

The City of Destin



4200 Two Trees Road Destin, Florida 32541 (904) 837-4242 FAX (904) 837-3267

June 23, 1997

ORDER # 97-18

Final Development Order:

HARBOR PLANTATION

Background/Issue

Applicant:	Ames Hudson, owner; (John Henderson, Connelly & Wicker, Inc., Agent)
Property Location:	724 US Highway 98 East
Request:	Approval of a Major Development consisting of three-story six-unit residential condominium
Parcel Size:	0.46 acres, 20,020 sq. ft., more or less
Land Use Designation:	MU (Mixed Use)
Zoning District:	BT (Business Tourism)
Density:	The MU district allows up to 9 units on this parcel. The applicant is proposing to build 6 units.
Intensity:	This project provides an FAR of 0.64
Application Date:	December 11, 1996
City Council Action:	City Council approved the project on June 18, 1997

Determinations:

1. All the findings of the Technical Review Committee report and the Compatibility Analysis report (exhibit 1) are incorporated into and made a part of this development order.

Conditions of Approval for the Harbor Plantation, a Major Development:

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

1. Development must commence within twelve months of approval on June 18, 1997 (no later than June 17, 1998);
2. The concurrency status of Harbor Plantation is identified in the attached Technical Review Committee Report dated January 24, 1997, REVISED April 30, 1997, and identified as Exhibit 2 hereto;

3. The concurrency status of Harbor Plantation is protected for five years, through June 17, 2002, IF Harbor Plantation commences development within the twelve-month period following City Council approval on June 18, 1997;
4. City of Destin permits are required for the following activities on and off site:
 - a. disturbance to the City's rights of way,
 - b. pavement cuts,
 - c. construction of any kind, and
 - d. clearing and grubbing;
5. Harbor Plantation has presented to the City an approved, valid and current exemption letter from the Department of Environmental Protection (DEP) for the Stormwater Management Facilities; and
6. The Destin City Council requires that the buffering on the east side of the property be increased. The wooden fence will be eight (8) feet high and the trees planted in the eastern swale and buffer area will be a minimum of ten (10) feet in height at planting. No sidewalk will be placed along the east side of the building.
7. Harbor Plantation must provide a copy of the official condominium documents, to include the covenants and restrictions, to the City Attorney for review and approval prior to the issuance of a certificate of occupancy.
8. Requirements identified by the Technical Review Committee.

ISSUE

Request approval of Harbor Plantation, a Major Development, consisting of a single structure containing six (6) units with 12,714 s.f., to be located on 724 US Highway 98 East, Destin, Florida. Request is made by John Henderson of Connelly & Wicker Inc., as agent for Palmetto Group, Inc., owner. The property contains 0.46 acres (20,020 s.f.), more or less.

ZONING/COMPREHENSIVE PLAN

The property is zoned BT (Business Tourism) and the Land Use Category is MU (Mixed Use). The proposed project IS in compliance with these land use regulations.

COMPATIBILITY

The property located to the north is US Highway 98 East and north of the road the uses consist of commercial businesses; Coldwell Real Estate, vacant lot, 2 small office buildings, Howard Johnson Hotel, McDonalds, and a shopping plaza. The property located to the south consists of Destin Harbor. The property located within 250 feet to the west consists of single- and multi-story single family homes. The property located within 250 feet on the

east side consists of single- and multi-story single family homes. The compatibility analysis evaluated the seven criteria required by Code and found the project to be compatible with the surrounding uses.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

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

TRAFFIC ANALYSIS

The traffic analysis for this minor development was conducted by the applicant and reviewed by Staff. There is an existing cottage (ITE code 210) that has not been unoccupied for more than 180 days and is generating 10 AADT. This residential condominium (ITE code 230) project will generate 31.2 trips per day. This project will generate an additional 21.2 AADT on US Highway 98 over the existing trips generated by the cottage. Based on the traffic concurrency adopted by the City of Destin, this project meets the traffic concurrency for US Highway 98 East, as required by the Comprehensive Plan.

MYLAR - SUBDIVISION OR PUD

A plat of the property or a Unity of title document tying the Lots 7 & 8 of Block L will be required prior to the issuing of a building permit.

STORMWATER

The Stormwater Management Plan for the site has been approved by the City Engineer. This project is exempt from requiring a DEP permit for Stormwater Management per December 27, 1996, letter from DEP.

AIRPORT PROTECTION

N/A

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), you must request a variance from FAA for temporary encroachment into this restrictive area and a copy of 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

Based on the BT requirement that all multi-family projects must meet the RIA zoning requirements.

	<u>Required</u>	<u>Provided</u>
Front:	20'	75'
Side:	15'	15'
Rear:	20'	37'
Between Bldgs.	10'	N/A

BUILDING HEIGHTS

The maximum building height within the RIA four or more units (three or more floors) is defined by the number of floors and not a specific height limitation. As of the February 11, 1997, revisions, the building is 3 stories high and the top of the roof is 43 feet above the slab, 36 feet to the mid point of the roof. The applicant has modified the roof design to a 12:5 hip roof.

WHITE SANDS ZONE

This project lies within White Sands Zone 1. All fill material must comply with the City of Destin White Sands Ordinance 029.2.

SIGNS

No signs are requested for this property. All future signage must comply with the City of Destin Code of Ordinances.

WATER/SEWER

Water and sewer ARE available through Destin Water Users.

FIRE DEPARTMENT REVIEW

The project has been reviewed and APPROVED by the Fire Department. Approval letter issued January 23, 1997.

UTILITIES

Underground utilities are required.

GULF POWER

Gulf Power approved the project as presented.

INGRESS/EGRESS

Access is provided to the project from a single 24 foot two-way driveway onto US Highway 98. This drive design was approved by FDOT on June 18, 1997.

SIDEWALKS

Sidewalks are required along US Highway 98 and must be completed prior to CO. The interior sidewalks along the building have been modified to meet the requirements set by Destin City Council. The applicant has removed the sidewalk along the eastern side of the building, leaving only the sidewalk along the western side of the building for residential access to the lower level (waterfront) of the property.

REFUSE COLLECTION

Refuse collection is provided by CURBSIDE PICK-UP for individual unit. The garbage cans for the individual units will be located to the south of the existing accessory building.

LANDSCAPE

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

20,020 s.f. of property X 18% = 3,604 s.f. required

Site plan provides 35.9% = 7,181 s.f. provided

TREES REQUIRED:

Reforestation 5 Perimeter 4 Parking Lot 4
(1 per 1/10 acre) (1 per 25')

Protected Trees on Site (12" to 23" diameter):		<u>None</u>
Preserved Trees on Site (24" or more diameter):		<u>None</u>
Credits for Protected/Preserved Trees	:	<u>0</u>
* TOTAL TREES REQUIRED	:	<u>13</u>
TOTAL TREES PROVIDED	:	<u>13</u>

The applicant will also create a buffer zone along the eastern and western property lines to ensure compatibility with the adjacent property owners. The applicant is required to install a fence along the side property lines as specified on the approved site plan. The eastern fence will be eight (8) feet high, while the western boundary will be at least six (6) feet high. The applicant will plant at least ten (10) trees in the buffer areas; the trees in the eastern buffer area will be at least ten (10) feet in height at planting and in the western buffer area must be at least six (6) feet in height at planting. In addition, the applicant will plant a hedge, at least twelve (12) inches high at planting, in the buffer area along each property line. This will provide a minimum of twenty-three (23) trees on the lot.

PARKING

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

Dwelling - Multi-Family = 6 units X 2.25 spaces = 13.5 = 13 spaces required

The applicant provides a total of 13 parking spaces which includes one required handicap parking space.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

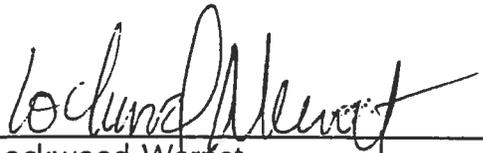
A DEP Stormwater Permit exemption letter has been provided and meets the requirement to acquire the stormwater permit prior to the City issuing a building permit.

GENERAL COMMENTS

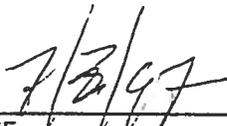
There have been 2 objections filed with staff regarding this proposed development.

UNRESOLVED ISSUES

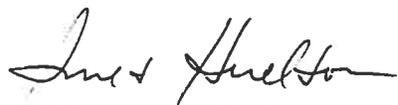
None.



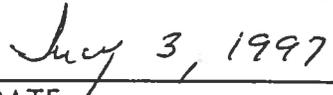
Lockwood Werner
Community Development Director



DATE



Ames Hudson, President
Palmetto Group, Inc.



DATE

- cc: City Clerk
- City Engineer
- Permit & Inspections Division
- Mr. John Henderson, Connelly & Wicker, Inc.

TECHNICAL REVIEW COMMITTEE REPORT

COMMUNITY DEVELOPMENT DEPARTMENT *HARBOR PLANTATION* A MAJOR DEVELOPMENT *724 US HIGHWAY 98 EAST* *JANUARY 24, 1997* *AMENDED APRIL 30, 1997 & June 23, 1997*

ISSUE

Request approval of Harbor Plantation, a Major Development, consisting of single structure with six (6) units with 12,714 s.f. to be located on 724 US Highway 98 East, Destin, Florida. Request is made by John Henderson of Connelly & Wicker Inc., as agent for Palmetto Group, Inc., owner. The property contains 0.46 acres (20,020 s.f.), more or less.

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CONCURRENCY MANAGEMENT

Concurrency requirements met:

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

Traffic Analysis

The traffic analysis for this minor development was conducted by the applicant and reviewed by staff. There is an existing cottage (ITE code 210) that has not been unoccupied for more than 180 days and is generating 10 AADT. This residential condominium (ITE code 230) project will

generate 31.2 trips per day. This project will generate an additional 21.2 AADT on US Highway 98 over the existing trips generated by the cottage. Traffic capacity is available to support this project.

MYLAR - SUBDIVISION OR PUD

A plat of the property or a Unity of title document tying the Lots 7 & 8 of Block L will be required prior to the issuing of a building permit.

STORMWATER

The Stormwater Management Plan for the site has been approved by the City Engineer. This project is exempt from requiring a DEP permit for Stormwater Management per December 27, 1996 letter from DEP.

AIRPORT PROTECTION

N/A

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), you must request a variance from FAA for temporary encroachment into this restrictive area and a copy of 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

Based on the BT requirement that all multifamily projects must meet the RIA zoning requirements.

	<u>Required</u>	<u>Provided</u>
Front:	20'	75'
Side:	15'	15'
Rear:	20'	37'
Between Bldgs.	10'	N/A

BUILDING HEIGHTS

The maximum building height within the RIA four or more units (three or more floors) is defined by the number of floors and not a specific height limitation. As of the February 11, 1997 revisions the building is 3 stories high and the top of the roof is 46 feet above the slab. With the exist 12:6 slope on the roof this height could potential be reduced an additional few feet if required by further compatibility review.

WHITE SANDS ZONE

This project lies within White Sands Zone 1. All fill material must comply with the City of Destin White Sands Ordinance 029.2.

SIGNS

No signs are requested for this property. All future signage must comply with the City of Destin Code of Ordinances.

WATER/SEWER

Water IS available through Destin Water Users.

FIRE DEPARTMENT REVIEW

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UTILITIES

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GULF POWER

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INGRESS/EGRESS

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REFUSE COLLECTION

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LANDSCAPE

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20,020 s.f. of property X 18% = 3,604 s.f. required

Site plan provides 35.9% = 7,181 s.f. provided

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Credits for Protected/Preserved Trees :	<u>0</u>
TOTAL TREES REQUIRED :	<u>13</u>
TOTAL TREES PROVIDED :	<u>13</u>

The applicant will also create a buffer zone along the eastern and western property lines to ensure compatibility with the adjacent property owners. The applicant is required to install a fence along the side property lines. The eastern fence will be eight (8) feet high, while the western boundary will be at least six (6) feet high. The applicant will plant at least ten (10) trees in the buffer areas; the trees in the eastern buffer area will be at least ten (10) feet in height at planting and in the western buffer area must be at least six (6) feet height at planting. In addition, the applicant will plant a hedge, at least twelve (12) inches high at planting, in the buffer area along the eastern property line. This will provide a minimum of twenty-three (23) trees on the lot.

PARKING

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

Resort Condominiums = 6 units X 1.75 spaces = 10.5 = 11 spaces required

The applicant provides a total of 13 parking spaces which includes one required handicap parking space. This also meets the requirement for 2.25 parking spaces per unit for multi-family units.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

A DEP Stormwater Permit exemption letter has been provided and meets the requirement to acquire the stormwater permit prior to the City issuing a building permit.

GENERAL COMMENTS

There have been objections filed with staff regarding this proposed development.

UNRESOLVED ISSUES

1. Compatibility with the surround area which must be addressed by the Planing Commission and the City Council prior to approval of this project.

P&Z\REPORTS\Har_plan.TRC

EXHIBIT 1

March 30, 1997

COMPATIBILITY ANALYSIS: HARBOR PLANTATION
724 U.S. Highway 98, Destin, Florida

Purpose of this Report

This report addresses the issue of compatibility of Harbor Plantation, a 6-unit 3-story condominium, with its surrounding area within Destin, Florida. This report identifies the compatibility requirements of the City of Destin Land Development Code (LDC), compares the proposed development to those requirements, and provides findings and an opinion regarding the issue of compatibility.

This report considers the extent to which this project is consistent with accepted planning practices and principles, which are the basis for the compatibility analysis.

Definitions of Compatibility

Compatibility as it relates to issues of land use and development means the way the individual uses and activities fit together. To be compatible means to achieve harmony, such that the individual parts add up to a meaningful or coherent whole. Compatibility is defined by the Florida Administrative Code in Rule 9J-5 as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." This is the same definition found in the Destin Land Development Code, in section 3.00.01 (adopted by ordinance 152.22).

The purpose of the compatibility provisions is to "ensure functional and attractive development by requiring that all future development is consistent with accepted planning practices and principles" (Destin LDC, section 7.09.01). For purposes of compatibility, the surrounding area is defined in the Destin LDC as a radius of 300 feet from the property boundary.

Compatibility is measured by the following characteristics in the Destin LDC.

- * type of land use, zoning district, and land use category
- * building location, dimensions, height, and floor area ratio
- * location and extent of parking, access drives and service areas
- * traffic generation, hours of operation, noise levels and outdoor lighting
- * alteration of light and air
- * setbacks and buffers, including fences, walls, landscaping and open space treatment

Project Description

Briefly described, Harbor Plantation is a proposed 6-unit residential condominium project in Destin, located south of US Highway 98, southeast of the intersection of US Highway 98 and Beach Drive. The southern boundary of the project site is Destin Harbor. This proposed development will access US Highway 98 from an existing driveway cut.

The project consists of one three-story building, which is proposed to be 46 feet in height from the slab to the mid point of the roof. This project will provide 13 parking spaces (including 1 handicap space) which meets the requirement for multi-family residential parking.

The site has a future land use plan designation of MU (mixed use) and a zoning district designation of BT (business tourism).

Description of Surrounding Areas

The surrounding area south of US Highway 98 has the same MU future land use and BT zoning district designations. The surrounding area north of US Highway 98 has the same BT zoning district designation but a C (commercial) future land use designation.

The actual land use within 300 feet east of the project site is single-family homes of one and two stories heights, with some guest quarters. Development to the west of the project site also consists of residential uses with one home per lot. Data shows that developments in the surrounding area south of US Highway 98 are one and two story homes, with one three-story home. The commercial uses to the north are generally one and two-story structures.

The surrounding area south of US Highway 98 is an area generally residential. This area is zoned for mixed use, both as described for the comprehensive plan, and as provided for in the land development code. The area north of US Highway 98 is generally commercial development.

Analysis of Compatibility

1. Type of Land Use, zoning district, and land use category

The use proposed for Harbor Plantation is generally appropriate for the area which consists of land use and zoning designations which allow apartments, office, commercial, and recreation development. Therefore, the type of use is compatible with the zoning district, the land use category of the comprehensive plan, and the surrounding uses.

2. Building location, dimensions, height, and floor area ratio

The area surrounding the Harbor Plantation site is characterized by low-rise development; to the south of US Highway 98 it is generally on individual lots associated with off-street parking and to the north with low rise commercial uses. The proposed development is on a 0.46 acre site.

This proposed project is not distinctly different than the predominant pattern of building locations, building dimensions, and building heights. The single-family homes are generally one and two stories high (approximately 15 to 22 feet with some exceeding 30 feet) located to the north of the bluff line and ranging from 1,200 sq. ft. to over 2,500 sq. ft. One feature in an area should not overwhelm the other features. Building height and mass directly affect the sense of balance and rhythm.

The proposed building is three stories in an area which is low-rise (one and two story homes with 2 three-story homes within 300 feet) in nature. The BT and RIA zoning districts provide for added setbacks when buildings exceed 2 stories. Harbor Plantation meets the existing code requirements and does not create an abrupt change from low-rise development. The location and dimension of the building are not distinctly different from the surrounding area, where the surrounding area is characterized by moderately sized buildings on individual lots.

Therefore, Harbor Plantation is compatible with regard to location, dimensions and height of buildings.

3. Location and extent of parking, access drives and service areas

The relationship between parking, access drives and services for Harbor Plantation is similar to the relationships on properties in the surrounding area. The difference occurs in the extent of parking. The project proposes to provide 13 parking spaces. The applicant has scaled down the parking spaces and aisle width to the minimum size required by the LDC; covering 3,844 square feet of the site, or 19 percent of the land area on the site. The access drive already exists at this site and will be incorporated into the parking plan. As a six-unit residential complex, the individual units will be serviced by single-family garbage service. This is not distinctly different than the surrounding area in extent. The proposed development is compatible with respect to extent of parking.

4. Traffic generation, hours of operation, noise levels and outdoor lighting

This is a residential development. The TRC report addresses traffic generation and shows that the 6-unit condominium will add fewer trips onto US Highway 98 than the two potential duplexes that could be built on these two lots without requiring a development order from the city. It is not expected that the project will be incompatible due to hours of operation, noise, or light.

5. Alteration of light and air

An issue related to building height is that of shadowing. This can be an issue where the shadow cast will reduce or eliminate the access to sunlight of adjacent or nearby uses. There is no data provided to evaluate the extent to which shadowing is an issue for this project.

6. Setbacks and buffers, including fences, walls, landscaping and open space treatment

All residential projects in the BT zoning district must meet the dimensional requirements for the RIA zoning district or Planned Unit Developments, as applicable. The following criteria are applicable to Harbor Plantation:

<u>Zoning District</u>	<u>Maximum Building Height</u>	<u>Minimum Yards</u>		
		<u>Front</u>	<u>Side</u>	<u>Rear</u>
RIA four or more (3 or more Floors)	C	20	C	C

- C. For all structures three (3) stories in heights, the minimum side setback shall be 15 feet on each side and the minimum rear setback shall be 20 feet...

According to the compatibility checklist, this project meets or exceeds requirements for landscaping and open space. Staff proposes that trees of at least fifteen (15) feet at installation be installed along the side property lines. Ground level landscaping is effective in reducing the impact of a three-story building.

7. Consistency with accepted planning practices and principles

Human scale: In the area of the proposed Harbor Plantation, existing development is at a human scale. Human scale refers to the relationship between the dimensions of the human body and the proportion of spaces which people use. According to Ms. Gail Easley, Destin’s compatibility consultant, in her Silver Shells Beach Resort report, human scale is most often defined as up to six stories and is supported by other design features such as trees and landscaping, signs, and lighting which reflect this scale vertically. Horizontally, human scale refers to linear distances, presence or absence of barriers, and pedestrian access. The applicant has reduced the parking area to increase the open space at the front of the lot.

Accepted planning practice is to have balance and harmony within a neighborhood or area. One way to accomplish this is through limiting building heights, not to achieve strict uniformity, but to achieve consistency of scale. Other development throughout this area is at a human scale, with no buildings exceeding 40’ in height. Therefore, the proposed three-story building at 46 feet is compatible due to scale. It would be more compatible if the building were reduced from the proposed 46 feet.

Transition of uses: It is a well established planning practice and principle to have a transition of uses, either through the designation of specific land uses, or through gradient changes in density and intensity. This project is consistent with the types of uses found in the surrounding area and with the intensity. A 6 unit condominium is not a significantly more intense use than found in the surrounding area. Setback and landscaping will provide adequate transition between the residential and business uses in the surrounding area and this site. Therefore, the proposed Harbor Plantation is consistent with the principle of transition uses and intensity.

FINDINGS:

1. The three-story building is not distinctly different from the pattern of individual uses on individual lots and does not disrupt the rhythm in the streetscape. The building heights of this structure is not markedly different than that of the surrounding area, and is of such a height as to be effectively buffered by existing setback requirements.
2. This project is consistent with the vertical scale of the surrounding area.
3. This project does not require additional transition from surrounding low-rise development as it still is of a human scale and provides the required setbacks for the RIA zoning district. The project is in keeping with the surrounding area.
4. The proposed building is not an abrupt change in height from that of surrounding buildings. This three-story building, proposed to be 46' high, is one story higher than most of the buildings in the surrounding area.

Opinion

The proposed Harbor Plantation Condominium is compatible with the surrounding area, resulting in no adverse impacts due to lack of consistency in scale, lack of harmony in development pattern, or lack of transition of intensity, due to height.

EXHIBIT 2

TECHNICAL REVIEW COMMITTEE REPORT

COMMUNITY DEVELOPMENT DEPARTMENT

HARBOR PLANTATION

A MAJOR DEVELOPMENT

724 US HIGHWAY 98 EAST

JANUARY 24, 1997

AMENDED APRIL 30, 1997

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(1 per 1/10 acre) (1 per 25')

Protected Trees on Site (12" to 23" diameter):	<u>None</u>
Preserved Trees on Site (24" or more diameter):	<u>None</u>
Credits for Protected/Preserved Trees :	<u>0</u>
TOTAL TREES REQUIRED :	<u>13</u>
TOTAL TREES PROVIDED :	<u>13</u>

PARKING

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

Resort Condominiums = 6 units X 1.75 spaces = 10.5 = 11 spaces required

The applicant provides a total of 13 parking spaces which includes one required handicap parking space. This also meets the requirement for 2.25 parking spaces per unit for multi-family units.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

A DEP Stormwater Permit exemption letter has been provided and meets the requirement to acquire the stormwater permit prior to the City issuing a building permit.

GENERAL COMMENTS

There have been 2 objections filed with staff regarding this proposed development.

UNRESOLVED ISSUES

1. Traffic concurrency on US Highway 98, Segment A.
2. Compatibility with the surround area which must be addressed by the Planing Commission and the City Council prior to approval of this project.