request: The proposed development consists of a 98-unit townhome subdivision.

Location: The proposed development is located on Airport Road approximately 250 feet east of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-1612-0000-0010, 00-2S-22-1612-0000-0020, 00-2S-22-0000-0001-0531, and 00-2S-22-0000-0001-053H. (Exhibit "A" for Location Map).

Parcel Size: The total site area is 9.28 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Business Retail (BR) and Residential Urban Apartment (RUA)

Density: Allowed: 19.9 dwelling units per acre
Proposed: 98 dwelling units / 9.28 acres = 10.6 dwelling units per acre

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.33 FAR (per Code Definition: -0.399 FAR)

Application Date: February 3, 2004

TRC Date: February 18, 2004

Approved Site Plan Date: June 17, 2004

City Council Date: July 6, 2004

DISCUSSION/FINDINGS:

Jenkins, Stanford, and Associates, Inc., on behalf of Robert Donovan Construction, Inc., in conjunction with Courtyard Development, LLC, is requesting approval of a Major Development identified as "Pompano Landing Townhome Development." The proposed development consists of a 98-unit townhome subdivision. The proposed development is located on Airport Road approximately 250 feet east of Mattie M. Kelly Boulevard and is more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-1612-0000-0010, 00-2S-22-1612-0000-0020, 00-2S-22-0000-0001-0531, and 00-2S-22-0000-0001-053H. The total site area is 9.28 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 Business Retail (BR) and 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, however for the townhomes located in the BR zoning district a Special Exception is required. The City's Board of Adjustment granted a Special Exception on June 2, 2004, by Final Order, which has been recorded into the public record of Okaloosa County.

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 98 townhouse units with a common area pool and pool house. The property currently has a Future Land Use designation of Mixed Use (MU) and a Zoning designation of Business Retail (BR) and 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, however for the townhomes located in the BR zoning district a Special Exception is required. The Special Exception was granted by the City's Board of Adjustment on June 2, 2004, by Final Order, which has been recorded into the public record of Okaloosa County.

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

The proposed development consists of 19, two story townhome building clusters ranging from 2 to 12 units within each cluster. The townhomes are located uniformly throughout the property with the pool and pool house located at the far western portion of the development (Exhibit “B”). The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Industrial	Airport Industrial Park (AIP)	North: Destin – Ft. Walton Beach Airport and Terminal Facility
South	Mixed Use	Residential Urban Duplex (RUD) and Residential Urban Apartment (RUA)	South: Destin Healthcare and Rehabilitation Center and “Old Bay Village” (Townhome Project)
East	Medium-Low Density Residential	Residential Urban Duplex (RUD)	Single-family dwellings (Quietwood Subdivision)
West	Mixed Use	Residential Urban Duplex (RUD) and Residential General Development (RGD)	Destin Healthcare and Rehabilitation Center, ProStep Corporate Office Building, and Destin Urgent Care Facility

As described herein, the surrounding uses include single family residential, a nursing home facility, urgent care facility, offices, multifamily dwellings/townhomes, and an airport. The proposed use (townhome subdivision development) is consistent with the surrounding uses, which are mainly residential in nature. It should be noted that due to the close proximity to the Destin – Ft. Walton Beach Airport, the applicant has acknowledged the requirements of adhering to the specific Land Development Code Airport zoning regulations (This shall be described in further detail in the “Airport Protection” subsection of this report.). The intensity and density of development is below the maximum intensity provided for in the Land Development Code and density provided in the Comprehensive Plan. The density and Floor Area Ratio of the project is detailed below.

Density:

Allowed: 19.9 dwelling units per acre

Proposed: 98 dwelling units / 9.28 acres = 10.6 dwelling units per acre

Floor Area Ratio:

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

134,430 sq. ft. - 296,361 sq. ft. = FAR
404,390 sq. ft.

-161,931 sq. ft. / 404,390 sq. ft. = -0.399 FAR

Utilizing the formula as defined above, the FAR of -0.399 is well below the maximum FAR of 1.07 in the Mixed Use (MU) Future Land Use Map designation and thus is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.33, which is also below 1.07 and is calculated as follows:

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

134,430 sq. ft. / 404,390 sq. ft. = 0.33FAR

Height:

All structures within the proposed development are two stories in 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. Since none of the structures are three stories or more in height, no increased setbacks required. The height throughout the development is compatible with the height of the surrounding uses, which are one to three stories in height.

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. 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.
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 "Pompano Landing Townhome Development" development complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09.

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:

Transportation corridors are identified in the Transportation Element of the Comprehensive Plan for the future construction, extension or redesign of roadways that will help to complete the City's network of collector streets. The purpose of the Transportation Corridor Management Plan (TCMP) is to facilitate property acquisition for future transportation corridors by way of donation, purchase, or eminent domain, as far in advance of construction as possible. This Transportation Corridor Management Plan was developed pursuant to *Section 337.273, F.S.*

The first phase of the TCMP identified Airport Road from U.S. 98 to Main Street as a potential east-west alignment. Mattie M. Kelly Boulevard off Airport Road also was identified in the first phase of the city's corridor management plan as a north-south connector road. The Destin City Council approved this alignment in July 2003. A copy of the staff report is attached.

On Nov. 17, 2003, the Destin City Council approved a corridor protection ordinance (Ord. No. 03-15-LC) that identified the needed alignments and encourages property owners to voluntarily dedicate Right-of-Way for future road alignments. This ordinance is applicable to this proposed development activity.

Note: To work towards the goals of the TCMP, City Staff has been coordinating with the developer to obtain by dedication for use as a right-of-way the portion of land (Portion of Parcel ID # 00-2s-22-0000-0001-0530), which contains the 50' by 1,287.97' (pavement centerline) +/- ingress/egress utility easement and is currently used as Mattie M. Kelly Boulevard. City Staff is in the final stages of negotiating the acquisition of the previously referenced land from the applicant and anticipate presenting the sales agreement/contract for consideration at the July 19, 2004, council meeting.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Solid Waste: **X**
Potable Water: **X**
Sanitary Sewer: **X**
Traffic: **X**
Stormwater Management: **X**

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

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Transportation Manager, and approved on March 15, 2004, the proposed development will not degrade the level of service of those major transportation facilities in the City of Destin (urban collectors and arterials).

Traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager after reviewing the applicant's traffic concurrency analysis (Exhibit "G").

SUBDIVISION OR PUD - PLAT:

The proposed development requires a townhome subdivision plat. In lieu of providing draft Covenants and Restrictions, the applicant has provided a Condominium/Townhouse Affidavit, dated April 20, 2004, (Exhibit "I").

Condition: Prior to the issuance of a Building Permit for vertical construction, the final mylar plat based on the preliminary plat as depicted on Sheet C-2, must be reviewed, approved by the City of Destin, and recorded.

Condition: 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. The Declaration of Covenants, Conditions, and Restriction documents must contain, at a minimum, the provisions stated in the affidavit dated April 20, 2004. 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.

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. The applicant is prepared to apply for a development order for the portion of the property left vacant (northern most portion) within the BR zoning district.

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" (See Condition No. 2 on page 12 of 19) for the properties to be sold and provide increased construction standards (Sound Level Requirements – SLR) for the structures to be built within the identified zone. 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 following zoning district(s):

RUA – Four or more family and RIA – four or more (fewer than 3 floors) as a result of the Special Exception being granted within the BR zoning district.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (north):	20'	10' FP	20' including the 10' FP
Side (east):	10'	10' VB	10' including the 10' VB
Side (west):	10'	10' VB	10' including the 10' VB
Rear (south):	10'	5' CB	116' including the 5' CB
Between Bldgs.:	10'	N/A	13.9'

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 far southern property line. The 10' VB is required along the eastern and western property lines.

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 February 16, 2004.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated February 18, 2004.

GULF POWER:

Gulf Power approved the project in a letter dated February 10, and February 18, 2004.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated February 18, 2004.

SPRINT:

Sprint approved the project at the February 18, 2004, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated February 17, 2004.

STORMWATER:

Jones Edmunds and Associates, as the City Engineer, approved the stormwater management plan, and had the following stormwater related conditions:

1. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner.
2. **Prior to obtaining any city permit**, a copy of the FDEP stormwater approval shall be forwarded to the City.
3. **Prior to obtaining any city permit**, provide a NPDES Stormwater Construction Generic Permit (CGP) approval.
4. **Condition:** With respect to the preliminary plat provided, all stormwater management facilities associated with the project development are to be located in common areas or within easements specifically dedicated for drainage. It is understood that coordination of this matter is being handled through the City Planning Manager and must be properly addressed prior to the issuance of City permits.

INGRESS/EGRESS:

A 24' +/- wide one-way ingress access and a 14' +/- wide one-way right turn only egress access are proposed along the northern property line. An additional 27' +/- wide ingress/egress is provided along the western property line connecting to the current access easement and private road 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

Per site plan:

98 dwelling units x 2.25 spaces = 220 parking spaces

TOTAL REQUIRED: 220 parking spaces

TOTAL PROVIDED: 304 parking spaces (including 5 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: Not applicable

TOTAL PROVIDED: Not applicable

REFUSE COLLECTION:

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

SIDEWALKS:

A 5' wide existing sidewalk is provided within the Airport Road right-of-way. The interior sidewalks are 4' wide as depicted on the approved site plans. Any portion damaged during construction shall be replaced prior to issuance of a Certificate of Occupancy. Pedestrian connectivity is effectively provided throughout the development.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 404,390 sq. ft. (9.28 acres, more or less)

Required 18% Open Space: 72,790.20 sq. ft.

Provided Open Space: 97,139 sq. ft. (24%)

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><u>0</u></u>

Reforestation Trees (1 per every .10 of an acre: 9.28 x 10 = 93 Required on Site:	<u>93</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u><u>93</u></u>

Note: Per the Land Development Code, credit shall be received on the reforestation requirement of this section by preserving existing trees. Trees required for reforestation are in addition to other required trees within Article 12, Section 12.04.04.C.

Total Reforestation Trees Required on Site:	93
Front Perimeter Trees (1 per 25') Required on Site:	11
Parking Lot Trees (1 per end row and landscape island) Required on Site:	2
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: (Includes additional vegetation per Compatibility Analysis)	65
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	<u>0</u>
TOTAL TREES REQUIRED:	171
TOTAL TREES PROVIDED:	178

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (south). A ten (10) foot Front Perimeter Landscape Area is required along the northern property line. A 10' Vegetative Buffer in combination with the 5' Common Boundary buffer is required along the eastern and western property line that abuts the less intense zoning district. The vegetative buffer will also incorporate an 8' high wooden privacy fence as shown on the approved plan. 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 (See conditions), 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 determinant upon 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:

98 proposed units x \$113.03 = \$11,076.94

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

Multi-family:

98 proposed units x \$76.19= \$7,466.62

Police Protection: The police protection impact fees were calculated using the "Residential - Outside Corridor Multi-Family = \$14.50" category.

Multi-family:

98 proposed units x \$14.50= \$1,421.00

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

Multi-family:

98 proposed units x \$577.00= \$56,546.00

Totals:

Parks:	=	\$11,076.94
Public Library:	=	\$7,466.62
Police Protection:	=	\$1,421.00
Roads:	=	\$56,546.00
TOTAL:	=	\$76,510.56

Note: The Road Impact Fees may be credited by \$56,546.00 if the 50' by 1,287.97' (pavement centerline) +/- area of land currently used as Mattie M. Kelly Boulevard (Portion of Parcel ID # 00-2s-22-0000-0001-0530) is dedicated to the City for use as a public right-of-way.

Totals for proposed individual townhouse:

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 (March 9, 2004). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	Paid from Escrow
City Compatibility Consultant:	N/A
City Surveyor:	Paid from Escrow
City Stormwater Review Consultant:	TBD
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Stormwater Man.)	Paid
Administrative Costs:	Paid
<u>City Council Advertising:</u>	TBD
TOTAL (as of 3/9/04) =	\$0.00 (Subject to change)

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 or City Consultants must be paid in full.**
2. **This project is in close proximity to the Destin Airport. 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 (Sound Level Requirements – SLR) for the structures. Provide the following note on the final plat,**

"This note is to aid in notifying prospective purchasers of property identified hereon of any noise-impacted areas. The properties as identified hereon are located within the Destin-Ft. Walton Beach Airport's *Noise Zone C*. A final determination shall be obtained from the City of Destin as to whether or not the prospective property or properties are located within the identified noise zone. A disclosure statement shall be completed and filed with the property deed for all residential property located in noise zone C."

Construction plans need to be certified and noted that they are compliant with SLR-25 reduction standards per the City's Land Development Code. Provide the following note on all construction plans,

"The buildings or structures as identified herein meet and/or exceed the City of Destin's Sound Level Reduction (SLR) requirements (See City of Destin Land Development Code, Appendix I, Article III, *Airport Zoning Regulations* and more specifically Division 1 and 3 and the incorporated Okaloosa County Ordinance 82-19) through a combination of building design, choice of building materials and execution of construction details in accordance with architectural and acoustical principals."

3. **Prior to the issuance of a Building Permit for vertical construction**, the final mylar plat based on the preliminary plat as depicted on Sheet C-2, must be reviewed, approved by the City of Destin, and recorded. NOTE: All necessary easements (cross drainage, cross access, etc.) shall be provided on the final townhome subdivision plat for Staff to review.
4. Prior to vertical construction, provide an 8' opaque fence or wall along the property lines within the 10' Vegetative Buffer areas and provide for increased vegetation (one indigenous tree with a diameter of at least 2" at breast height and at least 6' tall provided for each 20 linear feet of such landscaped buffer area and shrubs interspersed between the trees.) within the buffer area. Agreeing to this option/condition, the City will permit a maximum patio size of 5' deep by 6' wide for rear egress.
5. Units 11 through 32 of Townhouse "A" cannot be covered, as it will violate the 10' distance separation between structures. Show all the desired patios for each unit. Also, the covenants, restrictions, and conditions will need to reference those townhomes that can or cannot have patios and/or be covered.
6. **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. The Declaration of Covenants, Conditions, and Restriction documents must contain, at a minimum, the provisions stated in the affidavit dated April 20, 2004. 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.
7. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
8. **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.
9. 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.
10. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner.
11. **Prior to obtaining any city permit**, a copy of the FDEP stormwater approval shall be forwarded to the City.
12. **Prior to obtaining any city permit**, provide a NPDES Stormwater Construction Generic Permit (CGP) approval.

13. With respect to the preliminary plat provided, all stormwater management facilities associated with the project development are to be located in common areas or within easements specifically dedicated for drainage. It is understood that coordination of this matter is being handled through the City Planning Manager and must be properly addressed prior to the issuance of City permits.
14. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions 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.

Gerald F. Mucci 7-13-04
Gerald F. Mucci, AICP Date
Community Development Director

Richard Eugene Hyatt 7-20-04
Courtyard Development, LLC Date
Owner
Richard Eugene Hyatt
Trustee and Managing Member