



City of Destin

August 29, 2003

Order No. 03-24

Final Development Order:

**"WINGATE INN AT 98 PALMS"
A MAJOR DEVELOPMENT
(SP-03-16)**

Based upon the City Council's approval of this development order on August 18, 2003, this document will serve as your Final Development Order, to include all of the provisions of the attached Technical Review Committee Report and with the following conditions, as specified by the City Council:

BACKGROUND / ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of 98 Palms, Ltd., is requesting approval of a Major Development identified as "Wingate Inn at 98 Palms."
Request: The proposed development consists of a three-story, 94-unit hotel.
Location: The proposed development is located at the northern terminus of Mattie Kelly Boulevard.
Parcel Size: The total proposed site area is 2.35 acres, more or less
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Allowed: 40 lodging units per acre
Proposed: 94 lodging units / 2.35 acres = 40 lodging units per acre
Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.49 FAR (per Code Definition: -0.05 FAR)
Application Date: May 5, 2003
TRC Date: May 21, 2003
Approved Site Plan Date: June 24, 2003
City Council Date: August 18, 2003

DETERMINATIONS:

1. The Destin City Council held a public hearing on August 18, 2003. The Council voted unanimously, 7-0, to approve the project as presented in the agenda package and subject to all applicable conditions identified within the TRC report dated June 24, 2003, and amended August 18, 2003, with all identified changes, and contingent upon payment of all outstanding fees prior to the issuance of the Development Order.

2. All the findings of the Technical Review Committee report dated June 24, 2003, and amended August 18, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR "WINGATE INN AT 98 PALMS" A MAJOR DEVELOPMENT (SP-03-16):

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 August 29, 2003 (no later than August 29, 2004), 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 "Wingate Inn at 98 Palms" 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.
 - B. Pavement cuts.
 - C. Construction of any kind.
 - D. Clearing, grubbing, or demolition.
 - E. Paving, grading, drainage, sidewalks.
 - F. Signage.
 - G. Installation of utilities.
 - H. Construction trailers.

4. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. **Prior to the issuance of a Certificate of Occupancy**, a “replat” of the property must be reviewed and approved by City Staff and properly recorded.
6. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
7. **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.
8. 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.
9. **Prior to obtaining a Certificate of Occupancy**, provide public dedication of the proposed roadway (Mattie Kelly Blvd.).
10. No details of the inlets were provided other than notes the City Engineer reminds the engineer of record that any problems connected with the inlet structures shall be re-worked prior to obtaining a Certificate of Occupancy, regardless of City approval.
11. Engineering Department cannot approve a Certificate of Occupancy for this project prior to the dedication of the additional ROW for Mattie Kelly Blvd. and the completion of the roadway in accordance with City Code.
12. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be deemed to be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
13. **Prior to obtaining any city permit**, a copy of the FDEP stormwater and NPDES approvals shall be forwarded to the City Engineer’s office.
14. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

TECHNICAL REVIEW COMMITTEE REPORT

"WINGATE INN AT 98 PALMS" A MAJOR DEVELOPMENT (SP-03-16)

TRC Report: June 24, 2003 and amended August 18, 2003

ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of 98 Palms, Ltd., is requesting approval of a Major Development identified as "Wingate Inn at 98 Palms."
Request: The proposed development consists of a three-story, 94-unit hotel.
Location: The proposed development is located at the northern terminus of Mattie Kelly Boulevard.
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Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Allowed: 40 lodging units per acre
Proposed: 94 lodging units / 2.35 acres = 40 lodging units per acre
Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.49 FAR (per Code Definition: -0.05 FAR)
Application Date: May 5, 2003
TRC Date: May 21, 2003
Approved Site Plan Date: June 24, 2003
City Council Date: August 18, 2003

DISCUSSION/FINDINGS:

Moore Bass Consulting, Inc., on behalf of 98 Palms, Ltd., is requesting approval of a Major Development identified as "Wingate Inn at 98 Palms." The proposed development consists of a three-story, 94-unit hotel. The proposed development is located at the northern terminus of Mattie Kelly Boulevard. The total proposed site area is 2.35 acres, more or less

The proposed project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions as described on pages 8 and 9 of the TRC Report. Refer to the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated June 4, 2003.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include a Compatibility review, Concurrency Management review, and a Level of Service review. This project is located within the "Town Center" Community Redevelopment Agency District.

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

COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Commercial (C) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the C Future Land Use designation and is a permitted principal use within the BT zoning district.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the requirements with conditions. Refer to the complete Compatibility Analysis from the City’s Compatibility Consultant; Mr. Les Solin dated June 4, 2003.

DENSITY:

Allowed: 40 lodging units per acre
Proposed: 94 lodging units / 2.35 acres = 40 lodging units per acre

HEIGHT:

The BT Zoning District does not have a maximum building height. Building height in this district is determined by compatibility and whether the proposed structures are three stories or more, which require increased setbacks. The proposed structure is three stories (37’ 10” to the midpoint of the roof) and meets all setback requirements. Refer to the complete Compatibility Analysis Report from Les Solin, dated June 4, 2003, which finds the proposed project compatible with the surrounding area in regards to height.

FLOOR AREA RATIO:

The Commercial (C) Future Land Use designation has a maximum floor area ratio (FAR) of 1.07.

The FAR calculation methodology as defined in Article 3, Section 3.00.01 “Floor Area Ratio” of the Destin Land Development Code is as follows:

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

50,465 sq. ft. - 55,537 sq. ft. = FAR
102,314 sq. ft.

-5,072 / 102,314 sq. ft. = -0.05 FAR

Utilizing the formula as defined above, the FAR of -0.05 is below the maximums of 1.07 and thus is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.20, which is below 1.07 and is calculated as follows:

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

50,465 sq. ft. / 102,314 sq. ft. = 0.49 FAR

RIGHT-OF-WAY DEDICATION:

Right-of-way dedication is required for this project. The proposed development requires the existing Mattie Kelly Boulevard right-of-way to be extended by approximately 75', more or less.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

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

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Transportation Manager, and approved on June 6, 2003, the proposed development will generate 11 PM Peak Hour directional trips on Segment "A," 12 PM Peak Hour direction trips on Segment "B," and 13 PM Peak Hour directional trips on Segment "C." As of the date of the TRC approval, Segment "A" had 474 PM Peak Hour directional trips available, "B" had 553 trips, and "C" had 231 trips. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

SUBDIVISION OR PUD - PLAT:

Not applicable.

WHITE SANDS ZONE:

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

PHASING:

The proposed development will not be a phased development.

AIRPORT PROTECTION:

The subject site is not located within the airport protection 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 BT Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (west):	10'	10' FP	56.32' including the 10' FP
Side (north):	15'	5' CB	15' including the 5' CB
Side (south):	15'	5' CB	93.82' including the 5' CB
Rear (east):	20'	N/A	N/A
Between Bldgs.:	10'	N/A	66'

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

SIGNS:

No overall sign approval is part of this application. However, the location of a proposed ground sign is identified on the approved site plan. 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 May 20, 2003.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated May 21, 2003.

GULF POWER:

Gulf Power approved the project in a letter dated May 12, 2003.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated May 21, 2003

SPRINT:

Sprint approved the project in a letter dated May 12, 2003.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated June 17, 2003.

STORMWATER:

The City Engineer approved the stormwater plan on June 20, 2003, and had the following stormwater related conditions:

1. No details of the inlets were provided other than notes the City Engineer reminds the engineer of record that any problems connected with the inlet structures shall be re-worked prior to obtaining a Certificate of Occupancy, regardless of City approval.
2. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be deemed to be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
3. **Prior to obtaining any city permit**, a copy of the FDEP stormwater and NPDES approvals shall be forwarded to the City Engineer's office.
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:

A 26' +/- wide two-way ingress/egress access is proposed at the southwest portion of the property. A second 27' +/- wide two-way ingress/egress access is proposed at the northwest corner of the property. A third 24' +/- two-way ingress/egress cross access point is proposed at the southeast corner of the property. The third access point is proposed to provide for a future cross access connection to the adjacent property to the south.

PARKING:

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

Per code:

Hotel: 1 space per unit and 1 space per every 2 employees on the largest shift.

Per site plan:

94 units + (10 employees/2) = 99 parking spaces

TOTAL REQUIRED: 99 parking spaces

TOTAL PROVIDED: 99 parking spaces (including 4 handicap spaces)

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Destin Land Development Code as indicated on the approved plans and are as follows:

TOTAL REQUIRED: 1 loading space
TOTAL PROVIDED: 2 loading space

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. All proposed dumpsters must be screened by a gated enclosure at least six feet tall.

SIDEWALKS:

A 5' wide sidewalk is required adjacent to the western property line and within the Mattie Kelly Boulevard right-of-way.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 102,314 sq. ft. (2.35 acres, more or less)
Required 18% Open Space: 18,416.52 sq. ft.
Provided Open Space: 28,985 sq. ft. (28%)

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: 2.35 x 10 = 24 Required on Site):	<u>24</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>0</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:	24
Front Perimeter Trees (1 per 25') Required on Site:	18
Parking Lot Trees (1 per end row and landscape island) Required on Site:	16
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: (Includes additional vegetation per Compatibility Analysis)	N/A
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	<u>2</u>

TOTAL TREES REQUIRED: 60
TOTAL TREES PROVIDED: 63

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (north, south, and east). A ten (10) foot Front Perimeter Landscape Area is required along the western property line. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three (3) years of planting. If required, the ten (10) foot Front Perimeter Landscape Buffer shall be calculated as one (1) tree per twenty-five (25) linear feet of buffer. Unless otherwise noted, all required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. If shrubs are used in the required buffer areas, they must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

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

Parks: The park impact fees were calculated using the "Hotel/motel per unit = \$50.46" fee schedule.

Hotel/motel:

$$94 \text{ units} \times \$50.46 = \$4,743.24$$

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

Hotel/motel:

$$94 \text{ units} \times \$13.07 = \$1,228.58$$

Road: The road impact fees were calculated using the "Hotel/motel per unit = \$1,365.00 fee schedule."

Hotel/motel:

$$94 \text{ units} \times \$1,365.00 = \$128,310.00$$

Totals:

Parks:	=	\$4,743.24
Public Library:	=	\$0.00
Police Protection:	=	\$1,228.58
Roads:	=	\$128,310.00
*TOTAL:	=	\$134,281.82

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (September 9, 2003). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	Paid
City Compatibility Consultant:	Paid
City Surveyor:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering Dept.)	Paid
Administrative Costs:	Paid
Planning Commission Advertising:	Paid
City Council Advertising:	Paid
TOTAL (as of 9/9/03) =	\$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.

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. Prior to the issuance of a Certificate of Occupancy**, a "replat" of the property must be reviewed and approved by City Staff and properly recorded.
- 3. Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
- 4. 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.
- 5. 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.

