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October 26, 1999

ORDER #99-39

Final Development Order:

Not signed by owner yet!

**“DESTIN ASSISTED LIVING FACILITY”:
A MAJOR DEVELOPMENT
(SP-99-19)**

Based upon the City Council's approval of this Development Order, on September 7, 1999, 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: Choctaw Engineering, Inc., as agent for Vantage Health Care, Inc., who holds a purchase agreement from Fort Walton Beach Medical Center, owner.

Location: The proposed project is generally located across from Destin Health and Rehab Center on Mattie Kelly Boulevard.

Request: Approval of a Final Plat (3 Non-Residential Lots) and Major Development identified as “Destin Assisted Living Facility”, consisting of 32,051 sq. ft. and 52 beds.

Parcel Size: The property contains 172,102 sq. ft. or 3.95 acres +/-.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Urban Development (RUD) and Residential General Development (RGD)

Density: Allowed: 19.9 units per acre or 30 lodging units per acre
Proposed: 12.46 units per acre or 14.41 lodging units per acre

Intensity: 0.25 floor area ratio

Application Date: March 25, 1999

TRC Date: April 21, 1999

Approved Site Plan Date: May 28, 1999

Planning Commission Date: June 3, 1999

City Council Date: September 7, 1999

DETERMINATIONS:

1. A hearing was held by the Destin City Council on September 7, 1999, and approved the development by a vote of 6-0 with conditions; and

2. The Planning Commission considered the proposal on June 3, 1999 and recommended the City Council approve the proposed project as presented by staff. The motion passed by a vote of 4-0. Mr. Clauson, Mr. Breithaupt, Mr. Morgan, and Ms. Drowne voted for the motion. Mr. Link and Mr. Kroger were not present.
3. All the findings of the Technical Review Committee report dated May 28, 1999 and amended September 7, 1999 are incorporated herein.

**CONDITIONS OF APPROVAL FOR "DESTIN ASSISTED LIVING FACILITY":
A MAJOR DEVELOPMENT (SP-99-19)**

Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Construction must commence within twelve (12) months of approval of the Final Development Order on September 7, 1999 (no later than September 7, 2000) and must be completed as shown on plans approved by the Technical Review Committee (stamp dated September 7, 1999).

WARNING: If the applicant/owner has not obtained a construction permit(s) within 365 days of issuance of the final development order, the final development order is void and the application for plan approval must be re-initiated.

2. If "Destin Assisted Living Facility" fully complies with the requirements of Condition Number 1 above, the concurrency status "Destin Assisted Living Facility" is protected (for five years) through September 7, 2004. **The protected concurrency status, however, 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, or**
 - B. **Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.**
3. "Destin Assisted Living Facility" 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 and grubbing.
 - E. Paving, grading, drainage, sidewalks.
 - F. Signage.
 - G. Installation of utilities.
 - H. Construction trailers.

4. **Prior to the issuance of a Clearing Permit**, a clearing/demolition plan must be reviewed and approved by the Community Development Department.
5. **Prior to the issuance of a Building Permit**, the legal documentation of the dedication of the 15' right-of-way, as required by City Council to be located on lot 2 and the abutting lot to the east fronting Mattie Kelly Boulevard, shall be approved by the city attorney and executed by developer and owner.
6. **Prior to the issuance of a Building Permit**, a revised site plan and stormwater plan identifying the 15' right-of-way and amended layout of plan, due to this dedication, shall be reviewed and approved by the Community Development Department.
7. **Prior to the issuance of a Building Permit**, the approved or amended plat must be recorded and released by the city.
8. **Prior to the issuance of a Certificate of Occupancy**, if exterior lighting is proposed a lighting plan must be reviewed and approved by the Community Development Department.
9. **Prior to the issuance of a Certificate of Occupancy**, the required landscaping must be inspected and approved by the Community Development Department.
10. **Prior to the issuance of a Certificate of Occupancy**, an Operations & Maintenance Plan, which is acknowledged and signed by the owner, must be submitted and approved by the Engineering Department. The Operations & Maintenance Plan shall contain, among other things, the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, line, and grade."
11. **Prior to the issuance of a Certificate of Occupancy**, all utilities of the project must be installed underground.
12. Requirements identified by the Technical Review Committee:

**TECHNICAL REVIEW COMMITTEE REPORT
COMMUNITY DEVELOPMENT DEPARTMENT**

**“DESTIN ASSISTED LIVING FACILITY”
A MAJOR DEVELOPMENT
(SP-99-19)**

TRC Report: May 28, 1999 and Amended September 7, 1999

ISSUE:

Applicant: Choctaw Engineering, Inc., as agent for Vantage Health Care, Inc., who holds a purchase agreement from Fort Walton Beach Medical Center, owner.

Location: The proposed project is generally located across from Destin Health and Rehab Center on Mattie Kelly Boulevard.

Request: Approval of a Final Plat (3 Non-Residential Lots) and Major Development identified as “Destin Assisted Living Facility”, consisting of 32,051 sq. ft. and 52 beds.

Parcel Size: The property contains 172,102 sq. ft. or 3.95 acres +/-.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Urban Development (RUD) and Residential General Development (RGD)

Density: Allowed: 19.9 units per acre or 30 lodging units per acre
Proposed: 12.46 units per acre or 14.41 lodging units per acre

Intensity: 0.25 floor area ratio

Application Date: March 25, 1999

TRC Date: April 21, 1999

Approved Site Plan Date: May 28, 1999

Planning Commission Date: June 3, 1999

City Council Date: September 7, 1999

DISCUSSION:

Choctaw Engineering, Inc., requests approval of a Final Plat and a Major Development identified as "Destin Assisted Living Facility". The proposed project consists of a one (1) story, 52-bed, Assisted Living Facility (ALF). The proposed project is generally located across from Destin Health and Rehab Center, and south of the Destin Urgent Care on Mattie Kelly Boulevard.

According to the traffic review conducted by the City's Traffic Consultant, Gay Hamilton Smith, the proposed development will generate one (1) PM Peak Hour directional trip on Segment B of U. S. Highway 98. Segment B has 377 PM Peak Hour directional trips currently available and with this project there will be 376 available PM Peak Hour directional trips remaining.

Staff has determined that the proposed request is compatible with the surrounding area. The existing use of the surrounding properties is as follows: North – Medical Center; South – Vacant; East – Rehabilitation Center; and West – Twin Lake Single-Family Subdivision.

The proposed use is consistent with the Comprehensive Plan and Land Development Code, which includes Compatibility review, Concurrency Management review, Level of Service review, and the Community Redevelopment Agency Plan. However, the CRA plan identifies a future road

connection along the front of the subject property and the proposed lot to the south of the subject site. Staff has requested that ingress/egress access be provided to the City from the end of Mattie Kelly Boulevard to the southern boundary of the Gulf Power Easement. The applicant has not agreed to provide such access.

NOTE: the project cannot be approved without the approval of the final plat. The final plat is not consistent with the CRA Plan.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Mixed Use (MU). The property is zoned as Residential Urban Development (RUD) along the eastern 100 feet and with the remaining portion zoned as Residential General Development (RGD). The proposed use is a permitted Principal Use within both Zoning Districts.

COMPATIBILITY:

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>CRA</u>	<u>Existing Use</u>
North:	MU	RUD/RGD	Office/Residential	Medical Center
South:	MU	RUD/RGD	Office/Residential	Vacant
East:	MU	RUD	Office/Residential	Rehabilitation Center
West:	MU	RGD	Office/Residential	Twin Lakes subdivision

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements.

A) Permitted uses, structures and activities allowed within the land use category;

The proposed use is a permitted use in the Mixed Use Future Land Use Category; as well as in the Residential Urban Development (RUD) and Residential General Development (RGD) Zoning Districts. It is also consistent with the CRA's Office/Residential designation. However, the CRA plan identifies a future road connection along the front of the subject property and the proposed lot to the south of the subject site. Staff has requested that an ingress/egress access be provided on the Plat and dedicated to the City from the end of Mattie Kelly Boulevard to the southern boundary of the Gulf Power Easement. The applicant has not agreed to provide such access.

B) Building location, dimensions, height, and floor area ratio;

The proposed building meets and exceeds all of the required setbacks for both the Residential Urban Development (RUD) and Residential General Development (RGD) Zoning Districts. Both zoning districts require the following setbacks: front - 20 feet; side and rear - 10 feet.

The building's dimensions are compatible with the surrounding buildings (e.g. Destin Urgent Care and Destin Health and Rehabilitation).

The proposed height of the building is less than the maximum allowed (32 ft. proposed/40 ft. allowed); the floor area ratio is also less than the maximum allowed by the Code (0.25 proposed/1.07 allowed).

C) Location and extent of parking, access drives, and service areas;

The proposed project exceeds the parking requirements (24 reg. & 3 h. c. proposed/13 reg. & 1 h. c. required). It also meets the requirements for access drives (27 feet maximum) and service areas (proposed dumpster enclosed with 8 ft. concrete wall).

Again, staff requested that the provision of the right-of-way from Mattie Kelly Boulevard to the southern edge of the Gulf Power easement be provided within the proposed Plat.

City Council required the dedication of the 15' right-of-way on both sides of Mattie Kelly Boulevard.

D) Traffic generation, hours of operation, noise levels, and outdoor lighting;

According to the traffic review conducted by the City's Traffic Consultant, Gay Hamilton Smith, the proposed development will generate one (1) PM Peak Hour directional trip on Segment B, of U. S. Highway 98. Segment B has 377 PM Peak Hour directional trips currently available and with this project there will be 376 available PM Peak Hour directional trips remaining.

A review of the traffic generated, elevation plans, and architectural plans, in relation to lot sizes and use, indicates that the proposed project will be compatible with the surrounding development. No outdoor lighting plan is proposed at this time. As a condition, however, staff will require that the Community Development Department prior to a Certificate of Occupancy approve a lighting plan.

E) Alteration of light and air;

The proposed one-story building will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The proposed building meets and exceeds all of the required setbacks for both the Residential Urban Development (RUD) and Residential General Development (RGD) Zoning Districts. Both zoning districts require the following setbacks: front - 20 feet; side and rear - 10 feet.

The overall site plan meets the open space requirements. The only buffers required are the standard five (5) foot common boundary landscape areas on the north, south and west property lines and the standard ten (10) foot front perimeter landscape area on the eastern property line.

Parking islands and required tree/vegetation/reforestation placement is also required. The location of the required landscape areas minimizes the impact of the structure on the surrounding parcels.

DENSITY:

Allowed: 19.9 units per acre or 30 lodging units per acre

Proposed: 12.46 units per acre (45 front doors) or 14.41 lodging units per acre (52 beds)

HEIGHT:

The proposed project has a building height of 32 feet, which is below the 40-foot maximum building height allowed in both the Residential Urban Development (RUD) and Residential General Development (RGD) Zoning Districts.

FLOOR AREA RATIO:

The proposed project has a Floor Area Ratio of 0.25, which is below the maximum of 1.07 for the Mixed Use Future Land Use Category.

RIGHT-OF-WAY DEDICATION:

The CRA plan identifies a future road connection along the front of the subject property and the proposed lot to the south of the subject site. Staff has requested that an ingress/egress access be provided on the plat and dedicated to the City from the end of Mattie Kelly Boulevard to the southern boundary of the Gulf Power Easement. The applicant has not agreed to provide such access. City Council required the dedication of the 15' right-of-way on both sides of Mattie Kelly Boulevard.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Potable Water: X Roadways X Solid Waste X
Recreation: X Sewer: X Drainage: X

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Traffic Consultant, Gay Hamilton Smith, the proposed development will generate one (1) PM Peak Hour directional trip on Segment B of U. S. Highway 98. Segment B has 377 PM Peak Hour directional trips currently available and with this project there will be 376 available PM Peak Hour directional trips remaining.

SUBDIVISION OR PUD - PLAT:

The proposed plat was sent to the City Surveyor on May 17, 1999, for his review and was signed off on July 12, 1999. Again, staff requested that the provision of the right-of-way from Mattie Kelly Boulevard to the southern edge of the Gulf Power Easement be provided within the proposed plat. Again, the approved or amended plat must be recorded and released by the city before permit can be issued.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area.

SETBACKS:

The proposed building meets and exceeds all of the required setbacks for both the Residential Urban Development (RUD) and Residential General Development (RGD) Zoning Districts. Both zoning districts require the following setbacks: front - 20 feet, side and rear - 10 feet.

WHITE SANDS ZONE:

The proposed project is not located within either of the White Sand Zones.

SIGNS:

No signs have been proposed with this project. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign permit is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project at the April 21, 1999, TRC meeting.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project with one condition in a letter dated April 21, 1999.

GULF POWER:

Gulf Power approved the project at the April 21, 1999, TRC meeting.

OKALOOSA GAS:

Okaloosa Gas approved the project at the April 21, 1999, TRC meeting.

SPRINT:

Sprint approved the project at the April 21, 1999, TRC meeting.

UNIVERSAL COM:

Universal Com approved the project at the April 21, 1999, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users Inc. approved the project in a letter dated May 3, 1999.

UTILITIES:

Underground utilities are required from the main feeder/source.

STORMWATER:

The City Engineer approved the stormwater plan, with one condition, in a letter dated July 26, 1999. The condition is as follows:

1. A cross-access/drainage easement and agreement is required. This cross-access/drainage easement and agreement must be forwarded to the City for review and approval by the City Attorney.

The above-mentioned deficiency must be satisfactorily addressed prior to the issuance of a building permit or as noted. This memo is on file with the Community Development Department.

INGRESS/EGRESS:

The access drives for the proposed project meet the requirements of the Destin Land Development Code.

SIDEWALKS:

A five (5) ft. wide sidewalk is required along the east side of Mattie Kelly Boulevard, as shown on the site plan.

LANDSCAPE:

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

OPEN SPACE:

<u>32,015</u> sq. ft. of property x 18%	=	<u>30,978</u> sq. ft. required
Site plan provides <u>51%</u>	=	<u>88,140</u> sq. ft. provided

TREES REQUIRED:

Reforestation: <u>40</u> (10 per acre)	Front Perimeter: <u>15</u> (1 per 25')	Parking Lot: <u>9</u> (1 per end of parking row)
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Protected Trees on Site (12" to 23" diameter):	<u>0</u>
Preserved Trees on Site (24" or more diameter):	<u>0</u>
Credits for Protected/Preserved Trees:	<u>0</u>
TOTAL TREES REQUIRED:	<u><u>64</u></u>
TOTAL TREES PROVIDED:	<u><u>80</u></u>

A ten (10) foot Front Perimeter Landscape Area is required along the eastern property line. A 5' Common Boundary Buffer is required along the northern, western, and southern property lines. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent 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 years of planting. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of 20' at maturity. If the 20' crown requirement is not met, additional trees shall be added and grouped together to meet the 20' crown. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material has been inspected and approved by the Community Development Department.**

PARKING:

Parking for project is based on the following calculations:

Per code:

Convalescent and nursing homes: 1 space for every 4 beds.

Per site plan:

1 space per 4 beds / 52 beds = 13 spaces (including 1 handicap parking space)

TOTAL REQUIRED: 13 parking spaces (including 1 handicap space)

TOTAL PROVIDED: 24 spaces (including 3 handicap spaces)

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

None.

COMMENTS:

There have been no comments of support or opposition filed with Staff regarding this project.

CONDITIONS:

Per City Council

1. City Council required that the provision of the 15' right-of-way on both sides of Mattie Kelly Boulevard to the southern edge of the Gulf Power Easement be provided within the proposed plat.
2. The City Attorney must review and approve dedication documents prior to the issuance of the building permit.
3. Site plan must reflect previous conditions #4 and #5 prior to the issuance of the building permit.

Per Community Development:

1. Prior to issuance of a clearing permit, a clearing plan must be reviewed and approved by the Community Development Department.
2. Prior to the issuance of a Certificate of Occupancy, a lighting plan must be reviewed and approved by the Community Development Department.
3. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.

