



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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October 26, 2004

Order No. 05-03

Final Development Order:

**“VILLAGES OF CRYSTAL BEACH”
A MAJOR DEVELOPMENT
(SP-04-11)**

Based upon the City Council's approval of this development order on October 11, 2004, this document will serve as your Final Development Order, to include all of the provisions of the attached Technical Review Committee Report, testimony, and with the following conditions as specified by the City Council:

BACKGROUND / ISSUE:

- Applicant:** Jenkins, Stanford, & Associates, Inc., on behalf of Lagniappe Development, LLC and Arquette Development Corporation is requesting approval of a Major Development identified as “Villages of Crystal Beach.”
- Request:** The proposed project consists of vacating the existing Destin RV Resort and establishing a 119-unit dwelling, single-family detached development platted as a townhome subdivision.
- Location:** The proposed project is located at the existing Destin RV Resort, 150 Regions Way, and is more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0000-0002-00C0, 00-2S-22-0000-0002-00C1, and 00-2S-22-0580-0034-0020.
- Parcel Size:** The total site area is 14.71 acres (includes 0.7223 acres for Regions Way right-of-way), more or less.
- Future Land Use:** Current (Comprehensive Plan – 2000): Commercial (C)
Considered (Comprehensive Plan – 2010): Residential, Office, Institutional (ROI) as City Staff is currently proposing for the parcels.
- Zoning District:** Business Retail (BR) with a Special Exception to allow for dwellings, single-family detached complying with the dimensional requirements in RIA districts.
- Density:** Allowed: 40 lodging units per acre in Commercial (C)
Proposed: 357 lodging units (bedrooms in each structure) / 14.71 acres = 24.27 lodging units per acre OR 357 lodging units / 13.99 acres (less Regions Way right-of-way) = 25.52 lodging units per acre
- Intensity:** Allowed: 1.07 Floor Area Ratio (FAR) per current Comprehensive Plan – 2000
Considered: 0.50 Floor Area Ratio (FAR) per proposed Comprehensive Plan – 2010.
Proposed: -0.347 FAR per Code Definition OR 0.395 FAR as more commonly utilized

Application Date: February 2, 2004
TRC Date: February 18, 2004
Approved Site Plan Date: August 27, 2004
City Council Date: September 13, 2004, and delayed to October 11, 2004

DETERMINATIONS:

1. The Destin City Council held a public hearing on October 11, 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, TRC report dated August 27, 2004, with all necessary changes and updates, testimony, 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 August 27, 2004, are incorporated herein.

CONDITIONS OF APPROVAL FOR "VILLAGES OF CRYSTAL BEACH" A MAJOR DEVELOPMENT (SP-04-11):

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 October 26, 2004 (no later than October 26, 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 "Villages of Crystal Beach" 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.

4. **Conditions established at City Council Hearing:**
 - A. During the City Council hearing, the applicant stated for the record that the third 26-foot wide private accessway proposed at the southwest corner of the site being placed within Lot 2 of Block 34 of the Crystal Beach Subdivision would be removed from the plan and not constructed. **The appropriate changes to the site plan shall be necessary prior to the issuance of the final development order.**

5. **Community Development Department Conditions:** Refer to pages 16, 17, 18, and 19 of the attached TRC Report dated August 27, 2004, to reference the conditions.

TECHNICAL REVIEW COMMITTEE REPORT

“VILLAGES OF CRYSTAL BEACH” A MAJOR DEVELOPMENT (SP-04-11)

TRC Report: August 27, 2004

ISSUE:

Applicant: Jenkins, Stanford, & Associates, Inc., on behalf of Lagniappe Development, LLC and Arquette Development Corporation is requesting approval of a Major Development identified as “Villages of Crystal Beach.”

Request: The proposed project consists of vacating the existing Destin RV Resort and establishing a 119-unit dwelling, single-family detached development platted as a townhome subdivision.

Location: The proposed project is located at the existing Destin RV Resort, 150 Regions Way, and is more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0002-00C0, 00-2S-22-0000-0002-00C1, and 00-2S-22-0580-0034-0020. (Exhibit “A” Location Map).

Parcel Size: The total site area is 14.71 acres (includes 0.7223 acres for Regions Way right-of-way), more or less.

Future Land Use: Current (Comprehensive Plan – 2000): Commercial (C)
Considered (Comprehensive Plan – 2010): Residential, Office, Institutional (ROI) as City Staff is currently proposing for the parcels.

Zoning District: Business Retail (BR) with a Special Exception to allow for dwellings, single-family detached complying with the dimensional requirements in RIA districts.

Density: Allowed: 40 lodging units per acre in Commercial (C)
Proposed: 357 lodging units (bedrooms in each structure) / 14.71 acres = 24.27 lodging units per acre OR 357 lodging units / 13.99 acres (less Regions Way right-of-way) = 25.52 lodging units per acre

Intensity: Allowed: 1.07 Floor Area Ratio (FAR) per current Comprehensive Plan – 2000
Considered: 0.50 Floor Area Ration (FAR) per proposed Comprehensive Plan – 2010.
Proposed: -0.347 FAR per Code Definition OR
0.395 FAR as more commonly utilized

Application Date: February 2, 2004
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DISCUSSION/FINDINGS:

Jenkins, Stanford and Associates, Inc. on behalf of Lagniappe Development, LLC and Arquette Development Corporation, is requesting approval of a Major Development identified as "Villages of Crystal Beach." The proposed project consists of vacating the existing Destin RV Resort and establishing a 119-unit dwelling, single-family detached development platted as a townhome subdivision. The proposed project is located at the existing Destin RV Resort, 150 Regions Way, and is more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0000-0002-00C0, 00-2S-22-0000-0002-00C1, and 00-2S-22-0580-0034-0020. The total site area is 14.71 acres, more or less. The overall site development area maybe reduced by 0.7223 acres if the Applicant and City agree to dedicate and accept the Regions Way right-of-way.

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 as presented and described 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 not located within either Community Redevelopment Areas.

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 Map category of Commercial (C) and a Zoning designation of Business Retail (BR). Prior to the TRC approval, the applicant was required to seek approval from the Board of Adjustment for the granting of a Special Exception. On August 24, 2004, the Board of Adjustment unanimously approved the special exception for the use of dwelling, single-family detached units within the BR zoning district. The proposed use as granted by the special exception is consistent with the Commercial (C) Future Land Use Map category because the single-family detached dwelling units will be utilized as resort dwellings, which is a defined type of lodging in Section 509.242(1) of the Florida Statutes (referenced in City of Destin Ordinance No. 151.19).

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 Map Designation:

The proposed land use will consist of two to three story single-family detached residential structures located on 119 individually owned lots platted as townhomes. There will be a required Homeowner's Association for purposes of managing and controlling the common areas (pool, parking area, and private accessways). The property currently has a Future Land Use Map category of Commercial (C) and a Zoning designation of Business Retail (BR). Prior to the TRC approval, the applicant was required to seek approval from the Board of Adjustment for the granting of a Special Exception. On August 24, 2004, the Board of Adjustment unanimously approved the special exception for the use of dwelling, single-family detached units within the BR zoning district. The proposed use as granted by the special exception is consistent with the Commercial (C) Future Land Use Map category because the single-family detached dwelling units will be utilized as resort dwellings, which is a defined type of lodging in Section 509.242(1) of the Florida Statutes (referenced in City of Destin Ordinance No. 151.19).

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

The residential structures are located throughout the development area with only two story structures proposed along the eastern, northern, and western property lines. The three-story structures are only permitted within the interior portions of the development site. The pool area is proposed within the center of the project. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USES
North	Commercial (C)	Business Tourism (BT)	Furniture Retail; Automobile repair; Restaurant; and Offices, professional and business
South	Low Intensity Urban (LIU)	Residential Intensive Apartment (RIA)	South: 100' Gulf Power Easement and Dwellings, one-family detached
East	Low Intensity Urban (LIU)	Residential Intensive Apartment (RIA)	Dwellings, one-family detached
West	Commercial (C)	Business Tourism (BT)	Vacant; Offices, professional and business; and Publicly owned operated building (Fire Station)

The density of the project and height of the structures are detailed below. The Commercial (C) Future Land Use Map designation has a maximum floor area ratio (FAR) of 1.07. The project's FARs, as calculated below, are compliant.

As described herein, the surrounding uses include a furniture retailer, automobile repair facility, restaurant, professional/business offices, fire station, one-family detached residential homes and vacant land.

The granting of the special exception to allow for dwellings, single-family detached, has in affect encouraged the developer to establish a use more compatible than what would be allowed. Without the special exception, the permitted principal uses allowed within the BR zoning district and which could be proposed on this site include the following:

- a. Retail stores other than those dealing in secondhand merchandise, including those with incidental manufacturing or processing of goods for sale only at retail and only on the premises; retail sales and display rooms and lots, not including yards for the storage or display of new and used building materials or for any scrap or salvage operation, storage or sale.
- b. Banks, savings institutions.
- c. Restaurants, excluding adult entertainment establishments.
- d. Theaters, including drive-in theaters.
- e. Offices, professional and business, including veterinarian offices with kennels.
- f. Schools teaching art, dancing, or music; business schools.
- g. Medical and dental clinics, hospitals.
- h. Radio and television broadcast stations, with tower.
- i. Radio, television and appliance repair shops.
- j. Filling stations, provided all structures, including pumps, shall comply with the setback line of any abutting street, but not be closer than 15 feet to the right-of-way line of such streets. Points of ingress and egress shall not be located closer than 20 feet to each other, shall not be nearer than 30 feet to any street intersection (measured from the corresponding right-of-way line), [and] shall not exceed 30 feet in width.
- k. Hotels, motels.
- l. Laundries, dry cleaners.
- m. Churches, and similar places of worship; publicly owned and operated buildings and lands.
- n. Commercial marinas and boatyards; private docks and boathouses.
- o. Self-storage or miniwarehouses.
- p. Trade shops including sheetmetal, upholstery, electrical, plumbing, venetian blind, cabinetmaking, carpentry and sign painting, provided that all operations are conducted entirely within a building.
- q. On-site signs are permitted.
- r. Tattoo parlors (see definition for minimum distance separation standards).
- s. [Reserved.]
- t. Small community residential homes, in residential use already established by special exception.
- u. Community residential homes, in residential use already established by special exception of development is considerably below the maximum intensity provided for in the Land Development Code. The use and intensity of the development is compatible with the surrounding area.

Referencing the permitted principal uses allowed in the BR zoning district, identifies many uses that would be incompatible with the established single-family neighborhoods to the east and south. Allowing a residential use of this type and redeveloping the site from the existing non-conforming use promotes a desired transition from the single-family neighborhoods along the east and south to the more commercial uses to the north and west. Thus, the proposed development is compatible and complementary to the surrounding uses.

The applicant, over the last couple of months, met with the surrounding property owners to the east. During the meeting the majority of the property owners provided input to the applicant as to their concerns. As a result, the applicant agreed to several conditions to mitigate the majority of the neighbors concerns. The conditions are described in the Comments/Conditions section of this TRC report.

Density:

Allowed: 40 lodging units per acre in Commercial (C) as per the current Comprehensive Plan - 2000

Proposed: 357 lodging units (bedrooms in each structure) / 14.71 acres = 24.27 lodging units per acre OR 357 lodging units / 13.99 acres (less Regions Way right-of-way) = 25.52 lodging units per acre

Height:

Based on the agreed upon and most applicable zoning district in relation to the subdivision platting, RIA four or more (3 or more floors), there is not a maximum building height. Building height in this district is determined by compatibility and whether the proposed structures are three stories or more, which require increased setbacks. The proposed structures are a maximum of 3 stories and approximately 34.3 feet from the finished floor to the mid point of the roof. The 2 story structures along the eastern, northern, and western property lines are approximately 24 feet from the finished floor to the mid point of the roof.

Floor Area Ratio:

The Commercial (C) Future Land Use Map category has a maximum floor area ratio (FAR) of 1.07. Note: The proposed Residential, Office, Institutional (ROI) Future Land Use Map category in the proposed Comprehensive Plan – 2010 has a maximum floor area ration (FAR) of 0.50.

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:

$$\frac{\text{Total gross floor area} - (\text{Total square feet of required setbacks and open space} + \text{parking})}{\text{Total square feet of site}} = \text{FAR}$$

$$\frac{253,400 \text{ sq. ft.} - 475,529 \text{ sq. ft.}}{640,781 \text{ sq. ft.}} = \text{FAR}$$

$$-222,129 / 640,781 \text{ sq. ft.} = -0.347 \text{ FAR}$$

Utilizing the formula as defined above, the FAR of –0.347 is below the maximum of 1.07 and the proposed 0.50. Thus, the FAR is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.395, which is below the current 1.07 FAR and the proposed 0.50 FAR. The calculation is as follows:

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

253,400 sq. ft. / 640.781 sq. ft. = 0.395 FAR

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

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

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

- a. **Traffic Generation:** This analysis does not address traffic generation. Please refer to the “Traffic Analysis” section below.
- b. **Hours of Operation:** No commercial retail, service, or similar use is proposed, which would require hours of operation.
- c. **Noise Levels:** No adverse noise impacts have been identified with the proposed development.
- d. **Outdoor Lighting:** The applicant is required to install street lighting consistent with designs by Gulf Power Company that are utilized throughout the City of Destin.

5. **Alteration of Light and Air:** The plan does not generate any adverse impacts to light and air that would severely or adversely affect the surrounding properties.

6. **Setbacks and Buffers:** The setbacks and buffers meet or exceed the requirements for land use compatibility. Please reference the “Setbacks” section of the TRC report for further information regarding the proposed setbacks and buffers.

The site plan for the “Villages of Crystal Beach” development complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09 and is therefore deemed compatible with the surrounding area.

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:

The applicant has indicated their desire to dedicate the Region’s Way right-of-way to the City of Destin. It is City Staff’s observations that the current Region’s Way right-of-way improvements are substandard. **Condition:** The City of Destin shall accept the Regions Way right-of-way if the applicant improves the Region’s Way right-of-way to City of Destin standards prior to the granting of the first certificate of occupancy.

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 June 26, 2004, (Concurrency Sheet signed June 30, 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 dated June 16, 2004 (Exhibit "G").

SUBDIVISION OR PUD - PLAT:

The proposed development requires a townhome subdivision plat due to the desires for property ownership.

Condition: Prior to the issuance of a Building Permit for vertical construction, the plat based on the approved preliminary subdivision plat, Sheet PP-1 (Exhibit "B"), must be finalized, reviewed, approved by the City of Destin, and recorded.

Condition: This development proposes private streets and common area. An ownership and maintenance association document (covenants and restrictions) shall be submitted and recorded in conjunction with the plat. The dedication on the plat shall clearly indicate the roads, common area, etc., and maintenance is the responsibility of the association and there shall be no recourse to the City or any other public agency.

Condition: At least 14 working days prior to the issuance of a Certificate of Occupancy, the ownership and maintenance association documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. Additionally, a copy of the documents, once recorded, 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 be a phased development. The project phasing schedule is detailed on Sheet C-2 of the site plans.

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.

SETBACKS:

The proposed buildings meet and exceed all of the required setbacks for the following zoning district(s):

RIA – Four or more (3 or more floors) Note: Distances provided for the following are from the 3 story buildings (units 15 – 81 and 109 – 111) to property lines:

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (northwest):	20'	10' FP	50.0' including the 10' FP
Front (south):	20'	10' FP	162.0' including the 10' FP
Side (north):	15'	5' CB	117.0' including the 5' CB
Side (east):	15'	10' VB	135.0' including the 10' VB
Side (west):	15'	5' CB	135.0' including the 5' CB
Between Bldgs.:	10'	N/A	10.0'

RIA – Four or more (fewer than 3 floors) Note: Distances provided for the following are from the 2 story buildings (units 1-14 and 82-106) to property lines:

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (northwest):	20'	10' FP	20.0' including the 10' FP
Front (south):	20'	10' FP	230.0' including the 10' FP
Side (north):	10'	5' CB	10.0' including the 5' CB
Side (east):	10'	5' CB	10.0' including the 10' VB
Side (west):	10'	5' CB	10.0' including the 5' CB
Between Bldgs.:	10'	N/A	10.0'

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

SIGNS:

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

UTILITIES:

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

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated 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, 2004, with the condition that either Mr. Ken Hargrove or Mr. Alan Barton be contacted to discuss and secure an encroachment agreement within the 100' Gulf Power Co. transmission easement prior to commencement of construction.

OKALOOSA GAS:

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

SPRINT:

Sprint approved the project in a letter dated February 16, 2004.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated August 6, 2004.

STORMWATER:

The stormwater management plan was found acceptable and approved on August 27, 2004, and had the following **stormwater** related conditions:

1. **Prior to issuance of the Development Order (DO)**, provide release for copyright plans or resubmit un-copyrighted plans for the public record allowing the City of Destin to copy as necessary for future needs.
2. **Prior to obtaining a building permit**, a copy of the FDEP stormwater (based upon approved design) and NPDES approvals shall be forwarded to the City Engineer's office.

3. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
4. **Prior to obtaining a Certificate of Occupancy,** the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

INGRESS/EGRESS:

There are currently two existing ingress/egress accessways onto the property. The existing two-way accessway abutting the Regions Way right-of-way will be improved and be a maximum of 26 feet. The other existing two-way accessway at the southeast corner of the property abuts the 60-foot wide Cobia Street right-of-way. The applicant is proposing to improve the Cobia Street right-of-way to meet City of Destin standards, which will then continue onto the property as a 26-foot wide private accessway. A third 26-foot wide private accessway was proposed at the southwest corner of the site being placed within Lot 2 of Block 34 of the Crystal Beach Subdivision. However, the applicant has removed this accessway from the site plan.

PARKING:

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

Per code:

Dwelling, single-family detached: 2.00 space per dwelling unit

Per site plan:

119 dwelling, single-family detached units x 2.00 spaces = 238 parking spaces

119 dwelling, single-family detached units x 2.25 spaces (per applicant desires) = 268 parking spaces

TOTAL REQUIRED: 238 parking spaces

TOTAL PROVIDED: 279 parking spaces (including 7 handicap spaces)

LOADING SPACE (ZONE):

Not applicable.

REFUSE COLLECTION:

Refuse collection is to be provided by curbside pickup.

SIDEWALKS:

4-foot wide sidewalks are provided throughout the development site and placed within the appropriate portions of right-of-way. It should also be noted; the applicant is proposing to dedicate a 20-foot wide pedestrian/bicycle easement along the southern property line. This will be in place to provide the adequate area to continue the City's pathway system.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 640,780.7 sq. ft. (14.71 acres, more or less)
Required 18% Open Space: 115,340.5 sq. ft.
Provided Open Space: 269,763.2 sq. ft. (42.1%)

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	0
Credits for Existing Trees (7" to 12" diameter) on Site (0 trees x 3 credits per tree):	0
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" to 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>0</u>
Reforestation Trees (1 per every .10 of an acre: 14.71 x 10 = 148 Required on Site:	<u>148</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>148</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:	148
Front Perimeter Trees (1 per 25') Required on Site:	22
Parking Lot Trees (1 per end row and landscape island) Required on Site:	14
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: (Includes additional vegetation per Compatibility Analysis)	38
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	<u>51</u>
TOTAL TREES REQUIRED:	273
TOTAL TREES PROVIDED:	388

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (north and west). A ten (10) foot Front Perimeter Landscape Area is required along the northwestern property line. A 10' Vegetative Buffer in combination with the 5' Common Boundary buffer is required along the eastern property line that abuts the less intense zoning district. The vegetative buffer will also incorporate an 8-foot high masonry block stucco privacy fence. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three (3) years of planting. If required, the ten (10) foot Front Perimeter Landscape Buffer shall be calculated as one (1) tree per twenty-five (25) linear feet of buffer. Unless otherwise noted, all required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. The trees within the ten (10)

Vegetative Buffer along the eastern property line must be at least 12 to 15 feet high and can be a mixture of palms and deciduous varieties. 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 the number of units and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees. The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Parks: The park fees were calculated using the “Single-family detached = \$159.99 per unit” amount.

Single-family detached:

$$119 \text{ proposed units} \times \$159.99 = \$19,038.81$$

Public Library: The public library fees were calculated using the “Single-family detached = \$107.84 per unit” amount.

Single-family detached:

$$119 \text{ proposed units} \times \$107.84 = \$12,832.96$$

Police Protection: The police protection impact fees were calculated using the “Residential - Outside Corridor Single-family detached = \$20.53” category amount.

Single-family detached:

$$119 \text{ proposed units} \times \$20.53 = \$2,443.07$$

Road: The road impact fees were calculated using the “Single-family detached dwelling unit = \$471.00” category amount.

Single-family detached:

$$119 \text{ proposed units} \times \$471.00 = \$56,049.00$$

Totals:

Parks:	=	\$19,038.81
Public Library:	=	\$12,832.96
Police Protection:	=	\$2,443.07
Roads:	=	\$56,049.00
TOTAL:	=	\$90,363.84

Totals for proposed individual unit:

Parks:	=	\$159.99
Public Library:	=	\$107.84
Police Protection:	=	\$20.53
Roads:	=	\$471.00
TOTAL:	=	\$759.36

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (October 26, 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:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Stormwater Man.)	Paid
Administrative Costs:	Paid
City Council Advertising:	Paid
TOTAL (as of 10/26/04) =	\$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.

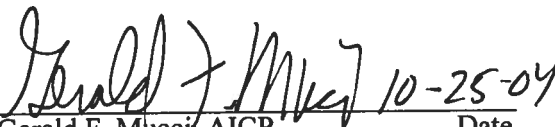
Per Community Development Department:

1. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project and are owed to the City must be paid in full.
2. The Special Exception granted to the applicant was approved based on conditions established as part of testimony and evidence submitted. The applicant identified fourteen (14) items to be addressed as part of an agreement with the Emerald Breeze Homeowners Association. These conditional items are as follows and were derived from the agreement:
 - a. The existing 7.5 feet high wood stockade fence located on the western property line of the Emerald Breeze Subdivision will be removed if desired by the Emerald Breeze homeowner and replaced with an 8-foot high (maximum height per City of Destin Land Development Code) masonry block/stucco fence to be constructed by Lagniappe Development. The new masonry/stucco fence will be installed within the Villages of Crystal Beach property.

- b. All homes built along the Villages of Crystal Beach eastern, northern, and western property lines will be restricted to 2-stories. All 3-story structures are only permitted within the interior lots.
- c. Additional landscaping shall be added to increase the buffer between the Villages of Crystal Beach homes and the homes within the Emerald Breeze Subdivision. The landscaping shall include palm and other trees that will be 12 to 15 feet high at time of planting.
- d. Second story windows will be relocated to the sides of the home to be built along the eastern property line. The homes will be built, however, to meet all fire codes. As part of the fire code, an opaque bathroom window may be located at the rear of the home.
- e. No patios, porches or access will be constructed on the rear of the home to be built along the eastern property line.
- f. Lagniappe Development, LLC, will pay for relocating underground the existing Gulf Power distribution line that currently runs from south to north between the Villages of Crystal Beach development and Emerald Breeze Subdivision.
- g. The Villages of Crystal Beach shall not impact beach access to or from the Emerald Breeze Subdivision.
- h. A homeowner's association will be established for the Villages of Crystal Beach to monitor access, security, noise, landscaping, etc.
- i. The development will meet or exceed all requirements of the City of Destin's Land Development Code.
- j. The propane gas tank currently located on the RV Resort property will be removed prior to any infrastructure or vertical construction.
- k. Representatives from Jenkins, Stanford, & Associates, Inc., shall work with Destin Water Users, Inc., to determine causes and solutions for odor problems at the existing lift station. The existing RV dump station shall be removed prior to construction of the Villages of Crystal Beach. Removing this facility may reduce odors in the area. Additionally, the increased flow to the lift station will reduce retention times and odors caused by septic sewage.
- l. Overflow parking shall be located at the south entrances to the development and around the pool area.
- m. The pool/common area shall be located in the center of the property, away from adjacent property lines.
- n. During construction, efforts shall be made to minimize inconveniences caused by noise and dust.

3. The City of Destin shall accept the Regions Way right-of-way if the applicant improves the Region's Way right-of-way to City of Destin standards prior to the granting of the first certificate of occupancy.
4. A 20' wide easement as depicted on the "Preliminary Plat", Sheet PP-1, will be granted to the City of Destin to be used for a pedestrian/bike pathway system as planned for within the City of Destin's Pathways Plan.
5. **Prior to the issuance of a Building Permit for vertical construction**, the finalized plat based on the "Preliminary Plat, Sheet PP-1, must be reviewed, approved by the City of Destin, and then properly recorded by the applicant.
6. **At least 14 working days prior to the issuance of a Certificate of Occupancy**, the ownership and maintenance association documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. Additionally, a copy of the documents, once recorded, must be submitted to the City of Destin.
7. This development proposes private streets and common area. **Prior to the issuance of a Certificate of Occupancy**, an ownership and maintenance association document (covenants and restrictions) shall be submitted and recorded in conjunction with the plat. The dedication on the plat shall clearly indicate the roads, common area, etc., and maintenance is the responsibility of the association and there shall be no recourse to the City or any other public agency.
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 Declaration of Covenants, Conditions, and Restriction documents must be reviewed and approved by the City Land Use Attorney. Additionally, a copy of the Declaration of Covenants, Conditions, and Restriction documents that have been recorded with the state must be submitted to the City of Destin.
10. **Prior to the issuance of a Certificate of Occupancy**, the Condominium Documents must be submitted to the Community Development Department to be reviewed and approved by Staff and the City Land Use Attorney. Additionally, a copy of the Condominium Documents, once recorded with the state, must be submitted to the City of Destin.
11. **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.
12. **Prior to issuance of the Development Order (DO)**, provide release for copyright plans or resubmit un-copyrighted plans for the public record allowing the City of Destin to copy as necessary for future needs.

13. **Prior to obtaining a building permit**, a copy of the FDEP stormwater (based upon approved design) and NPDES approvals shall be forwarded to the City Engineer's office.
14. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
15. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).
16. 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, AICP 10-25-04
Community Development Director Date


Lagniappe Development, LLC 10-27-04
Owner Date
Mr. Mike Hewitt, Managing Member


Arquette Development Corporation 11/1/04
Owner Date
Ms. Bonnie P. Thompson, DCVP