

*Henry*

*The City of Destin*



Post Office Box 399 Destin, Florida 32540 (904) 837-4242 FAX (904) 837-3267

August 20, 1991

DO-91-02

Mr. Jay Odom, President  
Crystal Beach Development Company  
Post Office Box 1735  
Destin, Florida 32540

Re: **FINAL DEVELOPMENT ORDER FOR CRYSTAL BEACH COTTAGES**, A PUD/PAI, CONSISTING OF TWENTY-EIGHT (28) DETACHED DWELLING UNITS, TO BE LOCATED NORTH OF LUKE AVENUE, BETWEEN HUTCHINSON STREET AND CRYSTAL BEACH DRIVE

Dear Jay:

Based upon the City Council's approval of the above referenced project at its meeting on August 5, 1991, this letter will serve as your Final Development Order with the following conditions:

1. That the proposed deed restrictions state that the driveways to the rear lots be left free and clear of all obstructions and fences, and that the deed restrictions be reviewed and approved by the City Attorney.
2. The City proposes to jointly participate with you, the developer, in the paving of Luke Avenue, with the City providing ribbon curbing and you providing the paving. This agreement was approved by the City Council at its February 19, 1991 meeting. Even though the City is participating in this project, it will still be necessary for you to provide a Surety Bond of 120% of the cost for the paving or satisfy other ordinance requirements for improvements prior to releasing the Mylar for recording.
3. Under the requirements of the Land Development Regulations and Destin's Code of Ordinances, development must commence within a twelve-month period and Building Permits for this project must be obtained prior to August 4, 1992, or this approved Development Order will expire and the project will have to be resubmitted for review.

Mr. Jay Odom  
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4. If the development is initiated within a one-year period your concurrency status is protected for five years through August 4, 1996.

Best of luck with this project. Let us know if we can be of any assistance to you.

Sincerely,



Jane Moore  
Planning & Zoning Director

JM:jf

cc: Inspection Department  
Public Works Director  
City Attorney

X. 2. b.

REPORT AND RECOMMENDATION

TO : CITY COUNCIL  
FROM : PLANNING COMMISSION *KMB*  
SUBJECT: CRYSTAL BEACH COTTAGES, A PLANNED UNIT DEVELOPMENT  
AND A PROJECT OF AREAWIDE IMPACT  
DATE : AUGUST 5, 1991

ISSUE:

Request for approval for CRYSTAL BEACH COTTAGES, a Planned Unit Development and a Project of Areawide Impact, as submitted by Jay Odom, Agent for Crystal Beach Development Company. The proposed project consists of twenty-eight (28) detached dwelling units located north of Luke Avenue between Hutchinson Street and Crystal Beach Drive. The property contains 3.98 acres, more or less.

BACKGROUND:

The Planning Commission held its Public Hearing on this project July 18, 1991. Mr. Jim Westmoreland, a resident of Crystal Beach, spoke in favor of the project. No one in the audience spoke in opposition to the project. Staff read into the record a letter from Ms. Mary E. Lenning, 102 Shirah Street, Destin, Florida, supporting the project and advised of a telephone call staff had received from Ms. Lisa Frich who also supported the proposed project.

During the discussion, the Planning Commission discussed in depth the proposed ingress/egress of the project which would be from Luke Avenue through private individual and shared driveways. The Planning Commission recommended that approval of the project, as designed, be contingent upon the inclusion of deed restrictions that the driveways to the rear lots be left free of all obstructions and fences as outlined in the letter from the Fire Department. As for other Project of Areawide Ordinance guidelines, the staff report was accepted for presentation to the City Council as their findings of fact.

The City proposes to jointly participate with the developer in the paving of Luke Avenue with the City providing ribbon curbing and the developer providing the paving. The agreement was approved by the City Council February 19, 1991, and the funds are included in the current year's budget. Even though the City is participating in this project, it will still be necessary for the developer to provide a Surety Bond for the paving prior to release of the Mylar for recording.

Additional letters of support were received from Debra E. Odom, dated July 19, 1991 and from Jim and Gail Breitenfeld, dated July 18, 1991.

**RECOMMENDATION:**  
Based on a vote of 5-0, the Planning Commission recommends that the City Council approve CRYSTAL BEACH COTTAGES, a Project of Areawide Impact and a Planned Unit Development, with the deed restrictions that the driveways to the rear lots be left free of all obstructions and fences and that the proposed deed restrictions be reviewed and approved by the City Attorney prior to City Council approval. **THE DEED RESTRICTIONS HAVE NOT BEEN APPROVED BY THE CITY ATTORNEY.**

**FINANCIAL IMPACT:**  
The Financial Impact on the City for the joint participation in the road paving project is \$11,000 and the funds are in the current budget in Reserves and Contingencies. The developer must post a Surety Bond, or make other arrangements for paving the road in compliance with the Ordinance requirements, prior to the release of the Mylar for recording.

**PROPOSED MOTION:**  
Move that the City Council accept the Planning Commission's Findings of Fact and that the Council approve CRYSTAL BEACH COTTAGES as a Project of Areawide Impact and Planned Unit Development, including the deed restrictions; and that the City Clerk be instructed to retain the Mylar until the required Surety Bond is posted for the street installation.

**STAFF COMMENTS:**  
Approval of this project, as proposed, sets a precedent. The Planning Director has pointed out to the developer and the Planning Commission that this project is a major deviation from any Planned Unit Development (PUD) reviewed by the City, in that the lots front directly on a collector road with the rear lots having only twelve feet (12') of property fronting the right-of-way. Essentially, it is a small lot subdivision with rear "flag" lots. The traffic is not controlled within the development and there is unrestricted access to the collector street contrary to distances specified in the LDR (required distances of 185' between accessways).

Although the City has approved PUDs that do not specifically have commons areas and amenities in keeping with the intent of PUDs, almost, without exception, previously approved PUDs (even those approved by Okaloosa County) contained, at a minimum, internal road systems to accommodate its internal traffic and restricted access by individual lots to the collector road (i.e. Indian Trail Estates). Precedent for approving the small lot PUDs was



CITY OF DESTIN STAFF REPORT  
CRYSTAL BEACH COTTAGES  
A PUD AND PAI  
JULY 18, 1991

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ZONING/COMPREHENSIVE PLAN:

Zoning for the property is Business Tourism (BT); the Comprehensive Plan Land Use Category is Low Intensity Urban (LIU) which allows a maximum density of 9.99 dwelling units per acre. This project contains 7.04 units per acre. Planned Unit Developments are allowed in BT/LIU and the density is within the permitted range. It also exceeds the three (3) acre minimum required in the Land Development Regulations.

INGRESS/EGRESS/TRAFFIC:

Entrance into the property would be by individual and shared driveways off of Luke Avenue. This portion of Luke Avenue, which is an existing unpaved dedicated right-of-way, is to be paved by the developer and the City as a joint participation project.

The distances of the proposed driveways do not meet the minimum standards for a collector street as outlined in the Land Development Regulations. Staff has made the developer aware of their concerns regarding this issue and has repeatedly suggested that the project be designed to be more self-contained and have greater limitations on the number of driveways with access onto Luke Avenue. This remains an unresolved issue for staff.

The Land Development Regulations restricts access to collector roads to one for every 185 feet. This property contains 1,034 linear feet on Luke Avenue and, therefore, the number of driveways would be limited, under the Ordinance, to six (6). The Ordinance does also provide that reasonable access to the property must be allowed (see pages 8-10 and 8-11, LDR). Certainly, the elongated shape of this particular parcel of land would need to be taken into consideration in determining reasonable access. The present design of this project calls for twenty-one (21) driveways including the seven (7) that are to be shared by those homes located on the rear "flag" lots.

The presently adopted Planned Unit Development Ordinances of the City lack specificity as to how PUDs are to be designed. This is to enable the applicant to utilize property in a creative manner allowing for mixed types of structures (single family homes,

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attached housing, common areas with amenities, and possibly some commercial, etc.)

The concept of such flexibility is, in part, to allow for crowding of units in certain areas as a trade off for common areas/open space and amenities for the project. The City has approved some PUDs that did not include common areas, but for the most part, PUDs approved by the City have included internal road systems and restricted access to lots facing major roadways. Some examples include the recently approved Indian Trail Estates where the lots facing Indian Trail were denied access from Indian Trail and must have access from the internal roadway that was provided as part of the development. An exception to this is Kokomo Kove. Some of the lots originally platted as part of the Crystal Beach Subdivision were replatted as part of the Kokomo Kove PUD and access remained on Sunfish. However, Sunfish is designated on the Comprehensive Plan's Traffic Circulation Map as a local street (not a collector street) and the subsequently adopted LDR does not include minimum access points for local streets.

**PARKING:** Parking would be provided on each parcel. The rear lots would have to provide sufficient turning radii for the vehicles. After deducting area for setbacks, parking area and vehicle maneuvering, the 74.8 foot lots would have a building site of approximately 30' x 60' maximum. The "typical footprint" shown on Lot 18 is 32' x 36' (1,152 s.f.). The typical footprint on Lot 20 is 24' x 40' (800 s.f.). If the homes are built to these typical footprints, there should be adequate space for proper maneuvering within the site.

**REFUSE:** Refuse collection would be at curbside.

**UTILITIES:** Utilities would have to be underground. Water is available from Destin Water Users' twelve (12) inch main. Sewer is available through Sun States Utilities.

**LANDSCAPING:**  
 $173,250 \text{ s.f.} \times 18\% = 31,185 \text{ s.f. required}$  - Provided = 67,366 s.f.\*

\*This calculation was done by staff based on the typical footprints shown on Lots 17, 18, 19 and 20.

REFORESTATION:

3.98 acres x 10	= 40 trees
Road Frontage:	
1,368 linear feet ÷ 25	= 55 trees
Total	95 trees
95 trees ÷ 28 lots	= 4 trees per lot

NOTE: This is a heavily vegetated area and with very careful clearing, the natural site would probably contain sufficient trees to meet this requirement.

SIGNS:

No signs identifying the project have been requested as part of this submittal.

SETBACKS:

The setbacks shown on the typical units on Lots 17, 18, 19 and 20 exceed the minimum requirements.

WHITE SANDS:

This project does not lie within the White Sands zones.

SIDEWALKS:

A four (4') foot sidewalk is shown on the drawings on all street fronts as required.

FIRE PROTECTION:

The project has been approved by the Destin Fire Department with the stipulation that the driveways accessing the rear lots shall not be blocked nor any type of fence or planter be erected between the twelve-foot (12') drives. Prior to construction, written certification of this restriction must be submitted to the Fire Department.

STORMWATER:

The stormwater plan has been approved by the City Engineer. The project is sewer exempt - DER.

ENVIRONMENTAL ISSUES:

The property does not contain any wetlands, environmental sensitive areas, historic structure, known archeological sites, etc. No environmental impact statement has been requested by staff.

PROJECT OF AREAWIDE IMPACT:

As a Project of Areawide Impact, the Planning Commission must review Ordinance criteria in making its recommendation to the City Council. This report would have to be expanded upon by the

Commission because of the expressed concern regarding the ingress/egress onto Luke Avenue.

NO MYLARS have been presented for review as of the writing of this report. The applicant could proceed without the Mylars for preliminary approval, but the Planning Commission must also approve the Mylar prior to its submittal to the City Council. Staff will advise on this issue at the meeting.

The applicant has provided a site plan showing the location of the cottages and the proposed driveway.

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