



City of Destin

July 22, 2003

Order No. 03-21

Final Development Order:

**"IMMANUEL ANGLICAN CHURCH"
A MAJOR DEVELOPMENT
(SP-02-56)**

Based upon the City Council's approval of this development order on July 14, 2003, 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 St. Andrews by the Sea Anglican Church, Inc., is requesting approval of a Major Development identified as "Immanuel Anglican Church."

Request: The proposed development consists of a 15,280 sq. ft church facility.

Location: The proposed development is located along Indian Bayou Trail (northeast corner at the intersection of Two Trees Road and Indian Bayou Trail), more specifically known as Property Appraiser's parcel I.D. numbers 00-2S-22-0000-0001-A13R.

Parcel Size: The combined property contains 9.13 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Intensive Apartment (RIA)

Density: Not applicable.

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.04 FAR (per Code Definition: -0.92 FAR)

Application Date: November 4, 2002

TRC Meeting Date: November 20, 2002

TRC Approved Site Plan Date: April 14, 2003

City Council Date: July 14, 2003

DETERMINATIONS:

1. The Destin City Council held a public hearing on July 14, 2003. On motion of Councilmember Marler, seconded by Councilmember Ponder, the Council voted unanimously, 7-0, to approve the project as presented in the agenda package (exhibit A), subject to all conditions identified within the TRC report dated, April 14, 2003, amended July 1, 2003, and July 15, 2003, 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, April 14, 2003, amended July 1, 2003, and July 15, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR "IMMANUEL ANGLICAN CHURCH" A MAJOR DEVELOPMENT (SP-02-56):

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 July 22, 2003 (no later than July 22, 2004), 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 "Immanuel Anglican Church" 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.
 - 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.

4. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. **Prior to the issuance of the permit for Clearing and/or Grading within 30 feet of the Indian Bayou Trail right-of-way**, the applicant must coordinate with City Staff to ensure as much of the existing vegetation remains within, along, and adjacent to the Indian Bayou Trail right-of-way. This may require the required sidewalk to be located on private property and associated easements shall be required.
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 landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department.
8. **Compatibility Analysis Conditions:** The conditions approved by the City Council must be incorporated into the site plan. The revised site plan must be reviewed and approved by the appropriate Technical Review Committee members.
 - A. The potential adverse impacts generated by the proposed common area on neighboring residents must be at least partially mitigated by the existing vegetation to remain within, along, and adjacent to the Indian Bayou Trail right-of-way as described in paragraph 5 herein. Applicant shall have a substantial 10 foot wide, 100-foot long vegetative buffer along the property line adjacent to the Indian Bayou Trail right-of-way and generally behind the proposed outdoor stage/common area to mitigate the visual and noise impacts generated by special events held at the common area, whether such vegetation is existing, or whether Applicant will be required to plant additional vegetation. In the event existing vegetation is cleared, the proposed five feet wide planted area along the subject segment of the southeast property line should be replaced by a much more substantive vegetative screen and buffer consisting of two staggered rows of plants consisting of the following:
 - Five (5) deciduous canopy trees, at least twelve feet tall; plus
 - Lower story native trees [such as *myrica cerifera* (Wax Myrtle)] at least 8 feet tall at time of planting. A sufficient number of lower story Wax Myrtle (or equivalent) must be planted to fully fill the separation areas between the deciduous canopy trees. All trees must meet Florida No. 1 nursery standards. Palms must be avoided in favor of deciduous tree that are more effective in screening the visual and noise impacts potentially generated by special events held at the common area.
 - No electronically amplified sound shall be generated before 9 AM or after 9 PM, and in no event shall such sound level exceed the standards set forth in the City Code of Ordinances.
 - Prior to the use of the outdoor stage and after the construction of the proposed buildings located north/northwest of the stage and all site work is completed, documentation shall be provided to the City of Destin by a certified acoustical engineer, indicating the sound and/or noise from the users/use of the stage will not exceed the limits set forth in the City Code of Ordinances.

- B. No outdoor lighting plans have been submitted. The applicant must provide lighting plans, including photometrics, for all proposed outdoor lighting and all such lighting shall be shielded downward and away from adjacent properties in order to avoid spillover and illumination into the night sky. The source of all illumination shall not be visible from off-site.
9. 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.
 10. Groundwater is a problem on this site. The existing groundwater table is less than 2' from the bottom of the inlet structures. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
 11. **Prior to obtaining a building permit**, a copy of the FDEP stormwater approval 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 will require periodic maintenance for continued proper operation. This will include, 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).
 13. **Prior to obtaining a Certificate of Occupancy**, additional maintenance and inspections for the orifice openings after all significant storm events shall be implemented.

TECHNICAL REVIEW COMMITTEE REPORT

“IMMANUEL ANGLICAN CHURCH” A MAJOR DEVELOPMENT (SP-02-56)

TRC Report: April 14, 2003, and amended July 1, 2003, July 15, 2003

ISSUE:

Applicant: Choctaw Engineering, Inc., on behalf of St. Andrews by the Sea Anglican Church, Inc., is requesting approval of a Major Development identified as “Immanuel Anglican Church.”

Request: The proposed development consists of a 15,280 sq. ft church facility.

Location: The proposed development is located along Indian Bayou Trail (northeast corner at the intersection of Two Trees Road and Indian Bayou Trail), more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0001-A13R.

Parcel Size: The combined property contains 9.13 acres, more or less.

Future Land Use: Mixed Use (MU)

Zoning District: Residential Intensive Apartment (RIA)

Density: Not applicable.

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.04 FAR (per Code Definition: -0.92 FAR)

Application Date: November 4, 2002

TRC Meeting Date: November 20, 2002

TRC Approved Site Plan Date: April 14, 2003

City Council Date: July 14, 2003

DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of St. Andrews by the Sea Anglican Church, Inc., is requesting approval of a Major Development identified as “Immanuel Anglican Church.” The proposed development consists of a 15,280 sq. ft church facility. The proposed development is located along Indian Bayou Trail (northeast corner at the intersection of Two Trees Road and Indian Bayou Trail), more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0001-A13R. The total site area is 9.13 acres, more or less.

An element of the proposed church facility is an outdoor stage and open-air park/seating area (common area). The primary use of this element is that on certain infrequent occasions there may be small Christian gatherings either in a picnic setting or in the format of a small “Christian Concert.” The number of outdoor activities requiring musical set-up is estimated to be six (6) times year. The other such events described should be similar in occurrences.

The outdoor stage is directed towards the west/northwest (Destin Airport) focusing the directional sound away from the adjacent neighborhoods, thereby diminishing the intrusion of sound into the adjacent neighborhoods. However, buildings are proposed to be located approximately 200 feet northwest of the stage, which may reflect sound back towards the residential areas unless substantial absorbing material are provided. Additional measures, as part of the compatibility analysis, are identified to help mitigate any sound concerns there may be with the proposed outdoor stage and park activities. The applicant has not yet demonstrated the extent to which any additional measures would mitigate sound from affecting the surrounding neighborhoods.

The proposed project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions as described on pages 8, 9, and 10 of this report. Refer to the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated December 10, 2002.

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 not located within the 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 designation of Mixed Use (MU) and a Zoning designation of Residential Intensive Apartment (RIA). The proposed use is consistent with the MU Future Land Use designation and is a permitted principal use within the RIA zoning district.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions. Refer to the complete Compatibility Analysis from the City's Compatibility Consultant; Mr. Les Solin dated December 10, 2002.

DENSITY:

Not applicable.

HEIGHT:

The RIA Zoning District has a varied maximum building height of 35 feet, 40 feet, or as dictated by the setback requirements as stated in the Destin Land Development Code (LDC), Article 7, Section 7.12.02, footnote C. The highest point of the proposed structures for the Immanuel Anglican Church facility 20' 6", which is below the maximums allowed in the RIA Zoning District.

FLOOR AREA RATIO:

The Commercial Future Land Use designation has a maximum floor area ratio (FAR) of 1.07.

The FAR calculation methodology as defined in Article 3, Section 3.00.01 "Floor Area Ratio" of the Destin Land Development Code is as follows:

$$\frac{(\text{Total gross floor area}) - (\text{Total square feet of required setbacks and open space} + \text{parking})}{\text{Total square feet of site}} = \text{FAR}$$

$$\frac{15,280 \text{ sq. ft.} - 382,558 \text{ sq. ft.}}{397,838 \text{ sq. ft.}} = \text{FAR}$$

$$-367,278 \text{ sq. ft.} / 397,838 \text{ sq. ft.} = -0.92 \text{ FAR}$$

Utilizing the formula as defined above, the FAR of -0.92 is below the maximum of 1.07 and thus is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.04, which is below 1.07 and is calculated as follows:

Total square feet of existing and proposed buildings / square feet of subject parcel = FAR

$$15,280 \text{ sq. ft.} / 397,838 \text{ sq. ft.} = 0.04 \text{ FAR}$$

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required for this project.

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 traffic consultant, Renaissance Planning Group, Inc., dated November 25, 2002, the proposed development will have no impact to US Hwy 98. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

Please note, this project received TRC approval prior to the adoption of the unified traffic concurrency methodology ordinance (May 5, 2003). Thus, this project cannot be subjected to the revised methodology.

SUBDIVISION OR PUD - PLAT:

Not applicable.

WHITE SANDS ZONE:

The project property is not located within White Sand Zone I or II.

PHASING:

Not applicable.

AIRPORT PROTECTION:

The subject site is located within an airport protection area, more specifically the Airport Noise Zone. As a result of the subject site located within the Airport Noise Zone, it is a condition that the owner provides a "disclosure statement" if the property is to be sold and provide increased construction standards for the structures to be built. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion 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 RIA Zoning District.

| | <u>Required</u> | <u>Buffers</u> | <u>Provided</u> |
|-----------------|------------------------|-----------------------|------------------------------|
| Front (south): | 0' | 10' FP | 184.97' including the 10' FP |
| Back: | N/A | N/A | N/A |
| Side (north): | 10' | 5' CB | 14.83' including the 5' CB |
| Side (west): | 10' | 5' CB | 15.34' including the 5' CB |
| Between Bldgs.: | 10' | N/A | 0.00' |

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 ten (10) foot front perimeter landscape buffer on the northern property line and a five (5) foot common boundary buffers along the eastern and western property lines.

SIGNS:

No sign approval is part of this application. 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.

COX COMMUNICATIONS:

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

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project with conditions in a letter dated November 20, 2002.

GULF POWER:

Gulf Power approved the project in a letter dated November 20, 2002.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated November 20, 2002.

SPRINT:

Sprint approved the project in a letter dated November 20, 2002.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated April 24, 2003.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated April 14, 2003, and July 7, 2003 (revised due to changes in stormwater management plan), had the following **stormwater** related conditions:

1. Groundwater is a problem on this site. The existing groundwater table is less than 2' from the bottom of the inlet structures. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
2. **Prior to obtaining a building permit**, a copy of the NPDES & FDEP stormwater approval shall be forwarded to the city engineer's office.
3. **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 will require periodic maintenance for continued proper operation. This will include, 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).
4. **Prior to obtaining a Certificate of Occupancy**, additional maintenance and inspections for the orifice openings after all significant storm events shall be implemented.

INGRESS/EGRESS:

A 24' wide ingress/egress access is proposed off of Indian Bayou Trail directly across from the Two Trees Road intersection. A second 24' wide ingress/egress access is proposed off of Indian Bayou Trail directly across from Drifting Sand Trail (Unincorporated Okaloosa County).

REFUSE COLLECTION:

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

SIDEWALKS:

A 5' wide sidewalk must be installed along the entire length of the Indian Bayou Trail right-of-way (ROW) that abuts the proposed project property.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area: 397,838.92 sq. ft. (9.13 acres, more or less)
Required 18% Open Space: 71,611.01 sq. ft.
Provided Open Space: 242,323.92 sq. ft. (60.9%)

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 (7 trees x 3 credits per tree): | 21 |
| Credits for Existing Trees (13" to 19" diameter) on Site (9 trees x 4 credits per tree): | 36 |
| 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>57</u> |
| Reforestation Trees (1 per every .10 of an acre: 9.13 x 10 = 92) Required on Site: | <u>92</u> |
| Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site: | <u>35</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: | 35 |
| Front Perimeter Trees (1 per 25') Required on Site: | 44 |
| Parking Lot Trees (1 per end row and landscape island) Required on Site: | 45 |
| Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: | N/A |
| Replacement Trees (removal of trees 12" d.b.h. or greater) Required on Site: | 22 |
| (Conditional Compatibility Vegetation): | <u>7</u> |

| | |
|------------------------------|------------|
| TOTAL TREES PROVIDED: | 153 |
| TOTAL TREES REQUIRED: | 153 |

A five (5) foot Common Boundary Landscape Area is required along western and northern property lines. A ten (10) foot Front Perimeter Landscape Area is required along the southern/southeastern property line. The required five (5) foot Common Boundary landscaping along the eastern and western property lines 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. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. 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. NOTE: Per the attached Compatibility Analysis buffer condition, at least five (5) of the trees located within the 10' Front Perimeter Landscape Area that are adjacent to the proposed stage/common area must be at least twelve (12) feet in height at time of planting. Also an additional number (approx. 7) Wax Myrtles or similar under story species, at least eight (8) feet tall at time of planting, are required for additional landscape buffering in conjunction with the five (5) 12 foot trees. 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.**

PARKING:

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

Per code:

Churches/other places of public assembly: 1 space for every 3 seats within the main auditorium or, if there are no fixed seats, 1 space for every 35 square feet of gross floor area within the main auditorium.

Per site plan:

330 seats / 3 seat per parking space = 110 parking spaces

TOTAL REQUIRED: 110 parking spaces (including 8 handicap spaces)

TOTAL PROVIDED: 259 parking spaces (including 8 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: 1 loading space

TOTAL PROVIDED: 1 loading space

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

- 1. FDEP Stormwater

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon 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:

Police Protection: The police protection impact fees were calculated using the “Non-residential – Outside U.S. 98 Corridor Office per 1,000 sq. ft. = \$24.88.” The “Office” use is the most closely attributable use to the proposed use of a “Church” for calculating the Police Protection projected impact fee.

Office:

$(15,280 \text{ sq. ft.} \times \$24.88) / 1,000 = \$380.17$

Total for Police Protection: \$380.17

Road: The road impact fees were calculated using the "Church per 1,000 sq. ft. = \$1,794.00."

Church:

(15,280 sq. ft. x \$1,794.00) / 1,000 = \$27,412.32

Total for Road: \$27,412.32

Totals:

| | | |
|--------------------|---|--------------------|
| Parks: | = | \$0.00 |
| Public Library: | = | \$0.00 |
| Police Protection: | = | \$380.17 |
| <u>Roads:</u> | = | \$27,412.32 |
| TOTAL: | = | \$27,792.49 |

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (April 21, 2003). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

| | |
|------------------------------------|--|
| City Traffic Consultant: | \$124.92 – \$1,000.00 escrow = \$875.08 escrow (Paid) |
| City Compatibility Consultant: | \$675.00 – \$875.08 escrow = \$200.08 escrow (Paid) |
| City Surveyor: | N/A |
| Re-Review Fees (Community Dev.) | \$250.00 (Invoice CD-03-08) |
| Re-Review Fees (Engineering Dept.) | TBD |
| Administrative Costs: | TBD |
| Planning Commission Advertising: | TBD |
| <u>City Council Advertising:</u> | TBD |
| TOTAL (as of 5/20/03) = | \$250.00 (Subject to change) |

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 that are owed to the City must be paid in full.
2. **Prior to the issuance of the permit for Clearing and/or Grading within 30 feet of the Indian Bayou Trail right-of-way**, the applicant must coordinate with City Staff to ensure as much of the existing vegetation remains within, along, and adjacent to the Indian Bayou Trail right-of-way. This may require the required sidewalk to be located on private property and associated easements shall be required.
3. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.

4. **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.
5. **Compatibility Analysis Conditions:** The conditions approved by the City Council must be incorporated into the site plan. The revised site plan must be reviewed and approved by the appropriate Technical Review Committee members.
 - A. The potential adverse impacts generated by the proposed common area on neighboring residents must be at least partially mitigated by the existing vegetation to remain within, along, and adjacent to the Indian Bayou Trail right-of-way as described in paragraph 5 herein. Applicant shall have a substantial 10 foot wide, 100-foot long vegetative buffer along the property line adjacent to the Indian Bayou Trail right-of-way and generally behind the proposed outdoor stage to mitigate the visual and noise impacts generated by special events held at the common area, whether such vegetation is existing, or whether Applicant will be required to plant additional vegetation. In the event existing vegetation is cleared, the proposed five feet wide planted area along the subject segment of the southeast property line should be replaced by a much more substantive vegetative screen and buffer consisting of two staggered rows of plants consisting of the following:
 - Five (5) deciduous canopy trees, at least twelve feet tall; plus
 - Lower story native trees [such as *myrica cerifera* (Wax Myrtle)] at least 8 feet tall at time of planting. A sufficient number of lower story Wax Myrtle (or equivalent) must be planted to fully fill the separation areas between the deciduous canopy trees. All trees must meet Florida No. 1 nursery standards. Palms must be avoided in favor of deciduous tree that are more effective in screening the visual and noise impacts potentially generated by special events held at the common area.
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 - Prior to the use of the outdoor stage and after the construction of the proposed buildings located north/northwest of the stage and all site work is completed, documentation shall be provided to the City of Destin by a certified acoustical engineer, indicating the sound and/or noise from the users/use of the stage will not exceed the limits set forth in the City Code of Ordinances.
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