



# CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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August 9, 2004

Order No. 04-28

**Final Development Order:**

**“DESTIN HARBOR HOTEL”  
A MAJOR DEVELOPMENT  
(SP-02-40)**

Based upon the City Council's approval of this development order on July 19, 2004, 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., on behalf of Mr. Clarence Olin Marler, is requesting approval of a Major Development identified as “Destin Harbor Hotel.”

**Request:** The proposed development consists of a 100-unit hotel, restaurant with lounge, and marina/accessory uses.

**Location:** The proposed development is located at 104 Highway 98 East, more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0630-0000-07L0 and 00-2S-22-0630-0000-07L2.

**Address:** 104 Highway 98 East

**Parcel Size:** The total site area is 1.95 acres, more or less.

**Future Land Use:** Mixed Use (MU)

**Zoning District:** Business Tourism (BT)

**Density:** Not applicable for duly licensed commercial hotels, motels, and other commercial transient living accommodations.

**Intensity:** Allowed Maximum Floor Area Ratio: 1.07  
Proposed: 0.18 (LDC methodology) or 1.24 (Common methodology)

**Application Date:** August 5, 2002

**TRC Date:** August 21, 2002

**Approved Site Plan Date:** June 17, 2004

**City Council Date:** July 19, 2004

## **DETERMINATIONS:**

1. The Destin City Council held a public hearing on July 19, 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 and TRC report dated June 17, 2004, with all necessary changes and updates, 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 17, 2004, are incorporated herein.

## **CONDITIONS OF APPROVAL FOR "DESTIN HARBOR HOTEL" A MAJOR DEVELOPMENT (SP-02-40):**

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 9, 2004 (no later than August 9, 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 "Destin Harbor Hotel" 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.

**Conditions 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 flood zones have changed in a way that may impact some accessory structures on the site. More specifically, depending on whether the relocated accessory structure is determined to be “new construction” and is considered a “minimal investment” will be the main determining factors on whether or not the accessory structures can be relocated on the site.
3. The kitchen has been added as part of the public restaurant and lounge. Parking calculations include the kitchen area and are acceptable. However, to assure parking continues to be adequate for the development, the banquet room and related facilities are considered private (part of the hotel guest use only) and shall not be used for public event.
4. **Prior to the issuance of a building permit**, the developer is encouraged to coordinate with the development/developer to the west (HarborWalk – Village) to create a joint access point along the common property line. This will encourage improved traffic movement and limit the number of impact/curb cut points along U.S. Highway 98 East.
5. **Prior to the issuance of a building permit**, a “Unity of Title” must be submitted to the Community Development Department for review and approval. Once approved, the document must be recorded in the public record of Okaloosa County.
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 applicant in conjunction with the City of Destin shall prepare and grant cross access easement (east/west) along the harbor to encourage and promote the City’s Harbor Boardwalk.
8. **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.

9. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
10. **Prior to obtaining a City permit for water side improvements**, provide copies of Destin Harbor Board approval and FDEP/USACOE submerged lands approval.
11. **Prior to obtaining any city permit**, a copy of the FDEP Stormwater & NPDES approvals shall be forwarded to the City Engineer's office.
12. **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 shall require periodic maintenance for continued proper operation, including 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) and shall keep all inlets and exfiltration pipes clean and unobstructed.
13. 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.

## TECHNICAL REVIEW COMMITTEE REPORT

### “DESTIN HARBOR HOTEL” A MAJOR DEVELOPMENT (SP-02-40)

TRC Report: June 17, 2004

#### ISSUE:

**Applicant:** Choctaw Engineering, Inc., on behalf of Mr. Clarence Olin Marler, is requesting approval of a Major Development identified as “Destin Harbor Hotel.”

**Request:** The proposed development consists of a 100-unit hotel, restaurant with lounge, and marina/accessory uses.

**Location:** The proposed development is located at 104 Highway 98 East, more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0630-0000-07L0 and 00-2S-22-0630-0000-07L2.

**Address:** 104 Highway 98 East

**Parcel Size:** The total site area is 1.95 acres, more or less.

**Future Land Use:** Mixed Use (MU)

**Zoning District:** Business Tourism (BT)

**Density:** Not applicable for duly licensed commercial hotels, motels, and other commercial transient living accommodations.

**Intensity:** Allowed Maximum Floor Area Ratio: 1.07  
Proposed: 0.18 (LDC methodology) or 1.24 (Common methodology)

**Application Date:** August 5, 2002

**TRC Date:** August 21, 2002

**Approved Site Plan Date:** June 17, 2004

**City Council Date:** July 19, 2004

#### DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of Mr. Clarence Olin Marler, is requesting approval of a Major Development identified as “Destin Harbor Hotel.” The proposed development consists of a 100-unit hotel, restaurant with lounge, and marina/accessory uses. The proposed development is located at 104 Highway 98 East, more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0630-0000-07L0 and 00-2S-22-0630-0000-07L2. The total site area is 1.95 acres, more or less.

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 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 City’s Harbor Area 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 Map designation of Mixed Use (MU) and a zoning designation of Business Tourism (BT). The proposed use is consistent with the MU Future Land Use Map designation and is a permitted principal use within the BT zoning district.

**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 Designation:**

The proposed land use will consist of a 7-story above grade and 2 levels of below grade parking, 100-unit mixed-use hotel facility. The property currently has a Future Land Use Map designation of Mixed Use (MU) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the MU Future Land Use Map designation and is a permitted principal use within the BT zoning district.

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

The primary structure (100-unit hotel) will be located 30.05 feet +/- from the western property line, 30.01 feet +/- from the eastern property line, and 10.81 feet +/- from the northern property line. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Commercial (C)	Business Tourism (BT)	Commercial Offices, Retail, and Parking Lot
South	Old Pass Lagoon (Destin Harbor)	Old Pass Lagoon (Destin Harbor)	Old Pass Lagoon (Destin Harbor)
East	Mixed Use (MU)	Business Tourism (BT)	Commercial Boat Storage, Restaurants/Lounge, Yacht/Boat Sales, and Retail
West	Mixed Use (MU)	Business Tourism (BT)	Mixed use multi-family, restaurant, and shopping center (Harborwalk - Village)

The location and proposed use of the mixed-use hotel facility is consistent with the MU designation and the BT zoning assigned to the site and is deemed complementary and compatible with the current and future land use trends within this area of the city.

**Density:**

Per the Destin Comprehensive Plan: 2000, a review of density is not applicable for duly licensed commercial hotels, motels, and other commercial transient living accommodations in the MU Future Land Use Map designation.

**Height:**

The BT Zoning District does not have a maximum building height. Building height in this district is determined by compatibility, whether the proposed structure is three stories or more, which requires increased setbacks. The proposed structure is approximately 98 feet +/- high from the crown of the road to the cornice line or 106 feet +/- from the crown of the road to the mid-point of the highest main roof.

COMPARISON OF SOUTH HARBOR AREA HIGH-RISE BUILDING HEIGHT As measured from the crown of US Highway 98 to mid-point of roof and excluding architectural embellishments)	
HIGH RISE BLDGS. SOUTH SIDE OF US HWY. 98 & VICINITY	HEIGHT
Proposed Destin Harbor Hotel	106'
Proposed Harborwalk – Village Towers	150' 0"
Destin Yacht Club	122' 8"
Grand Harbor	157' 0"
Sides Moreno Point West	80'

The height of the proposed development is compatible with the character of buildings in the vicinity.

**Floor Area Ratio:**

The MU Future Land Use Map designation allows for a maximum Floor Area Ratio (FAR) of 1.07. Proposed FAR: 0.18 (LDC defined methodology) or 1.24 (Common utilized methodology). Based on the required LDC defined methodology, the proposed development is below the maximum FAR allowed of 1.07.

**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 adverse impacts are anticipated that require restriction on hours of operation.
- c. **Noise Levels:** No adverse noise impacts have been identified.
- d. **Outdoor Lighting:** All proposed future revisions or additions to outdoor lighting plans must provide outdoor lighting specifications, including photometrics. Any future lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky. The source of all illumination should not be visible from off-site.

5. **Alteration of Light and Air:** The plan does not generate any adverse impacts to light and air

6. **Setbacks and Buffers:** The setbacks and buffers meet requirements for land use compatibility.

**The site plan for the “Destin Harbor Hotel” multi-use hotel development complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09.**

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:**

There are no proposed right-of-way dedications.

**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 April 8, 2004, (Concurrency Sheet signed June 28, 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.

**SUBDIVISION OR PUD - PLAT:**

Rather than requiring a minor replat of the two parcels impacted by the development, the applicant has the option of processing a "Unity of Title." **Condition: Prior to the issuance of a building permit, a "Unity of Title" must be submitted to the Community Development Department for review and approval. Once approved, the document must be recorded in the public record of Okaloosa County.**

**WHITE SANDS ZONE:**

The project property is located in White Sand Zone I.

**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.

	<b><u>Required</u></b>	<b><u>Buffers</u></b>	<b><u>Provided</u></b>
Front (north):	10'	10' FP	10.81' including the 10' FP
Side (west):	30'	5' CB	30.05' including the 5' CB
Side (east):	30'	5' CB	30.00' including the 5' CB
Rear (south):	N/A	N/A	N/A
Between Bldgs.:	10'	N/A	N/A

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 buffer along the eastern and western property lines. The 10' FP is required along the northern property line. No rear setbacks are required for waterfront lots.

**SIGNS:**

No overall sign approval is part of this application. Any and 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:**

Utilities/service (existing and proposed) are required to be placed underground.

**COX COMMUNICATIONS:**

Cox Communications approved the project in a letter dated August 19, 2002

**DESTIN FIRE CONTROL DISTRICT:**

The Destin Fire Control District approved the project in a letter dated January 28, 2003.

**GULF POWER:**

Gulf Power approved the project in a letter dated August 21, 2002.

**OKALOOSA GAS:**

Okaloosa Gas approved the project in a letter dated August 21, 2002.

**SPRINT:**

Sprint approved the project in a letter dated August 15, 2002.

**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated February 18, 2004.

### **STORMWATER:**

The stormwater management plan (Revised April 28, 2004) and associated civil plans are acceptable and approved with the following stormwater related conditions:

1. **Condition:** If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
2. **Prior to obtaining a City permit for water side improvements,** provide copies of Destin Harbor Board approval and FDEP/USACOE submerged lands approval.
3. **Prior to obtaining any city permit,** a copy of the FDEP Stormwater & 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 shall require periodic maintenance for continued proper operation, including 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) and shall keep all inlets and exfiltration pipes clean and unobstructed.

### **INGRESS/EGRESS:**

The proposed plans indicate a 27' +/- wide two-way ingress/egress access is proposed at the northwest portion of the property connecting to U.S. Highway 98 East. A 15' +/- wide one-way egress only access (with a 5' stabilized shoulder) is proposed at the northeast portion of the property.

**Condition:** Prior to the issuance of a building permit, the developer is encouraged to coordinate with the development/developer to the west (HarborWalk – Village) to create a joint access point along the common property line. This will encourage improved traffic movement and limit the number of impact/curb cut points along U.S. Highway 98 East.

### **PARKING:**

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

#### **Per code:**

##### **Mixed Use Development:**

- Retail: 1 space per 200 sq. ft.
- Restaurant/Lounge: 1 space per 75 sq. ft.
- Hotel: 1 space per unit plus 1 space per 2 employees on largest shift
- Ticket Booths: 1 space per 200 sq. ft.
- Marina (Sightseeing): 1 space per 4 seats
- Marina (Fare-carrying): 5 spaces per slip

Per site plan:

Mixed Use Development:

Retail: 3,236 sq. ft. / 200 = **16 spaces**  
Restaurant/Lounge: 6,972 sq. ft. / 75 = **93 spaces**  
Hotel: 100 units + 20/2 = **110 spaces**  
Ticket Booths: 1,046 sq. ft. / 200 = **5 spaces**  
Marina (Sightseeing): 65 seats / 4 = **16 spaces**  
Marina (Fare-carrying): 6 slips (5 spaces per slip) = **30 spaces**

**TOTAL REQUIRED: 270 parking spaces**

**TOTAL PROVIDED: 270 parking spaces (including 16 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: 2 loading spaces**

**TOTAL PROVIDED: 3 loading spaces**

**REFUSE COLLECTION:**

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

**SIDEWALKS:**

A 5' wide sidewalk is required adjacent to the northern property line and within the U.S. Highway 98 East right-of-way. Any portion damaged during construction shall be replaced prior to issuance of a Certificate of Occupancy.

**Condition: Prior to the issuance of a Certificate of Occupancy** the applicant in conjunction with the City of Destin shall prepare and grant cross access easement (east/west) along the harbor to encourage and promote the City's Harbor Boardwalk.

With the above stated condition, pedestrian connectivity is effectively provided throughout the development.

**OPEN SPACE/LANDSCAPE:**

Open Space Requirements:

Site Development Area (Total Area): 84,707 sq. ft. (1.95 acres, more or less)  
Required 18% Open Space: 15,247.26 sq. ft. + 3,029 sq. ft. for parking garage = 18,276.26 sq. ft.  
Provided Open Space: 18,389 sq. ft. (21.7%)

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: 1.95 x 10 = 20 Required on Site):	<u>20</u>
<b>Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:</b>	<u><b>20</b></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:	20
Front Perimeter Trees (1 per 25') Required on Site:	6
Parking Lot Trees (1 per end row and landscape island) Required on Site:	4
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: (Includes additional vegetation per Compatibility Analysis)	0
Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site:	0
<b>TOTAL TREES REQUIRED:</b>	<b>30</b>
<b>TOTAL TREES PROVIDED:</b>	<b>32</b>

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (east and west). A ten (10) foot Front Perimeter Landscape Area is required along the northern 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 fees were calculated using the "Hotel/motel = \$50.46 per unit" amount.

**Hotel/motel:**

100 proposed units x \$50.46 = \$5,046.00

**Police Protection:** The police protection impact fees were calculated using the "US 98 Corridor Hotel/motel = \$13.07 per unit", "U.S. 98 Corridor Retail per 1,000 sq. ft. \$47.59," and "U.S. 98 Corridor Eating/drinking, per 1,000 sq. ft. \$246.04."

**Hotel/motel:**

100 proposed units x \$13.07 = \$1,307.00

**Retail:**

3,236 sq. ft. x \$47.59 / 1,000 = \$154.00

**Eating/drinking:**

6,792 sq. ft. x \$246.04 / 1,000 = \$1,671.10

**Subtotal = \$3,132.10**

**Road:** The road impact fees were calculated using the "Hotel/motel = \$1,365.00 per room," "Retail under 100,000 sq. ft per 1,000 sq. ft. = \$3,702.00," and "Restaurant: Quality per 1,000 sq. ft. \$8,858.00."

**Hotel/motel:**

100 proposed room/units x \$1,365.00 = \$136,500.00

**Retail:**

3,236 sq. ft. x \$3,702.00 / 1,000 = \$11,979.67

**Restaurant - Quality:**

6,792 sq. ft. x \$8,858.00 / 1,000 = \$60,163.54

**Subtotal = \$208,643.21**

Totals:		
Parks:	=	\$5,046.00
Public Library:	=	N/A
Police Protection:	=	\$3,132.10
Roads:	=	<u>\$208,643.21</u>
<b>TOTAL:</b>	=	<b>\$216,821.31</b>

**OTHER FEES:**

The fees listed below are subject to change and are based on the most recent information available (July 28, 2004). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	<b>Paid</b>
City Compatibility Consultant:	<b>Paid</b>
City Surveyor:	<b>N/A</b>
Re-Review Fees (Community Dev.)	<b>Paid</b>
Re-Review Fees (Stormwater Man.)	<b>Paid</b>
Administrative Costs:	<b>Paid</b>
City Council Advertising:	<b>\$93.96</b>
<b>TOTAL (as of 07/28/04) =</b>	<b>\$93.96 (Subject to change)</b>

**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 flood zones have changed in a way that may impact some accessory structures on the site. More specifically, depending on whether the relocated accessory structure is determined to be "new construction" and is considered a "minimal investment" will be the main determining factors on whether or not the accessory structures can be relocated on the site.

3. The kitchen has been added as part of the public restaurant and lounge. Parking calculations include the kitchen area and are acceptable. However, to assure parking continues to be adequate for the development, the banquet room and related facilities are considered private (part of the hotel guest use only) and shall not be used for public event.
4. **Prior to the issuance of a building permit**, the developer is encouraged to coordinate with the development/developer to the west (HarborWalk – Village) to create a joint access point along the common property line. This will encourage improved traffic movement and limit the number of impact/curb cut points along U.S. Highway 98 East.
5. **Prior to the issuance of a building permit**, a “Unity of Title” must be submitted to the Community Development Department for review and approval. Once approved, the document must be recorded in the public record of Okaloosa County.
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 applicant in conjunction with the City of Destin shall prepare and grant cross access easement (east/west) along the harbor to encourage and promote the City’s Harbor Boardwalk.
8. **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.
9. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered to be non-compliant and a revised stormwater plan shall be re-submitted for review and approval.
10. **Prior to obtaining a City permit for water side improvements**, provide copies of Destin Harbor Board approval and FDEP/USACOE submerged lands approval.
11. **Prior to obtaining any city permit**, a copy of the FDEP Stormwater & NPDES approvals shall be forwarded to the City Engineer’s office.
12. **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 shall require periodic maintenance for continued proper operation, including 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) and shall keep all inlets and exfiltration pipes clean and unobstructed.

13. 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 August 9, 2004  
Gerald F. Mucci, AICP Date  
Community Development Director

Clarence Olin Marler 03/18/05  
Clarence Olin Marler, Date  
Owner