

**PLANNING COMMISSION**

**AGENDA REQUEST**

**TO: HONORABLE CHAIRMAN & MEMBERS OF THE PLANNING COMMISSION**

**THROUGH:** Elliot Kampert, Director

**FROM:** Planning & Development Review Staff

**SUBJECT:** Mid-Bay Marina Development of Regional Impact, Development Order  
Amendment

**DATE:** September 8, 2016

**BCC DISTRICT:** (5) Commissioner Windes

**PLANNING COMMISSION DISTRICT:** (5) John Collins

**PUBLIC HEARING:** To consider amending Resolution No. 99-184 pertaining to the Mid-Bay Marina Development of Regional Impact (DRI) Development Order (DO). A Notice of Proposed Change (NOPC) has been submitted by Tom Patton as agent for LYC Destin, LLC. The current FLUM designation is **Mixed Use (MU)** and the current zoning district is **Mixed Use (MU)**. Property contains 5.5 acres, more or less.

The applicant is proposing the following changes.

- (1) Add 5.5 acres of land to the DRI for parking and a 0.12 acre easement for signage, a total of 5.62 acres, beginning at the southeastern boundary of the DRI and extending along Legendary Marina Drive.
- (2) Increase dry slip storage by 260 storage units for wave runners and other watercraft, to a total of 1040 dry slips.
- (3) Add the Memorial Park Amusement Center on 0.6 acres, consisting of 26,000 square feet on 0.60 acres, including:
  - a. A 13,000 square foot building housing games and amusements;
  - b. an additional 13,000 square foot area including a ball barn, and helter skelter slide; and
  - c. 3 kiosks (330 square feet each for a total of 900 square feet) providing fast food for pedestrian patrons of the amusement uses, and outdoor seating for kiosk patrons on 1,076 square feet, for a total of 1,076 square feet. NOTE: this is in addition to the existing restaurant space, but it is within the total of 20,000 square feet of restaurant use currently authorized in the DRI Development Order.
- (4) Add 10,885 square feet of additional retail space (location undecided, not

shown on site plan at this time). NOTE: this is in addition to the existing retail space but is within the 42,200 square feet of retail space currently authorized in the DRI Development Order.

(5) Extend the buildout date by 10 years, to August 30,2026.

(6) Amend the reporting requirement to specify biennial reporting consistent with the statutory requirement.

**STAFF FINDINGS:**

- The NOPC was submitted to the Department of Growth Management on June 20, 2016. Copies were also sent to the Department of Economic Opportunity (DEO) and the West Florida Regional Planning Council (WFRPC).
- A determination letter were issued by the WFRPC on July 28, 2016.
- The DEO and WFRPC determined that the proposed change would not create any additional regional impact.
- The Public Works Department reviewed the NOPC and did not express any concerns.
- The City of Destin reviewed the proposed change and recommended approval.
  
- Staff analysis of the NOPC is as follows.
  1. The proposed change to the DRI DO does not constitute a substantial deviation.
  2. The proposed change will be consistent with the Comprehensive Plan and Land Development Code when the FLUM amendment and rezoning from Mixed Use to Mixed Use – 1 is adopted.
  3. The proposed change does not interfere with achievement of the objectives of an applicable land development plan.
  4. The proposed change is consistent with the State Comprehensive Plan.

**RECOMMENDATION:** It is recommended that the Board consider the facts presented herein, as well as any facts that may be presented at the public hearing, and then make a recommendation to the Board of County Commissioners whether or not to adopt the requested amendment to the DRI DO by resolution.

**BOARD OF COUNTY COMMISSIONERS:** Scheduled for September 20, 2016 at 9:00 AM in the County Administration Building, Shalimar

**ATTACHMENTS:**

- A – Notice of Proposed Change
- B – WFRPC letter
- C – City of Destin approval letter

TJ/tj

# Mid-Bay Marina DRI

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY  
APPROVED  
DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 380.06(19), FLORIDA STATUTES**



**Submitted by:**

**Tom Patton  
4471 Legendary Drive  
Destin, FL32541  
[tpatton@legendaryinc.com](mailto:tpatton@legendaryinc.com)  
850 974-4141**

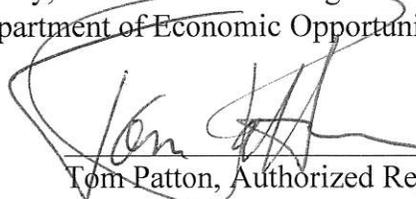
**Growth Management**

STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
DIVISION OF COMMUNITY PLANNING & DEVELOPMENT  
The Caldwell Building, MSC 160  
107 East Madison Street  
Tallahassee, Florida 32399

**NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED  
DEVELOPMENT OF REGIONAL IMPACT (DRI)  
SUBSECTION 380.06(19), FLORIDA STATUTES**

I, Tom Patton, the undersigned authorized representative of LYC Destin, LLC, a Florida Corporation, (developer) hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Mid-Bay Marina Development of Regional Impact DCA #1999-020 development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to Okaloosa County, the West Florida Regional Planning Council, and to the Bureau of Community Planning, Department of Economic Opportunity.

June 17, 2016  
Date

  
Tom Patton, Authorized Representative

**Attachments:**

**Exhibit A – Amended Master Site Plan**

**Exhibit B – Amended Legal Description**

**Exhibit C – Original DRI Development Order**

**Exhibit D—Parking Study**

**Exhibit E—Traffic Study**

**Exhibit F – Statement of Evidence to rebut the presumption that the proposed amendment is a Substantial Deviation.**

**Exhibit G -- Composite Exhibit consisting of two photos showing the original, scarified site of the Mid-Bay Marina including the proposed additional 6.09 acres.**

2. Owner: **LYC Destin, LLC, a Florida Corporation.**
3. Authorized Agent: **Tom Patton, 4471 Legendary Drive, Destin, FL 32541.**
4. Location (City, County, Township/Range/Section) of approved DRI and proposed change. **Township 2S, Range 22 West, Okaloosa County.**
5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

**The developer proposes the following changes:**

- (1) Add 5.95 acres of land to the DRI for parking and a 0.12 acre easement for signage, a total of 6.07 acres, beginning at the southeastern boundary of the DRI and extending along Legendary Marina Drive, as depicted on Exhibit "A".**
- (2) Increase dry slip storage by 260 storage units for wave runners and other watercraft, to a total of 1040 dry slips.**
- (3) Add the Memorial Park Amusement Center on 0.6 acres, consisting of 26,000 square feet on 0.60 acres, including:**
  - a. A 13,000 square foot building housing games and amusements;**
  - b. an additional 13,000 square foot area including a ball barn, and helter skelter slide; and**
  - c. 3 kiosks (330 square feet each for a total of 900 square feet) providing fast food for pedestrian patrons of the amusement uses, and outdoor seating for kiosk patrons on 1,076 square feet, for a total of 1,076 square feet. NOTE: this is in addition to the existing restaurant space, but it is within the total of 20,000 square feet of restaurant use currently authorized in the DRI Development Order.**
- (4) Add 10,885 square feet of additional retail space (location undecided, not shown on site plan at this time). NOTE: this is in addition to the existing retail space but is within the 42,200 square feet of retail space currently authorized in the DRI Development Order.**
- (5) Extend the buildout date by 10 years, to August 30, 2026.**
- (6) Amend the reporting requirement to specify biennial reporting consistent with the statutory requirement.**

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts. **See Exhibit "A" attached hereto.**

6. Complete the attached Substantial Deviation Determination Chart for all land use types

approved in the development. If no change is proposed or has occurred, indicate no change. **Completed.**

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

**There have been no modifications or amendments to the original DRI development order other than extensions of the buildout and expiration date granted by Florida Statutes, as follows:**

1. **The original DRI expiration, Dec 31, 2010, was extended to Dec 31, 2012, per Ch 2009-96 Laws of Florida.**
2. **Expiration extended to Dec 31, 2013 per Ch 2010-147, Laws of Florida;**
3. **Expiration extended to Dec 31, 2015 per Ch 2011-139**
4. **Expiration extended by six months and 60 days per Fla. Stat. 252.363, to August 30, 2016.**

**There has been no change in local government jurisdiction for any portion of the development, and Okaloosa County has not adopted a new DRI development order for the project. The original Development Order is attached hereto as Exhibit "C."**

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

**LYC Destin LLC has not purchased or optioned any land within 1/4 mile other than the land proposed to be added to the DRI. It is 6.07 acres in size. The intended use is parking, right-of-way, and signage. Adjacent non-project land uses within 1/2 mile are the Regatta Bay single-family subdivision and golf course to the east, a public school and the Destin Commons shopping center to the south, and the Kelley Plantation including high-rise condominiums, single family homes, a golf course, and shopping center uses to the west.**

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

**The proposed change is not less than 40% of any of the referenced criteria.**

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES \_\_\_\_\_

NO X \_\_\_\_\_

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

**Yes, the developer proposes to extend the buildout date by 10 years, to August 30, 2026.**

11. Will the proposed change require an amendment to the local government comprehensive plan?

**The FLUM must be amended to expand the MU-1 land use designation to include the added lands.**

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 73-40.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions. **Attached as Exhibit "A."**

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

**Draft of exact language to be adopted by Resolution to amend the development order for the Mid Bay Marina DRI:**

**The Mid-Bay DRI Development Order is amended to include 6.07 acres of land as described in the Amended Legal Description, Exhibit "B," and shown on the amended Map H-1 Master Development Plan , Exhibit "A." The added lands are primarily for parking, road right-of-way, and signage.**

**The following additional development located as shown on the amended Map H-1 Master Development Plan, Exhibit A, shall be added to the development authorized in the Mid-Bay DRI Development Order:**

- A. Additional retail: 10,885 sq ft, of retail development (location undecided, not shown on Map H-1 at this time). NOTE: this is in addition to the existing retail space, but it is within the 42,200 of retain currently authorized in the DRI Development Order.**
- B. A new Memorial Park Amusement Center consisting of two 13,000 sq ft areas:
  - (1) a 13,000 square foot amusement building; and**
  - (2) a 13,000 square foot ball barn and helter skelter slide.****
- C. Additional restaurant use: 3 kiosks totaling 990 square feet and outdoor seating totaling 1,076 sq feet, to serve pedestrian traffic. This addition will complete the currently-authorized 20,000 sq ft of restaurant development.**
- D. 260 additional storage units for wave runners and other water craft, for a total of 1040 storage units.**

**The DRI termination date and the DRI Development Order expiration date shall be August 30, 2026.**

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

**An updated legal description is added as Exhibit "B," Attached**

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

**Not Applicable.**

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

**August 30, 2026**

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and

**August 30, 2026**

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 73C-40.025 (7), F.A.C.

**Developer requests that the annual report requirement in paragraph 9 of the Development Order be changed to a biennial report as provided in Fla. Stat 380.06. No other changes requested.**







**SUBSTANTIAL DEVIATION - TERMINATION CHART**

Proposed                      Original

Office (cont.)	Proposed	Original
Petroleum/Chemical Storage  <b>Not Applicable</b>	ADA representations	
	Storage Capacity (barrels and/or pounds)	
	Distance to Navigable Waters (feet)	
	Site locations changes	
	Facility Acreage, including drainage, ROW, easements, ect.	
	# External vehicle trips	
	D.O. Conditions	
	ADA representations	
	# Boats, wet storage	
	# Boats, dry storage	
Ports (Marinas)  <b>Not Applicable</b>	Dredge and fill (cu. yds.)	
	Petroleum storage (gals.)	
	Site locational changes	
	Port Acreage, including drainage, ROW, easements, etc.	
	# External vehicle trips	
	D.O. Conditions	
	ADA representations	

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.



**SUBSTANTIAL DEVIATION DETERMINATION CHART**

	Proposed	Original	None
Floor Space (gross square feet)	<p>Proposed- new retail 10,885 sq ft (within the total originally authorized.)</p> <p>Memorial Park- 26,000 sq ft (consisting of a 13,000 sq ft amusement building and a 13,000 square foot ball barn and helter skelter slide.</p> <p>3 kiosks with 990 sq ft and outdoor seating totaling 1,076 sq feet (will complete the currently authorized 20,000 sq ft of restaurant)</p> <p>260 storage units for wave runners and other water craft, for a total of 1040 storage units.</p>	<p>Original DO Retail- 42,200 sq ft of marina related and speciality retail.</p> <p>none</p> <p>Restaurant- 20,000 sq ft</p> <p>780 dry slips</p>	None

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

<p>Parking Spaces</p>		<p>No additional parking is proposed. See attached parking study, Exhibit "D," which shows a net parking requirement of <b>351</b> spaces for existing plus proposed development. There are <b>352</b> existing parking spaces.</p>	<p><b>238</b> required per para 5 of Okaloosa County Development Order issued 2000.</p>	
<p>Employees</p>		<p>88 non-construction</p>	<p>211 non construction</p>	
<p>Site locational changes</p>		<p>None</p>		
<p>External vehicle trips</p>		<p>Existing + new proposed development PM Peak hour trips-<b>253</b>. See attached traffic study, Exhibit E.</p>	<p>Original DRI PM Peak hour trips - <b>222</b></p>	
<p>P.O. Conditions</p>			<p>See attached copy of the DRI DO, particularly paragraphs 2-5.</p>	

**SUBSTANTIAL DEVIATION DETERMINATION CHART**

		Proposed	Original
	ADA representations		All ADA representations are incorporated in conditions in the current DRI Development Order, Exhibit "C." No changes are proposed.

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.









***Southern Traffic Services, Inc.***

Gulf Breeze, Florida      Tallahassee, Florida      Tampa, Florida  
Georgetown, Texas      Atlanta, Georgia

May 24, 2016

Joe P. Poole, P.E.  
2943 Golden Eagle Drive  
Tallahassee, Florida 32312

Tom Patton  
Legendary, Inc.  
4100 Legendary Drive Suite 200  
Destin, Florida 32541

**RE: Memorial Park at Mid-Bay Marina, Parking Generation Study, SR 293  
(Danny Wuerffel Way) at Mid-Bay Marina, Destin, FL**

Dear Mr. Patton:

As requested, I have prepared a parking generation study for the proposed development changes (see **Attachment**). The following shows the proposed and existing uses in the development plan:

**Proposed Development**

- Memorial Park Amusement Center (Total Area = 0.60 acres (26,000 sf / 43,560 sf per acre = 0.60 acres)
  - Amusements (13,000 square feet)
  - 13,000 square feet of Ball Barn and Helter Skelter slide
- 3 Kiosks (330 square feet each for a total of 990 square feet) and Outdoor Seating (1,076 sq. ft.). Total Area of 2,066 sq. ft.
- 260 storage units for wave runners and other water craft
- Retail on the Bay Expansion (10,885 square feet)

The existing development consist of the following:

**Existing Development**

- Marina (780 storage units)
- Residential Unit (1 dwelling)
- Boat Sales (26,030 sq. ft.), includes:
  - Boat Sales (18,614 sq. ft.)
  - Marina Parts Sales (2,166 sq. ft.)
  - Boat Shed (5,250 sq. ft.)
- Restaurant and Food Experience (17,934 sq. ft.), includes:
  - Lulu's Restaurant (16,907 sq. ft.)
  - Yacht Club (1,027 sq. ft.)
- Retail on the Bay (4,115 sq. ft.)

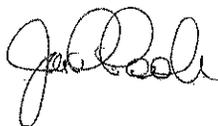
### Future + Existing Development

- Marina (1040 storage units)
- Residential Unit (1 dwelling)
- Boat Sales (26,030 sq. ft.), includes:
  - Boat Sales (18,614 sq. ft.)
  - Marina Parts Sales (2,166 sq. ft.)
  - Boat Shed (5,250 sq. ft.)
- Restaurant and Food Experience (20,000 sq. ft.), includes:
  - Lulu's Restaurant (16,907 sq. ft.)
  - 3 Kiosks (990 sq. ft. Total)
  - Outdoor Seating (1,076 sq. ft.)
  - Yacht Club (1,027 sq. ft.)
- Retail on the Bay (15,000 sq. ft.)

The amusement component of the proposed development change is expected to be utilized by patrons of the restaurant and storage units would be used for wave runners and other water craft. These same plans were used in the trip generation estimates prepared by Rick Hall, Hall Planning & Engineering, Inc.

With a development of this type, many trips would be generated internally between the various uses. So, internal capture rates used in the trip generation estimates developed by Rick Hall were used in the parking study. Based on results of the parking study, a sufficient number of existing parking spaces are in place to accommodate the proposed change in development and all existing uses. Since sufficient number of parking spaces is currently available, the proposed development change would not have any significant regional transportation impact.

Sincerely,



Joe P. Poole, P.E.  
Transportation Engineer

**PARKING ANALYSIS**  
**Memorial Park at Mid-Bay Marina**

**Mid-Bay Marina on SR 293 (Danny Wuerffel Way)**  
**Destin, Florida**

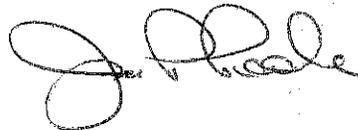
Prepared for:  
Legendary Inc.  
4100 Legendary Drive, Suite 200  
Destin, Florida 32541  
(850) 337-8000

Submitted by:



Joe Poole, P.E.  
2943 Golden Eagle Drive  
Tallahassee, FL 32312  
(850) 449-0807

FL License No.: 00007809



Joe P. Poole, P.E.  
FL Professional Engineer No. 42038  
May 24, 2016



## **I. Introduction:**

Memorial Park at Mid-Bay Marina is a planned development located on the east side of SR 293 (Danny Wuerffel Way) at Mid-Bay Marina in Destin. The proposed development would consist of the following:

### **Proposed Development**

- Memorial Park Amusement Center (Total Area = 0.60 acres (26,000 sf / 43,560 sf per acre = 0.60 acres)
  - Amusements (13,000 square feet)
  - 13,000 square feet of Ball Barn and Helter Skelter slide
- 3 Kiosks (330 square feet each for a total of 990 square feet) and Outdoor Seating (1,076 sq. ft.). Total Area of 2,066 sq. ft.
- 260 storage units for wave runners and other water craft
- Retail on the Bay Expansion (10,885 square feet)

The existing development consist of the following:

### **Existing Development**

- Marina (780 storage units)
- Residential Unit (1 dwelling)
- Boat Sales (26,030 sq. ft.), includes:
  - Boat Sales (18,614 sq. ft.)
  - Marina Parts Sales (2,166 sq. ft.)
  - Boat Shed (5,250 sq. ft.)
- Restaurant and Food Experience (17,934 sq. ft.), includes:
  - Lulu's Restaurant (16,907 sq. ft.)
  - Yacht Club (1,027 sq. ft.)
- Retail on the Bay (4,115 sq. ft.)

### **Future + Existing Development**

- Marina (1040 storage units)
- Residential Unit (1 dwelling)
- Boat Sales (26,030 sq. ft.), includes:
  - Boat Sales (18,614 sq. ft.)
  - Marina Parts Sales (2,166 sq. ft.)
  - Boat Shed (5,250 sq. ft.)
- Restaurant and Food Experience (20,000 sq. ft.), includes:
  - Lulu's Restaurant (16,907 sq. ft.)
  - 3 Kiosks (990 sq. ft. Total)
  - Outdoor Seating (1,076 sq. ft.)
  - Yacht Club (1,027 sq. ft.)
- Retail on the Bay (15,000 sq. ft.)



This development is part of the approved Regional Activity approved on 8/29/00. For consistency, methodologies and criteria used in the original study are applied in this analysis. The purpose of this study is to determine the required number of parking spaces for the proposed development. The proposed development plan’s parking requirement will be determined using the following:

- a. Parking Criteria specified in the DO issued on 8/29/00
- b. 2014 Okaloosa County Land Development Code

**II. Hours of Operation:**

With addition of this development, the development components would consist of:

Business Type	Hours of Operation	Peak Demand
Boat Sales	10 to 5 Monday thru Saturday	10 am – 1 pm
Residential (Single-Family)	n/a	n/a
Boat Storage (incl. office in boat storage and on apron, Club area, & retail)	7 am to 6 pm 7 days per week	7 am to 1 pm
Restaurant/Retail	11 am to 11 pm 7 days per week	6 pm to 9 pm, Thursday to Saturday
<b>Total of Existing Use Parking Spaces</b>		
Proposed Memorial Park at Mid-Bay Marina	11 am to 11 pm 7 days per week	6 pm to 9 pm, Thursday to Saturday
Storage Units for Wave Runners and other Watercraft	7 am to 6 pm 7 days per week	7 am to 1 pm

As shown in the above table, peak demand times for the two (2) uses with the highest parking demand occur at different times. So, shared parking opportunity would be available for the Boat Storage, Restaurant/Retail, and Amusement operations.

The proposed amusement use and storage units will provide an opportunity for patrons to access the business by water. As part of normal operations, mooring facilities with transportation to and from their boats to shore will be provided, thus reducing the parking demand. For much of the daytime, use is for boat owners returning from a day on the water.

**III. Parking Requirement (Okaloosa County Land Development Code (LDC)):**

Okaloosa County Land Development Code Section 6.04.02, Parking Requirements for Specific Uses, specifies the required number of parking spaces for each of the proposed land uses. The existing and proposed land uses include:

- Single Family (ITE 210)
- Restaurant (ITE 932)
- Multi-Purpose Recreational Facility (ITE 435)
- Retail Space (ITE 820)
- Marina (ITE 420)



In addition to these requirements, Section 6.04.051, Handicapped Parking Spaces, stipulates the number of handicapped parking spaces required for any commercial property offering parking for the general public. The minimum number of required accessible spaces is based the total parking requirement as specified in LDC Section 6.04.02.

For the land uses Items A thru C in the below table, the parking criteria in the Development approved on August 29, 2000 was used in this analysis. The criteria in the 2014 Okaloosa County Land Development Code (LDC) was used for Items D, E, H, I, and J (see **Appendix**). Since the latest Okaloosa County Land Development (LDC) does not include parking criteria for a Multi-Purpose Recreational Facility, parking criteria for this use was obtained from the Institute of Transportation Engineers (ITE) Parking Generation Manual (4<sup>th</sup> Edition).

Based on these requirements, the minimum number of required spaces for this development plan would be:

**Using Criteria as Specified in DO issued 8/29/00 for Existing Uses (Items A-C), 2014 LDC Criteria for Items D, E, H, I, and J, and ITE Parking Generation Manual (4<sup>th</sup> Edition) for Item F**

Item	Land Use	Variable	Units	Parking Space Requirement Criteria	Number of Required Spaces
<b>Existing Land Uses</b>					
A	Dry Boat Storage	Storage Units	780	1 per 10 storage units	78
B	Retail in Boat Sales	“	26,030	1 per 500 sf	53
C	Residential Unit	Dwelling unit	1	2 per unit	2
D	High-Turnover Restaurant	1000 square feet Gross Floor Area	17.934	14.0 per 1000 sf	252
E	Retail on the Bay	“	4.115	4.0 per 1000 sf	17
	<b>Sub-Total</b>				402
<b>Proposed Multi-Purpose Recreational Facility, Kiosks, and Boat Storage</b>					
F	Multi-Purpose Recreational Facility	Acres	0.60	16.0 per Acre	10
G	Dry Boat Storage <sup>1</sup>	Storage Units	260	1 per 10 storage units	26
H	3 Kiosks in Restaurant	1000 square feet Gross Floor Area	0.99	14.0 per 1000 sf	14
I	Outdoor Seating for Restaurant	“	1.076	14.0 per 1000 sf	16
J	Retail on the Bay	“	10.885	4.0 per 1000 sf	44
	<b>Sub-Total</b>				110
	<b>Total Parking Space Requirement</b>				512

<sup>1</sup> The proposed storage units will be for wave runners and other watercraft.



Total Parking Requirement	
	Parking Spaces
Total Parking Space Requirement	512
Handicapped Spaces (2% of Total)	11

**IV. Internal Capture:**

Based on the above tables, the proposed development would require 36 vehicle parking spaces. In the traffic impact study prepared by Hall Planning & Engineering, Inc., internal capture rates were applied towards the existing, amusement, restaurant and retail uses, respectively. Applying the same internal capture rates to the parking generation of the proposed uses show the following parking needs:

Land Use	Total Parking Spaces	Internal Capture (%)	Net Number of Required Vehicle Parking Spaces
Dry Boat Storage	78	26 <sup>1</sup>	58
Retail in Boat Sales	53	40	32
Residential Unit	2	0	2
Restaurant	252	30	177
Retail on the Bay	61	40	37
Memorial Park	10	70	3
Boat Storage	26	26 <sup>1</sup>	20
Kiosks	14	30	10
Outdoor Seating	16	30	12
<b>Total Net Parking Requirement</b>			<b>351</b>

<sup>1</sup> Calculated from overall internal capture trips divided by total project trip generation (20+32)/198 = 52/198 = 26%

**V. Conclusion:**

The following table provides a summary for the parking demand results:

Parking Requirements Summary Existing and Proposed Land Uses	
Criteria	Total Parking Spaces
Total Parking Space Requirements	351

Based on results of this analysis, the total parking space requirements for existing and proposed land uses are 351 parking spaces, including handicapped spaces (7). The existing parking plan includes 352 existing vehicle parking spaces and exceeds the requirements shown above.

As shown in this report, the existing parking plan exceeds the requirements in the Okaloosa County Land Development Code (LDC). Since the existing parking plan surpasses the LDC requirements for existing and proposed uses, it is recommended for approval.

# Exhibit F to the Mid-Bay DRI Notice of Proposed Change

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## Description of evidence to rebut the presumption that the proposed change is a substantial deviation

The proposed amendment to the Mid-Bay DRI is presumed to be a substantial deviation because the proposal would add 6.09 acres of land for development not previously reviewed, and would extend the DRI expiration and buildout dates more than 7 years, until August 30, 2026. The presumption may be rebutted by clear and convincing evidence. Fla. Stat. 380.06(19)(c) and e.(3). The Developer asserts that the following facts are clear and convincing evidence that the proposed change is not a substantial deviation:

1. The 6.09 acres are added solely to incorporate existing parking spaces, existing road right-of-way, and a signage easement. No new development is proposed on the added land. The proposed additional commercial, recreational and restaurant uses, and the added dry slips, will be located on the current DRI site.
2. The existing DRI site and the proposed additional acreage were formerly an industrial site used as a bridge construction support base and concrete batch plant. See the photographs of the site attached to the NOPC as Composite Exhibit "E." The site was and remains almost completely scarified. The only natural area consisted of approximately 2.5 acres of pine flatwoods located at the northeastern end of the property adjacent to the Bay. It was largely upland but included .07 acres of wet pine flatwoods. Paragraph 19 of the DRI development order stated that "Where practical, the small flatwoods community located adjacent to Choctawatchee Bay will be preserved in its natural state." The flatwoods community was destroyed in a storm subsequent to issuance of the DO. Therefore, no preservation efforts are necessary or practical.
3. The proposed additional development will have minimal offsite traffic impacts. The attached traffic study, Exhibit "E," shows that the new uses complement existing uses and will generate only 6 additional PM peak hour trips. Both Rick Hall, Hall Planning & Engineering, and Joe Poole, Southern Traffic Services, Inc., reached a professional opinion expressed in their reports, Exhibits "D" and "E," that the proposed amendment will not cause additional or new regional transportation impacts.



Kurvin Qualls, Chair  
Kasey Kuchens, Vice-Chair

Austin Mount, Executive Director

July 28, 2016

Mr. Elliot Kampert  
Director, Okaloosa County Growth Management  
1804 Lewis Turner Blvd, Suite 200  
Fort Walton Beach, FL 32547

**Re: Mid-Bay Marina DRI**

Dear Mr. Kampert,

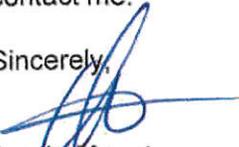
On June 16, 2016 the West Florida Regional Planning Council received the proposed amendment for the Mid-Bay Marina Development of Regional Impact (DRI) pursuant to §380.06(19)(e)1 Fla. Stat. Our staff has completed its review of the amendment, which proposes the following changes:

- Add 5.62 acres to incorporate existing parking spaces, existing roadway right of way and a new 536 SF signage easement at SR 293,
- Add 10,885 SF of additional retail proposed within the 42,200 SF currently authorized retail area
- Add a new amusement center comprised of one 13,000 SF amusement building and one 13,000 SF area (ball barn and helter skelter) on 0.6 acres
- Three new restaurant kiosks (900 SF) and outdoor seating (1,076 SF) to authorized 20,000 SF restaurant development
- Add 260 new storage units for wave runners (totaling 1040 dry slip units)
- Extend the build-out date 10 years to August 30, 2026.

We have determined the proposed change should not create any additional or unanticipated impact to regional resources. Staff does not object to the proposed change, however, Fla. Stat. §380.06(19)(c) states, "an extension of the date of buildout date of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation, subject to further development of regional impact". Staff has worked with the applicant and they have responded to the comment by stating that the applicant has "elected to continue as a DRI and since the the current Development Order would expire on August 30 of 2016, it is necessary to extend the termination date to maintain active status. The extension would not create any new regional impacts, or impacts that have not been previously reviewed regardless of when the development actually takes place during the extended term because the off-site impact of the proposed of the proposed addition development are minimal".

Please let us know if we can be of any further assistance to you in the DRI process. Also, please advise us of any additional changes in this development or alterations to Development Orders. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



Austin Mount  
Executive Director

Cc: Mark Yelland, DEO  
Robert Apgar



# Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Fax: 850-460-2171 | www.cityofdestin.com

August 12, 2016

Okaloosa County Department of Growth Management  
Attn: Ms. Marissa L. Martinez  
1804 Lewis Turner Boulevard, Suite 200  
Fort Walton Beach, Florida 32547-1285

**Subject: Mid-Bay Marina DRI Amendment  
Okaloosa County Project Number 402905-BCC-2016  
16-28-OK City of Destin Project Review**

Dear Ms. Martinez:

The Planning Division has reviewed the submittal package for the above-mentioned project received on August 9, 2016 and recommends approval of the project at this time. Please refer to the attached review comments dated August 12, 2016 by our transportation consultant, Renaissance Planning Group.

If you have questions or need further assistance, please do not hesitate to call me at (850) 337-3130.

Sincerely,

R. Ashley Grana  
Planning Manager

RAG/

Attachment:

Letter from Renaissance Planning Group dated August 12, 2016

cc: Project File: 16-28-OK  
Letter Log

