



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

April 21, 2008

Order No. 08-18

Final Development Order:

“VILLAGE INN DEVELOPMENT – TIER 2” A MINOR (TIER 2) DEVELOPMENT (SP-07-27)

Based upon the City's approval and issuance of this Development Order, on April 21, 2008, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

BACKGROUND / ISSUE:

Applicant: Jack Rhodes and Moore Bass Consulting of Destin, Inc., Agents, on behalf of SFB Investment Company, LLLP, is requesting approval of “Village Inn Development” a Minor (Tier 2) Development.

Request: The proposed mixed-use redevelopment consists of the following:

- 9-story buildings (100 feet), which contain:
 - 82 long-term residential units
 - Commercial area of 230,248 sq. ft.:
 - Hotel/Condotel: 226,331 sq. ft. (148 units)
 - Retail: 2,200 sq. ft.
 - Restaurant: 1,717 sq. ft.

Location: The proposed redevelopment is located at 215 Harbor Boulevard, more specifically identified with the following Tax Parcel I.D. Numbers: 00-2S-22-0310-000B-2270, 00-2S-22-0310-000B-1160, 00-2S-22-0310-000B-2250, and 00-2S-22-0310-000B-2230.

Parcel Size: The current site area is 3.16 acres, more or less.

Future Land Use: North Harbor Mixed Use (NHMU)

Zoning District: North Harbor Mixed Use (NHMU)

Density: Allowed (Tier 2 Development): 26.00 units per acre
Proposed: 82 units/3.16 acres = 26 units per acre

Intensity: Allowed Tier 2 FAR: Up to 1.75 FAR

Proposed Tier 2 (Total Site): 230,248 sq. ft. / 137,649.6 sq. ft. land area = 1.67 FAR. The proposed 1.67 FAR is below the Tier 2 maximum FAR of 1.75.

Application Date: September 26, 2007

TRC Date: October 17, 2007

Approved Site Plan Date: April 16, 2008

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated April 16, 2008, are incorporated herein.

CONDITIONS OF APPROVAL FOR "VILLAGE INN DEVELOPMENT" A MINOR (TIER 2) DEVELOPMENT (SP-07-27):

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

Construction of infrastructure must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on April 21, 2008 (no later than April 21, 2009), and must be completed as shown on plans approved by the Technical Review Committee.

WARNING: If the applicant/owner has not obtained a building permit(s) for either the construction of infrastructure or construction of the entire project and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.21.00)

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

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline for either the construction of infrastructure or construction of the entire project must submit a written request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction of infrastructure or construction of the entire project. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, of the Destin Land Development Code for further explanation of the Development Order extension process.

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Village Inn Development" will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
 - A. Construction permit(s) in association with construction of infrastructure or construction of the entire project are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
 - B. Construction activity ceases for a period of one (1) year after a building permit for construction of infrastructure or construction of the entire project has been issued so that concurrency is not maintained under Article 6 of the Destin Land Development Code.

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.
4. **Conditions Per Community Development Department:** Refer to pages 15 thru 17 of the attached TRC Report dated April 16, 2008.
5. **Conditions Per Engineering Department:** Refer to pages 17 thru 19 of the attached TRC report dated April 16, 2008.
6. **Conditions Per Destin Water Users, Inc.:** Refer to page 19 of the attached TRC Report dated April 16, 2008.

TECHNICAL REVIEW COMMITTEE REPORT

"1900 NINETY EIGHT" A MINOR (TIER 2) DEVELOPMENT (SP-06-14)

TRC Report: April 16, 2008

ISSUE:

Applicant: Jack Rhodes and Moore Bass Consulting of Destin, Inc., Agents, on behalf of SFB Investment Company, LLLP, is requesting approval of "Village Inn Development" a Minor (Tier 2) Development.

Request: The proposed mixed-use redevelopment consists of the following:

- 9-story buildings (100 feet), which contain:
 - 82 long-term residential units
 - Commercial area of 230,248 sq. ft.:
 - Hotel/Condotel: 226,331 sq. ft. (148 units)
 - Retail: 2,200 sq. ft.
 - Restaurant: 1,717 sq. ft.

Location: The proposed redevelopment is located at 215 Harbor Boulevard, more specifically identified with the following Tax Parcel I.D. Numbers: 00-2S-22-0310-000B-2270, 00-2S-22-0310-000B-1160, 00-2S-22-0310-000B-2250, and 00-2S-22-0310-000B-2230.

Parcel Size: The current site area is 3.16 acres, more or less.

Future Land Use: North Harbor Mixed Use (NHMU)

Zoning District: North Harbor Mixed Use (NHMU)

Density: Allowed (Tier 2 Development): 26.00 units per acre
Proposed: 82 units/3.16 acres = 26 units per acre

Intensity: Allowed Tier 2 FAR: Up to 1.75 FAR

Proposed Tier 2 (Total Site): **230,248 sq. ft. / 137,649.6 sq. ft. land area = 1.67 FAR** The proposed 1.67 FAR is below the Tier 2 maximum FAR of 1.75.

Application Date: September 26, 2007

TRC Date: October 17, 2007

Approved Site Plan Date: April 16, 2008

DISCUSSION/FINDINGS:

Jack Rhodes and Moore Bass Consulting of Destin, Inc., Agents, on behalf of SFB Investment Company, LLLP, is requesting approval of "Village Inn Development" a Minor (Tier 2) Development. The proposed mixed-use redevelopment consists of the following:

- 9-story buildings (100 feet), which contain:
 - 82 long-term residential units
 - Commercial area of 230,248 sq. ft.:
 - Hotel/Condotel: 226,331 sq. ft. (148 units)
 - Retail: 2,200 sq. ft.
 - Restaurant: 1,717 sq. ft.

The proposed redevelopment is located 215 Harbor Boulevard, more specifically identified with the following Tax Parcel I.D. Numbers: 00-2S-22-0310-000B-2270, 00-2S-22-0310-000B-1160, 00-2S-22-0310-000B-2250, and 00-2S-22-0310-000B-2230. The current site area is .67 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a technical and Concurrency Management review.

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 North Harbor Mixed Use (NHMU) and a Zoning designation of North Harbor Mixed Use (NHMU). The proposed mixed use redevelopment is consistent with the NHMU Future Land Use designation and is a permitted principal use within the NHMU Zoning District.

LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Surrounding development
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

Surrounding development:

The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	North Harbor Mixed Use (NHMU) / Commercial Trades and Services (CTS)	North Harbor Mixed Use (NHMU) / Commercial Trades and Services (CTS)	North: Office, service shop, vacant and retail
South	South Harbor Mixed Use (SHMU)	South Harbor Mixed Use (SHMU)	South: Commercial marina, vacant and restaurant
East	North Harbor Mixed Use (NHMU)	North Harbor Mixed Use (NHMU)	East: Retail
West	North Harbor Mixed Use (NHMU)	North Harbor Mixed Use (NHMU)	West: Retail

As described herein, the surrounding uses include offices, service shop, retail, commercial marina and vacant properties. 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.

Mechanical equipment:

Condition: Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.

Outdoor storage and display:

Not applicable.

Solid waste collection areas:

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses and setback a minimum of five feet from any property line which abuts a non-residential or mixed use.

Condition: All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

Parking, loading, or accessway areas (abutting residential uses):

The proposed development does not abut single-family, duplex or townhome uses. Therefore, parking, loading, accessways or service and utility areas are not required to be located ten (10) feet from the property line.

The site plan for “Village Inn Development” complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] and Land Development Code [LDC, §7.09].

DENSITY (UNITS PER ACRE):

The density calculation methodology results in a proposed density 26 units per acre. This proposed density is at the maximum allowable density for a Tier 2 development of 26.00 units per acre, and is calculated as follows:

Proposed Density = Total number of units proposed / acres of the subject parcel

Proposed Density = 82 units / 3.16 acres = 26 units per acre

INTENSITY (Floor Area Ratio – FAR):

Allowed Tier 2 FAR: Up to 1.75 FAR

Proposed Tier 2 (Total Site): **230,248 sq. ft. / 137,649.6 sq. ft. land area = 1.67 FAR.** The proposed 1.67 FAR is below the Tier 2 maximum FAR of 1.75.

TIER 2 SUPPLEMENTAL DESIGN STANDARDS:

Comprehensive Plan: 2010 Policy 1-2.1.8 states that “*Height, intensity, and density bonus provisions are provided in the HDR, CMU, SHMU, NHMU, TCMU, GRMU, HIMU, and CBR Land Use Designations. These provisions shall be initiated to stimulate reinvestment in high standards of design through implementation of a tiered regulatory system that grants incentives for actions that are consistent with design criteria that cannot otherwise be mandated. The outcome shall result in high quality, innovative development that enhances site and building design, achieves land use compatibility, promotes non-motorized mobility, and provides the opportunity for achieving extraordinary public benefit.*”

Section 7.09.03 of the Land Development Code contains supplemental design standards that shall be met in order to qualify for Tier 2 height, intensity, and density bonuses. These supplemental standards include:

- Design criteria
- Open space
- Setbacks
- Landscaping
- Pedestrian amenities
- Design initiatives that accommodate transit needs
- Pedestrian and/or vehicular access

See attached “Findings of Fact” received January 11, 2008, for details on the project’s supplemental design criteria standards. (“Findings of Fact” are also located in File: SP-07-27.)

Open space:

Tier 2 development proposed in the NHMU future land use designation shall provide an additional five percent open space in addition to the required minimum of 25 percent for a total of 30 percent. The 30 percent can be reduced to not less than 12 percent by adhering to requirements of the “Open Space Incentive Program.” The proposed amount of open space, as defined in the Land Development Code, for this development is as follows:

Total sq. ft. of provided open space / sq. ft. of subject parcel = Percentage of open space

29,140 sq. ft. / 137,500 sq. ft. = 21 percent open space provided

Setbacks:

The following setbacks shall apply to developments proposed in the NHMU zoning district that front on U.S. Highway 98 (Harbor Blvd.):

PROPERTY LINE	REQUIRED SETBACK	PROVIDED
North (front)	<ul style="list-style-type: none">• Min 15 ft. to max 25 ft. for any portion of a building having a height below 40 ft.• Min 35 ft. for any portion of a building having a height above 40 ft.	<ul style="list-style-type: none">• 17.74 ft.• 35 ft.
West (side)	<ul style="list-style-type: none">• 0 ft. for any portion of a building having a height of 40 ft. or less• Additional 2 ft. setback for each 10 ft. or fraction thereof exceeding 40 ft. in height	<ul style="list-style-type: none">• 12 ft.
East (side)	<ul style="list-style-type: none">• 0 ft. for any portion of a building having a height of 40 ft. or less• Additional 2 ft. setback for each 10 ft. or fraction thereof exceeding 40 ft. in height	<ul style="list-style-type: none">• 12 ft.
South (front)	<ul style="list-style-type: none">• Min 15 ft. to max 25 ft. for any portion of a building having a height below 40 ft.• Min 35 ft. for any portion of a building having a height above 40 ft.	<ul style="list-style-type: none">• 20.34 ft.

The proposed development meets all of the required setbacks for a Tier 2 development located in the NHMU zoning district.

Landscaping:

All Tier 2 developments shall meet the following landscaping requirements.

Tree Requirements:

All required trees shall be a minimum of twelve (12) feet in height and have a three and one-half (3½) caliper at the time of planting. For those properties lying south of Harbor Boulevard and Emerald Coast Parkway palm trees cannot comprise more than 80 percent of the total number of all required trees. The number of required trees shall be increased by 20 percent above the minimum requirements for trees set forth in LDC Section 12.04.04. Trees having an average mature spread of crown less than 20 feet shall be arranged in groupings so as to create the equivalent of a 20-foot crown spread.

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.

The tree requirements for this development have been calculated as follows:

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 (2 trees x 3 credits per tree):	6
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" or 24" diameter) on Site (1 trees x 5 credits per tree):	5
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	11
Reforestation Trees (1 per every .10 of an acre: 3.16 x 10 = 31.6) Required on Site:	32
Total Reforestation Trees Required on Site:	32
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	6
Parking Lot Trees (1 per end row and landscape island) Required on Site:	6
Trees Required on Site per LDC Section 12.04.04:	44
20 percent increase for Tier 2 Development (0.20 x 44 trees = 8.8)	9
TOTAL TREES REQUIRED:	53
TOTAL TREES PROVIDED:	71 Shade Trees (Does not include palms.)

Shrub requirements:

All shrubs shall be sized in accordance to the following specifications: one-third shall be a minimum of 36 inches in height at the time of planting; one-third shall be a minimum of 18 inches in height at the time of planting; and one-third shall be ground cover plantings of a one gallon size. The number of required shrubs shall be increased by 20 percent above the minimum requirements for shrubs set forth in LDC Section 12.04.04.

Pedestrian amenities:

All Tier 2 developments “shall provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities: benches, waste containers, planters, and pedestrian lighting fixtures. Other types of pedestrian amenities may be incorporated and include: decorative water fountains, sculptures, drinking fountains, phone booths and bicycle racks.” [LDC, §7.09.03].

The proposed development will provide decorative pedestrian amenities including, but not limited to: benches, waste containers, planters, pedestrian lighting fixtures, and bicycle racks as depicted on the approved site and landscape plans.

Design initiatives that accommodate transit needs:

“All developments located within a one-quarter mile radius of a transit stop shall contribute to the success of the transit system through contributions toward amenities and the creation of a safe and inviting pedestrian and transit atmosphere at all transit stop locations...” “Provision of additional transit infrastructure elements (e.g., transit shelter, street furniture, transit signs, contribution towards the transit operating fund, etc.) may be used as a multi-modal transportation mitigation measure for developments.” [LDC, §7.09.03].

The proposed development is located within a quarter mile of a proposed transit stop. The project provides the amenities and the creation of a safe and inviting pedestrian atmosphere linking to the proposed transit stop one-quarter mile away.

Pedestrian and/or vehicular access:

Not applicable for project in the NHMU zoning district. However, this project is providing a 5 foot wide pedestrian boardwalk along the western portion of the property connecting the northern portion of the property to the southern portion of the property. There is also a cross access easement connection points both on the east and west sides of the property.

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 Consultant, and approved on April 16, 2008, 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 Consultant after reviewing the applicant's traffic concurrency analysis dated April 1, 2008.

SUBDIVISION OR PUD - PLAT:

Not applicable.

AIRPORT PROTECTION:

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. 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.

WHITE SANDS ZONE:

The proposed project is located within White Sands Zone II. All fill material will have to comply with the White Sands Ordinance for this area.

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:

All proposed and existing utilities are required to be placed underground.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated October 8, 2007.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated March 20, 2008.

GULF POWER:

Gulf Power approved the project in a letter dated October 2, 2007.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated October 17, 2007.

EMBARQ:

Embarq Corporation approved the project by default as no letter was provided.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated April 8, 2008, and had the following conditions:

1. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
2. **Condition:** Field verified and scaled "as-built" plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.

ENGINEERING:

The City of Destin Engineering Department approved the project with conditions in a letter dated January 28, 2008. Engineering Department conditions are provided on pages 17 thru 19.

STORMWATER:

The City approved with conditions the stormwater management plan on February 13, 2008. The conditions are provided on page 17.

INGRESS/EGRESS:

There are two proposed ingress/egress accessways attributed to this development. The primary ingress/egress two-way accessway adjoins Harbor Boulevard. The second ingress/egress two-way accessway adjoins Mountain Drive.

The project is also designed to provide cross access onto the adjoining properties to the east and west through designated 22 foot wide alleyway through the development. Proper easements shall be provided to ensure cross-access is achieved.

PARKING:

Condominium: 2.5 spaces per 3 bedroom long-term dwelling unit x 82 dwelling units = **205 parking spaces**
Bicycle Parking – $205 * 10\% = 20.5$ Spaces
Hotel/Condotel: 1.0 space per sleeping room x 156 sleeping rooms (148 units) (144, 1 bedroom and 4, 3 bedroom units) = **156 parking spaces**
Bicycle Parking – $156 * 5\% = 7.8$ Spaces
Hotel/Condotel Employees: 1.0 spaces per 20 units $148/20 = 7.4$ parking spaces
Restaurant: 1.0 space per 100 S.F. - $1,717 \text{ S.F.}/100 \text{ S.F.} = 17$ parking spaces
Bicycle Parking – $17 * 10\% = 1.7$ Spaces
Retail: 1.0 space per 250 S.F. – $2,200 \text{ S.F.}/250 \text{ S.F.} = 9$ parking spaces
Bicycle Parking – $9 * 20\% = 1.8$ Spaces
TOTAL Required: 394 vehicle parking spaces
31 bicycle spaces

TOTAL PROVIDED: 394 parking spaces (includes 8 handicapped spaces) and 35 bicycle spaces

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Land Development Code.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The proposed dumpster must be screened by a gated opaque enclosure at least six feet tall. The gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

PEDESTRIAN CONNECTIVITY:

This project is providing a 15 foot wide pedestrian walkway/amenity area located just north of the property line. 5 foot wide sidewalks are provided throughout the project site complimenting the pedestrian's ability to move easily within the development. A 10 foot wide pedestrian walkway is provided within the Mountain Drive right-of-way. This project is also providing a 5 foot wide pedestrian boardwalk along the western portion of the property connecting the northern portion of the property to the southern portion of the property.

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the number of units and gross floor area receiving a certificate of occupancy (C.O.) or certificate of completion (C.C.). Final impact fee amounts will also be determinant whether exemption or credits are applicable and reevaluated at the time a C.O. or C.C. is requested. Any claims for exemption or credits must be made no later than the time a C.O. or C.C. is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees.

The land uses identified below are from the "Fee Schedule" tables found in Article 19 of the Land Development Code and are those deemed most closely related to the land uses proposed in this development. The fee payer has the option of paying the fees identified below for the identified land use or they shall prepare and submit to the City Manager an independent fee calculation study for the land development activity for which a C.O. or C.C. is sought. The determination made by the City Manager may be appealed to the City Council by filing a written request with the City Manager within 10 days of the City Manager's determination. We advise the applicant to submit any independent fee calculation study as soon as possible for a determination. 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 C.O. or C.C.:

Parks: The parks impact fees were calculated using the following rates and fees.

Multi-family (Long-term Residential Units):

Impact Fee Rate = \$113.03 per unit

Number of Dwelling Units = 82 units

Impact Fee for Multi-family = 82 units x \$113.03 per unit = \$9,268.46

Hotel (Hotel/Condotel):

Impact Fee Rate = \$50.46

Number of Units = 148 units – 100 Existing Hotel units = 48 units

Impact Fee for Hotel = 48 units x \$50.46 per unit = \$2,422.08

Total Parks Impact Fees to be paid: **\$11,690.54**

Public Library: The public library impact fees were calculated using the following rates and fees.

Multi-family (Long-term Residential Units):

Impact Fee Rate = \$76.19 per unit

Number of Dwelling Units = 82 units

Impact Fee for Multi-family = 82 units x \$76.19 per unit = \$6,247.58

Total Parks Impact Fees to be paid: **\$6,247.58**

Police Protection: The police protection impact fees were calculated using the following rates and fees.

Resort Residential (applied as U.S. 98 Corridor Resort Residential per the Fee Schedule for Police Protection):

Impact Fee Rate = \$14.64 per unit

Number of Dwelling Units = 82 units

Impact Fee for Resort Residential Unit = 82 unit x \$14.64 per unit = **\$1,200.48**

Hotel (Condotel) (applied as U.S. 98 Corridor Resort Residential per the Fee Schedule for Police Protection):

Impact Fee Rate = \$13.07 per unit

Number of Units = 148 units – 100 Existing Hotel units = 48 units

Impact for Hotel = 48 unit x \$13.07 per unit = **\$627.36**

Restaurant (applied as U.S. 98 Corridor Resort Residential per the Fee Schedule for Police Protection):

Impact Fee Rate = \$246.04 per 1,000 sq. ft.

Retail Size: Existing 1,940 sq. ft. – Proposed 1,717 sq. ft. = 223 sq. ft. reduction

Impact Fee for Restaurant = \$0.246 per sq. ft. x 223 sq. ft. = **\$54.87 reduction**

Retail (applied as U.S. 98 Corridor Resort Residential per the Fee Schedule for Police Protection):

Impact Fee Rate = \$47.59 per 1,000 sq. ft.

Retail Size: 2,200 sq. ft.

Impact Fee for Resort Residential Unit = 2,200 x \$47.59/1,000 = **\$104.70**

Total Police Protection Impact Fees to be paid: **\$1,932.54 - \$54.87 reduction = \$1,877.67**

Transportation: The transportation impact fees were calculated using the following rates and fees:

Multi-family Residential (applied as Multi-family Dwelling Unit per the Fee Schedule for Roads):

Impact Fee Rate = \$577.00 per dwelling unit

Multi-family Residential Dwelling Units = 82 dwelling units

Impact Fee for Multi-family Residential = 82 d.u. x \$577.00 per d.u. = **\$47,314.00**

Hotel (Condotel):

Impact Fee Rate = \$1,365.00 per room

Number of Units = 156 rooms – 100 Existing Hotel unit (rooms) = 56 rooms

Impact for Hotel = 56 rooms x \$1,365.00 per room = **\$76,440.00**

Restaurant:

Impact Fee Rate = \$3,851.00 per 1,000 sq. ft.

Retail Size: Existing 1,940 sq. ft. – Proposed 1,717 sq. ft. = 223 sq. ft. reduction

Impact Fee for Restaurant = \$3.85 per sq. ft. x 223 sq. ft. = **\$858.77 reduction**

Retail:

Impact Fee Rate = \$3,702 per 1,000 sq. ft.

Retail Size: 2,200 sq. ft.

Impact Fee for Resort Residential Unit = 2,200 x \$3,702/1,000 = **\$8,144.40**

Total Roads Impact Fees to be paid: **\$131,898.40 - \$858.77 reduction = \$131,039.63**

Parks:	=	\$11,690.54
Public Library:	=	\$6,247.58
Police Protection:	=	\$1,877.67
Roads:	=	\$131,039.63
TOTAL IMPACT FEES:	=	<u>\$150,855.42</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (August 20, 2007). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Consultant:	N/A
City Surveyor:	N/A
City Traffic Consultant:	Paid
City Stormwater Review Consultant:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering)	Paid
<u>Administrative Costs:</u>	Paid
TOTAL (as of 4/21/08) =	Paid

COMMENTS/CONDITIONS:

Public Input:

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

Per Community Development Department:

1. **Condition:** Design details (street lighting, benches, etc.) shall be coordinated with the City and the Harbor CRA Advisory Committee and Board. The proposed details per your plan may be altered to coordinate with the Harbor CRA Plan.
2. **Condition: Prior to the installation,** lighting, benches, drinking fountains, trash containers, planters and other hardscape items shall be incorporated into the design of the boardwalk as per the standards and specifications approved by the CRA Board.
3. **Prior to the issuance of any City permits,** all necessary easements shall be submitted, reviewed, approved and recorded in the public record for the proposed public pedestrian/flex zone (15 foot wide sidewalk and landscape buffer) located along Harbor Boulevard.
4. **Prior to the issuance of any Certificate of Occupancy,** all necessary easements shall be submitted, reviewed, approved and recorded in the public record for the proposed cross access points along the eastern and western property lines.
5. **Condition:** A billboard exists on the property and is considered a nonconforming sign. Any and all actions related to this billboard shall adhere to the nonconforming sign regulations as stated in the Land Development Code.
6. **Prior to the issuance of any City permit,** all outstanding costs associated with this project that are owed to the City must be paid in full.
7. **Prior to the issuance of any City permit,** a copy of the FDEP stormwater and a NPDES Stormwater Construction Generic Permit (if applicable) approval shall be forwarded to the City Engineer's office.
8. **Prior to the issuance of a Certificate of Occupancy,** all applicable impact fees must be paid.
9. **Prior to the issuance of a Certificate of Occupancy,** the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
10. **Prior to the issuance of a Certificate of Occupancy,** assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*

11. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
12. **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 which shall be submitted prior to the issuance of any city permit, 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.
13. **Condition:** Provide gathering/sitting areas that at a minimum include the following decorative pedestrian amenities: benches, waste containers, planters, and pedestrian lighting fixtures. Other types of pedestrian amenities may be incorporated and include: decorative water fountains, sculptures, drinking fountains, phone booths and bicycle racks. *Ref. LDC Section 7.09.03.F.5.*
14. **Condition:** Each accessible parking space must be prominently outlined with blue paint to be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above-grade sign bearing the international symbol of accessibility, meeting the requirement of color and design approved by the Department of Transportation, containing the caption "PARKING BY DISABLED PERMIT ONLY," and indicating the penalty for illegal use of the space, which shall be a minimum fine of \$250.
15. **Condition:** A visual screen of vegetation running the entire length of the western and eastern property lines shall be installed within a five-foot side yard landscaped strip. Such vegetation shall provide a minimum of 50 percent opacity for that area between the finished grade level at the common boundary line and six feet above said level and horizontally along the length of all common boundaries within three years of planting. *Ref. LDC Section 12.04.04.B.1.b.*
16. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. These gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed. *Ref. LDC Section 7.09.02.B.3.*
17. **Condition:** The slab for all structures shall be constructed a minimum of 12 inches above the crown of the nearest street, except where topography will provide adequate drainage as certified by a professional engineer registered in the State of Florida. *Ref. LDC Section 10.03.02.A.5.*
18. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.
19. **Condition:** All existing and proposed utility lines located on the subject property shall be installed underground. *Ref. LDC Section 20.12.00.*

20. **Condition:** If groundwater is observed standing in the storm structures, the SWMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.
21. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management," particularly those guidelines set forth for the construction and maintenance of exfiltration trenches.
22. **Condition:** All perforated piping and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
23. **Condition:** Any additional revisions to the Site Improvement Plans, Landscape Plans or Architectural Plans will require an amendment to the development order.

Per City of Destin Engineering Department:

24. **Condition:** Prior to obtaining any City permits, obtain a City of Destin Right-of-Way Construction Permit from the City Engineering Department.
25. **Condition:** Prior to obtaining a City of Destin Right-of-Way Construction Permit, obtain a FDOT Connection permit and submit copy to the City Engineer.
26. **Condition:** Refer to LDC Article 8.03.06. Clear visibility triangle. In order to provide a clear view of intersecting streets to motorists, there shall be a triangular area of clear visibility formed by two intersecting streets. The following standards shall be met:
 - a. Nothing shall be erected, placed, parked, planted or allowed to grow in such a manner as to materially impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection, except those signs or devices approved pursuant to section 16.01.00 of this Code. Note: The applicant is reminded that building setbacks must be observed so as to preserve clear visibility at intersections.
 - b. The clear visibility triangle shall be formed by connecting a point on each street centerline with such point to be located at a distance determined by the building setback requirements associated with the property and the zoning district within which the property is located. That is, the visibility distances shall be those established by the setback requirements within the city's zoning ordinance. Note: The visibility triangle shall be in accordance with the "Technical Construction Standards Manual," included in this Code, and the Florida Department of Transportation Standards Index.
27. **Condition:** Refer to LDC Article 8.01.00.B.2. Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection.
28. **Condition:** Refer to LDC Article 8.01.00.C. Sidewalks, recreational trails, and bicycle ways shall be permissible in ROWs:
 - a. Landscaping located on abutting properties to sidewalks, recreations trails and bicycle ways shall not create a safety hazard, and shall be trimmed or pruned to allow full width

plus one foot on each side of the sidewalks, recreational trails, and bicycle ways, and the minimum vertical height of ten feet above grade, is clear.

- b. Trees or shrubs shall not be planted within five feet from all streets or sidewalks, recreational trails, and bicycle ways.
29. **Condition:** Contractor shall not be allowed to utilize ANY public right-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. **Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected. Voided permits must be reapplied for and application fees shall be assessed.**
30. **Condition:** Provide a debris & soil hauling plan (truck route) through the City. Any road damage that is determined to be caused by this project operation shall be required to be repaired prior to obtaining any Certificate of occupancy (C.O.).
31. **Condition:** During construction crane booms shall not swing out over the ROW or the private properties on either side of the project.
32. **Condition:** reconstruct any broken sidewalk from joint to joint, across the entire right-of-way frontages as needed.
33. **Condition:** Sidewalk area crossing the drive access shall meet ADA flatness & slope requirements.
34. **Condition:** Provide FDEP NPDES permit approval and provide copy of the SWPPP.
35. **Condition:** Provide a 24 hour contact person's phone number; that person shall have demonstrated ability in maintenance of erosion control measures.
36. **Condition:** Areas not being worked for 30 days or more shall be vegetated.
37. **Condition:** All bare ground, stripped of vegetation during the clearing/grading process, shall be covered to the maximum extent practicable.
38. **Non-surfaced temporary construction driveway entrances, access roads and parking areas used by construction traffic shall be stabilized to minimize erosion and prevent tracking much or soil from the site.**
39. **Condition:** Stabilized construction entrance(s) shall be installed as the first step of clearing and grading.
40. **Condition:** Additional techniques to reduce soil tracking off of a site and onto a roadway such as wheel washing stations may be required.
41. **Condition:** Any sediment that is tracked onto road pavement shall be removed immediately (prior to the end of the work day) by sweeping. The sediment collected by sweeping shall be removed from the roadway and stabilized on-site.
42. **Condition:** Dust control is required on all areas of development or redevelopment activities.
43. **Condition:** A copy of all Federal, State and city permits (a applicable) shall be posted in a clearly visible location on the project site.

44. **Condition:** Prior to C.O., all temporary construction driveway entrances shall be removed and the right-of-way re-graded, restored and re-vegetated to original or better condition.


45. **Condition:** Any off-site catch basins curb inlets or swales that require protection shall be cleaned.

Per Destin Water Users, Inc.:

1. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
2. **Condition:** Field verified and scaled "as-built" plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.


Gerald F. Mucci, AICP
Community Development Director

4-21-08
Date


SFB Investment Company, LLLP
Stephen F. Been, Managing Member
Owner

4/23/08
Date



CITY *of* DESTIN

4200 Two-Trees Road • Destin, Florida 32541



www.cityofdestin.com

March 12, 2009

SFB Investment Company, LLLP
Attn: Mr. Stephen F. Been
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301

Subject: Village Inn Development – Final Development Order No. 08-18 Extension Request

Dear Mr. Been:

This letter is in response to your correspondence received by my office on March 12, 2009. As required, your request for an extension to Final Development Order No. 08-18 was received at least 30 days prior to the expiration date of April 21, 2009. Based on meeting this criterion and by adhering to the criteria of the extension as stated in Article 2, Section 2.21.01.B and C (See attached), the 12-month deadline to obtain a building permit and commence construction is conditionally granted.

I recommend consulting with your engineer of record as to the affects of the extension request due the requirements of Article 2, Section 2.21.01.C. Changes to the code may benefit or could result in site design changes that you may feel are detrimental to your currently approved plan. I would advise you and your engineer of record to periodically contact the City Clerk's Office to obtain any newly adopted ordinances and review them to determine the effects on the property. I understand the constraints you are facing. However, I would advise you to seriously consider moving forward with your project sooner rather than later so as to not be affected by any subsequent code requirements adopted after the issuance of your final development order.

I suggest you meet with my staff to discuss your existing plan, any changes required, and the review process involved several weeks prior to your application for any city permit to ensure compliance with Article 2, Section 2.21.00. Please don't hesitate to call me if you have any further questions or concerns.

If you feel any of these determinations or decisions have been made in error, you have the right to appeal the decision to the City's Board of Adjustment. The Administrative Appeal application is available at Destin City Hall in the Community Development Department and must be received completed within 30 calendar days from the date of this letter. The appeal process is typically a two or three month process.

Please don't hesitate to call me if you have any further questions or concerns.

COMMUNITY DEVELOPMENT DEPARTMENT

Phone – (850) 837-4242 ext. 3175 • Fax – (850) 837-8267 • E-mail – agrowth@cityofdestin.com

Sincerely,



R. Ashley Grana
Planning Manager

RAG/

Attachments:

Article 2, Section 2.21.01.B and C

cc: Greg Kisela, City Manager
Ken Gallander, Community Development Director
Building Permit File: 215 Harbor Blvd.
File: 2008 Final Development Order Binder
File: SP-07-27
File: Letter Log

COMMUNITY DEVELOPMENT DEPARTMENT

Phone – (800) 837-4242, ext. 3173 • Fax – (800) 837-5267 • Email – grana@cityofjacksonville.com



CITY of DESTIN

4200 Indian Bayou Trail • Destin, Florida 32541



www.cityofdestin.com

COMMUNITY DEVELOPMENT

Voice 850.837.4242 Fax 850.650.0693

kgallander@cityofdestin.com

December 21, 2009

Mr. David Smith, P.E., P.S.M.
Managing Partner
Moore Bass Consulting of Destin, Inc.
1221 Airport Road, Suite 205
Destin, FL 32541

Subject: Village Inn – Final Development Order No. 08-18 Special Economic Condition Extension Request

Dear Mr. Smith:

This letter is in response to your correspondence I received on December 17, 2009. As required, your request for an extension to Final Development Order No. 09-09 was received prior to January 1, 2010. Based on meeting this criterion and by adhering to the criteria of the extension as stated in Article 2, Section 2.21.01.D, the extension is granted until December 31, 2011 from the date of your written correspondence (December 16, 2009). This extension vests the final development order and enables the holder of the orders to delay commencement or continuance of construction, if necessary, until December 31, 2011.

Please do not hesitate to call me if you have any further questions or concerns.

Sincerely,

Kenrick S. Gallander, AICP
Community Development Director

KSG/

cc: File: Letter Log
Planning Manager, Ashley Grana - File: SP-07-27



Community Development Planning Division

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

September 29, 2011

Mr. John H. Byrnes
Attorney at Law
PO Box 191588
Atlanta Georgia 31119-1588

**Subject: Special Economic Condition Extension Request for DO 08-18,
SP-07-27, Village Inn Development, 215 Harbor Blvd**

Dear Mr. John H. Byrnes:

Your written request for the additional "special economic condition" extension for Final Development Order DO 08-18 was received prior to the December 31, 2011 expiration of the current extension. Based on meeting the criterion of Florida Statutes Chapter 2011-139, Section 73, your extension is granted until December 31, 2013. This extension vests the final development order and enables the holder of the Development Order to delay commencement or continuance of construction, if necessary, until December 31, 2013.

Should you have further questions or concerns, please do not hesitate to call.

Sincerely,

R. Ashley Grana
Interim Community Development Director

RAG/lwb

cc: DO Book, Project File:SP-07-27, Building File & Letter Log



Community Development Planning Division

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

October 2, 2012

Mr. Scott A. Schmidt
P.O. Box 468509
Dunwoody, Georgia 31146

SUBJECT: Village Inn Development – Final Development Order No. 08-18 “Special Economic Condition” Extension Request – 215 Harbor Boulevard

Dear Mr. Schmidt:

This letter is in response to your letter dated September 21, 2012, requesting a “special economic condition” extension to the above referenced development order. Based on the legal guidance set forth in Section 24 (1) of Ch. 2012-205 Laws of Florida this development order is extended to the fullest extent possible to April 21, 2014. This determination enables the holder of the final development order to delay commencement or continuance of construction, if necessary, until April 21, 2014.

Should you have any further questions or concerns, please do not hesitate to contact me either via e-mail (agrana@cityofdestin.com) or phone (850-582-4525).

Sincerely,

R. Ashley Grana
Planning Division Manager

RAG/

cc: 2008 DO Book
Project File: SP-07-27
Building File: 215 Harbor Blvd.
Letter Log

