

The City of Destin



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DO-95-16

December 12, 1995

VIA FACSIMILE
AND U.S. MAIL

Mr. Jay Odom
Crystal Beach Development of Destin, Ltd.
P.O. Box 1735
Destin, FL 32540

Re: **FINAL DEVELOPMENT ORDER FOR DESTINY EAST, A PLANNED UNIT DEVELOPMENT AND A MAJOR DEVELOPMENT (104 SINGLE FAMILY LOTS - 40.32 ACRES)**

Dear Mr. Odom:

Based upon the City Council's approval of the above-referenced project at its meeting on **November 20, 1995**, this letter will serve as your Final Development Order to include all the provisions of the attached Technical Review Committee Report and with the following conditions:

1. Under the requirements of the Land Development Regulations and Destin's Code of Ordinances, development must commence within a twelve-month period and the plat recorded not later than November 19, 1996, or this approved Development Order will expire and the project will have to be resubmitted for review;
2. If the development is initiated within a one-year period, your concurrency status is protected for five years through November 19, 1999;
3. Any improvements that require disturbance to the City's rights-of-way or pavement cuts require utility permits from the Public Works Department and appropriate bonding;
4. A security bond of 120% of the total construction costs for the required developer installed improvements (public and private) is required prior to the mylar being released for recording unless the infrastructure is completed prior to the release of the mylar for recordation.

Pursuant to Section 19-27 of the Destin Code, the roads located within Destiny East, Phase I shall be the responsibility of the homeowners' association as far as construction, maintenance and control of such roadways.

**DESTINY EAST PUD
FINAL DEVELOPMENT ORDER
DECEMBER 12, 1995**

5. A DEP permit for stormwater management.

Best of luck with this project. Please let us know if we can be of any further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Jane Moore". The signature is written in black ink and is positioned above the typed name and title.

Jane Moore, Director
Planning & Zoning

JM:ss

Enclosure

cc: Inspection Department (w/encl.)

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**TECHNICAL REVIEW COMMITTEE
REPORT**

**PLANNING AND ZONING DEPARTMENT
DESTINY EAST
A PLANNED UNIT DEVELOPMENT AND A MAJOR DEVELOPMENT
NORTH AND SOUTH SIDE OF C.R. 2378
JULY 6, 1995**

ISSUE

Request final approval of DESTINY EAST, a Planned Unit Development and a Major Development. The proposed project includes two phases: Destiny-by-the-Sea, 134 units; and Destiny East Phase I, 111 units, for a total of 245 single family lots and amenities. The project is generally located on both the north side and south side of C.R. 2378 (Scenic Highway 98), at the east end of James Lee Wayside Park, and lying between Terra Cotta Terrace and Destiny West. Request is made by Mr. Jay Odom, Crystal Beach Development, agent for the Henderson Beach Land Trust, owner. The property contains 63.8 acres, more or less. The Conservation area located in Destiny-by-the-Sea (2.06 acres) has been deducted from the total acreage leaving 63.8 acres.

ZONING/COMPREHENSIVE PLAN

The property is zoned BT (Business Tourism) District and the Land Use Category is MU (Mixed Use). As a Planned Unit Development, this is an allowable land use within the BT zoning district.

Although the project is addressed as an overall development, there are two separate plats representing different phases of the development. Density of these phases is as follows:

	<u>Acres</u>	<u>Units</u>	<u>Units/Acre</u>
Destiny-by-the-Sea	20.8	134	6.44
Destiny East Phase I	43	111	2.58

The Summerchase ruling establishes "buildable land" in the Mixed Use Land Use Category at 742 acres--913 less 171 ac. for rights-of-way, etc. (742 ac. x 5 du. = 3,710 du). Based on this ruling, and the City having approved projects with dwelling units in excess of 3,710, there is no overall density remaining for dwelling units in the Mixed Use Category until some action is taken by Council.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Sanitary Sewer	<u> X </u>	Potable Water	<u> X </u>	Roadways	<u> X </u>
Solid Waste	<u> X </u>	Recreation	<u> X </u>	Drainage	<u> X </u>

STORMWATER

The Stormwater Management Plan was reviewed and approved by the City Engineer. A DEP permit for stormwater management is required prior to the issuance of a building permit.

WATER/SEWER

Water and sewer are available through Destin Water Users.

FIRE DEPARTMENT REVIEW

The Fire Department has reviewed and approved the project.

UTILITIES

Underground utilities are required within the development. In addition, the developer has placed all the utilities underground along the relocated segment of C.R. 2378 in accordance with the agreement with Okaloosa County.

INGRESS/EGRESS

Access to the project is provided from Emerald Coast Parkway and C.R. 2378 (Scenic Highway 98) by a total of three driveways into the project. There is also an exit only from the west end of C.R. 2378 leading into the Destiny-by-the-Sea development. This relocated segment of C.R. 2378 has a 106' right-of-way. One driveway will access the south side of Emerald Coast Parkway, one driveway will access the north side of C.R. 2378 and one driveway will access the south side of C.R. 2378. A DOT permit has been issued to access Emerald Coast Parkway (S.R. 30) and a copy of that permit has been submitted to staff. Also, a County permit is required prior to the issuance of a building permit in order to access C.R. 2378. A proposed roadway, Tranquility Boulevard, contained within the PUD intersects Emerald Coast Parkway to the north and C.R. 2378 to the south, and will provide an additional hurricane evacuation route for C.R. 2378. All street names within the developments have been approved by 911. All roadways within the developments are private streets. Prior to final approval of the development order, it will be necessary that the developer submit a budget for the Homeowner's Association showing sufficient funds to maintain the roads and infrastructure.

This project will be a gated community with admission requiring an access card. In the case of a hurricane, the evacuation route mentioned above will be opened to the public.

SIDEWALKS

Sidewalks are required/provided. The sidewalks along C.R. 2378 are included in accordance with the developer's agreement with Okaloosa County.

SIGNS

No signs have been requested as part of this submittal. All signs must comply with the City's sign regulations.

REFUSE COLLECTION

Refuse collection will be provided by curbside pickup.

WHITE SANDS ZONE

The project lies within:

Zone #1 X Zone #2 X Neither X

Due to the size of the project, portions of the development are located within White Sands Zone 1 (south of original location of C.R. 2378) and White Sands Zone 2 (600' north of original northern ROW boundary of C.R. 2378). Within the white sands zones, fill material must comply with the City's regulations according to which zone the property is located.

LANDSCAPE

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

 2,779,128 s.f. of property X 18% = 500,243 s.f. required
Site plan provides 55 % = 2,452,428 s.f. provided

TREES REQUIRED:

Reforestation 861 Perimeter 1,072 Parking Lot N/A
(10 per acre) (1 per 25') (Islands)
Protected Trees on Site (12" to 23" diameter): None
Preserved Trees on Site (24" or more diameter): None
Credits for Protected/Preserved Trees :
TOTAL TREES REQUIRED : 1,933
TOTAL TREES PROVIDED : 1,933

(Average of 6 trees per lot required.)

PARKING

The project meets or exceeds the parking requirements based on the following standards:

2 parking spaces per lot required/provided

MYLAR

The required mylars have been submitted with the appropriate signatures.

STREETLIGHTS

Streetlights are required and must be installed as part of the infrastructure. The plan must be submitted for approval to the City Engineer upon final layout. As part of the developer's agreement with Okaloosa County, streetlights will be provided along the relocated section of C.R. 2378.

ENVIRONMENTAL ISSUES

This project contains jurisdictional wetlands. The area located north of the Gulf Power easement and south of Emerald Coast Parkway was permitted by COE and a copy of that permit has been provided. The area located south of the Gulf Power easement, between Kokomo Cove and Terra Cotta Terrace, was permitted by COE in 1994 during review of the original Destiny project (the work permitted at that time is complete).

GENERAL COMMENTS

There have been no objections filed with Staff regarding this project. A DEP permit for stormwater management and County driveway approval must be received prior to the issuance of a building permit.

FINDINGS OF FACT

The developer has submitted a proposed "Findings of Fact" in support of the request to develop this Planned Unit Development. Staff has no objections to their stated facts and these are included as a part of the TRC Report.

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Findings of Fact

for

Destiny East

- (1) **Degree of departure of proposed P.U.D. from surrounding residential areas in terms of character and density:**

The proposed P.U.D. development has been master planned to conform with the surrounding residential areas in terms of character and density. To the west are Destiny and Sunsail, which are both residential P.U.D.'s of similar character and density. To the east is Terra Cotta Terrace, which is also a residential P.U.D. of similar character and density.

- (2) **Compatibility within the P.U.D. and relationship with the surrounding area:**

The proposed P.U.D. will consist of single family homesites. This provides for compatibility within the P.U.D. and the surrounding area because the property is bordered by Destiny to the west and Terra Cotta Terrace to the east.

- (3) **Prevention of erosion and degrading of surrounding area:**

The primary focus of the proposed P.U.D. will be the preservation of Lake Destiny (Four Prong Lake). The drainage of the project has been designed to preserve the water quality of the lake and has been approved by the City Engineer. Furthermore, the City of Destin has an ordinance that will further protect the lake as homes are constructed within the community.

- (4) **Provisions for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control, and soil conservation as shown in the preliminary development plan:**

Recreation facilities provided in the P.U.D. include swimming pools, tennis courts, and a green belt area for walking, biking and recreation. Meeting space will be available in the amenity area also. Transportation will be enhanced by providing access to County Road 2378 and Highway 98. Pedestrian traffic will be handled by a sidewalk system to carry people to the amenity areas, the green spaces and the beach. A pedestrian tunnel under County Road 2378 will allow everyone to cross County Road 2378 without being endangered by traffic.

These facilities are provided for as shown on the attached plans. Adequate water supply and sewage disposal are available for the development as provided by Destin Water Users. Surface drainage and flood control are provided by the proposed drainage system.

lanes to increase traffic safety, and the less intensive nature of the proposed development versus what could be developed under current zoning and land use designations. Currently up to 30 units per acre could be placed on this property or a long list of commercial uses.

- (10) **The conformity and compatibility of the P.U.D. with any adopted development plan of the City of Destin:**

The City of Destin land use plan for the project area calls for mixed use development. Under this category, approval could be granted for up to 30 units per acre. The proposed P.U.D. is for substantial less units than this which promotes one of the objectives of the adopted comprehensive plan which strives to limit coastal development.

- (11) **The conformity and compatibility of the proposed common open space, residential and non-residential uses within the proposed P.U.D:**

The common areas have been designed to be compatible within the project and to conform to the surrounding area by emphasizing the presentation of the freshwater lake. There are no non-residential uses within this P.U.D.