



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

October 12, 2004

Order No. 05-02

Final Development Order:

**“HUTCHINSON STREET PLAZA”
A MINOR DEVELOPMENT
(SP-04-40)**

Based upon the City's approval of this Development Order, on October 12, 2004, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

BACKGROUND / ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of Henry Paul Kellum Revocable Trust, is requesting approval of a Minor Development identified as “Hutchinson Street Plaza.”

Request: The proposed development consists of a 5,000 square foot retail/commercial building.

Location: The proposed development is located at 171 Hutchinson Street, Hutchinson Street Plaza Replat, Lot 1A, and is more specifically known as Property Appraiser's parcel I.D. number 00-2S-22-1223-0000-0010.

Parcel Size: The current site area is 0.61 acres, more or less.

Future Land Use: Commercial (C)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.19 FAR

Application Date: July 1, 2004

TRC Date: July 21, 2004

Approved Site Plan Date: October 8, 2004

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated October 8, 2004 are incorporated herein.

CONDITIONS OF APPROVAL FOR "HUTCHINSON STREET PLAZA" A MINOR DEVELOPMENT (SP-04-40):

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

Construction must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on October 12, 2004 (no later than October 12, 2005), and must be completed as shown on plans approved by the Technical Review Committee.

WARNING: If the applicant/owner has not obtained a building permit(s) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline must submit a request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.15.00, of the Destin Land Development Code and City Ordinance 02-06-LC for further explanation of the Development Order extension process.

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Hutchinson Street Plaza" 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.

The applicant must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):

- A. Disturbance of the City's right-of-way (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
- B. Pavement cuts.
- C. Construction of any kind.
- D. Clearing, grubbing, or demolition.
- E. Paving, grading, drainage, sidewalks.

- F. Signage.
- G. Installation of utilities.
- H. Construction trailers.

Conditions Per Community Development Department:

1. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan which shall be submitted prior to the issuance of a building permit, must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.
2. 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.
3. **Prior to obtaining a building permit**, a copy of the FDEP stormwater shall be forwarded to the City Engineer's office.
4. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
5. **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).
6. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
7. **Prior to the issuance of any City Permit**, all outstanding costs associated with this project that are owed to the City must be paid in full.
8. **Prior to the issuance of a Certificate of Occupancy/Completion**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.

TECHNICAL REVIEW COMMITTEE REPORT

**“HUTCHINSON STREET PLAZA”
A MINOR DEVELOPMENT
(SP-04-40)**

TRC Report: October 8, 2004

ISSUE:

Applicant: Moore Bass Consulting, Inc., on behalf of Henry Paul Kellum Revocable Trust, is requesting approval of a Minor Development identified as “Hutchinson Street Plaza.”

Request: The proposed development consists of a 5,000 square foot retail/commercial building.

Location: The proposed development is located at 171 Hutchinson Street, Hutchinson Street Plaza Replat, Lot 1A, and is more specifically known as Property Appraiser’s parcel I.D. number 00-2S-22-1223-0000-0010.

Parcel Size: The current site area is 0.61 acres, more or less.

Future Land Use: Commercial (C)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.19 FAR

Application Date: July 1, 2004

TRC Date: July 21, 2004

Approved Site Plan Date: October 8, 2004

DISCUSSION/FINDINGS:

Moore Bass Consulting, Inc., on behalf of Henry Paul Kellum Revocable Trust, is requesting approval of a Minor Development identified as “Hutchinson Street Plaza.” The proposed development consists of a 5,000 square foot retail/commercial building. The proposed development is located at 171 Hutchinson Street, Hutchinson Street Plaza Replat, Lot 1A, and is more specifically known as Property Appraiser’s parcel I.D. number 00-2S-22-1223-0000-0010. The current site area is 0.61 acres, more or less.

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.

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 Commercial (C) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the Commercial Future Land Use designation and is a permitted principal use within the BT zoning district.

COMPATIBILITY:

The LDC requirements regulating compatibility are “intended to ensure functional and attractive development by requiring that all future development be consistent with accepted planning practices and principles as well as natural area limitations” [LDC, §7.09.01]. The Comprehensive Plan and Land Development Code further require that compatibility be measured based on the characteristics of proposed development and its impact on the immediate or surrounding area and especially homogeneous residential neighborhoods. Characteristics for consideration include:

1. Type of land use, zoning district, and land use category;
2. Building location, dimensions, height, and floor area ratio;
3. Location and extent of parking, access drives, and service areas;
4. Traffic generation, hours of operation, noise levels, and outdoor lighting;
5. Alteration of light and air; and
6. Setbacks and buffers.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the requirements as detailed below.

1. Type of Land Use, Zoning District, and Future Land Use Designation:

The proposed use is a 5,000 square foot retail/commercial building. The property currently has a Future Land Use designation of Commercial (C) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the Commercial Future Land Use designation and is a permitted principal use within the BT zoning district.

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

The proposed development consists of a 5,000 square foot retail/commercial building. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Commercial (C)	Business Tourism (BT)	North: Convenience Store
South	Commercial (C)/ Low Intensity Urban (LIU)	Business Tourism (BT)	South: Shoppes at Paradise Isle
East	Commercial (C)/ Low Intensity Urban (LIU)	Business Tourism (BT)	East: Shoppes at Paradise Isle
West	Low Intensity Urban (LIU)	Business Retail (BR)	West: Crystal Beach Plaza

As described herein, the surrounding uses include retail stores and convenience stores. The proposed development is consistent with the surrounding uses. The intensity and density of development is below the maximum intensity provided for in the Land Development Code and density provided in the Comprehensive Plan. The density and Floor Area Ratio of the project is detailed below.

Density:

N/A

Floor Area Ratio:

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.19, which is also below 1.07 and is calculated as follows:

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

$$5,000 \text{ sq. ft.} / 26,554 \text{ sq. ft.} = 0.19 \text{ FAR}$$

Height:

Proposed mean of roof is 16.1-feet, which is consistent to or lower than building heights in the surrounding area.

3. Location and Extent of Parking, Access Drives, and Service Areas:

These characteristics of the proposed development are technically consistent with the Comprehensive Plan and LDC and are considered compatible. Further details are provided within the TRC Report regarding "Ingress/Egress" and "Parking."

4. Traffic Generation, Hours of Operation, Noise Levels and Outdoor Lighting:

- a. **Traffic Generation:** This analysis does not address traffic generation. Please refer to the "Traffic Analysis" section below.
- b. **Hours of Operation:** No adverse impacts are anticipated that require restriction on hours of operation.
- c. **Noise Levels:** No adverse noise impacts have been identified.
- d. **Outdoor Lighting:** All proposed future revisions or additions to outdoor lighting plans must provide outdoor lighting specifications, including photometrics. Any future lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky. The source of all illumination should not be visible from off-site.

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

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

The site plan for "Hutchinson Street Plaza" complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code §7.09.

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required

pursuant to provisions of the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

- Solid Waste: **X**
- Potable Water: **X**
- Sanitary Sewer: **X**
- Traffic: **X**
- Stormwater Management: **X**

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's Transportation Manager, and approved on August 17, 2004, the proposed development will not degrade the level of service of those major transportation facilities in the City of Destin (urban collectors and arterials).

Traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager after reviewing the applicant's traffic concurrency analysis.

SUBDIVISION OR PUD - PLAT:

Not applicable.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area.

WHITE SANDS ZONE:

The project property is not located in a White Sand Zone area.

SETBACKS:

The proposed reduction in parcel size of this lot meets all of the required setbacks for the BT Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (West):	10'	10' FP	10' FP
Back (East):	0'	5' CB	5' CB
Side (North):	0'	5' CB	5' CB
Side (South):	0'	5' CB	5' CB
Between Bldgs.:	10'	N/A	N/A

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: the standard ten (10) foot front perimeter landscape buffer on the western property line, and five (5) foot common boundary buffers along the eastern, northern, and southern property lines.

SIGNS:

No overall 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.

UTILITIES:

Underground utilities/service (existing and proposed) are required.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated July 20, 2004.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated July 21, 2004.

GULF POWER:

Gulf Power approved the project in a letter dated July 12, 2004.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated July 20, 2004.

SPRINT:

Sprint approved the project in a letter dated July 19, 2004.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated July 21, 2004.

STORMWATER:

The City approved the stormwater management plan on July 16, 2004, and had the following stormwater related conditions:

1. **Prior to obtaining a building permit**, a copy of the FDEP stormwater (based upon current design) shall be forwarded to the City Engineer's office.
2. **Condition:** If groundwater is observed standing in the proposed stormwater structures, the stormwater management plan shall be in non-compliance and a revised stormwater plan shall be re-submitted for review and approval.
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).

INGRESS/EGRESS:

The property meets the requirements for access by providing one 24-foot driveway off Hutchinson Street.

PARKING:

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

Per code:

Retail: 1 space per 200 square feet of retail space.

Per site plan:

Parking Required: 25 spaces

Parking Provided: 26 spaces including 2 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

REFUSE COLLECTION:

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

SIDEWALKS:

A 4-foot wide concrete sidewalk currently exists along Hutchinson Street.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 26,554 sq. ft. (0.61 acres, more or less)

Required 18% Open Space: 4,780 sq. ft.

Provided Open Space: 5,877 sq. ft

Landscape Requirements:

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	0
Credits for Existing Trees (7" to 12" diameter) on Site (0 trees x 3 credits per tree):	0

Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" or 24" diameter) on Site (1 tree x 5 credits per tree):	<u>0</u>
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u>0</u>
Reforestation Trees (1 per every .10 of an acre: .6 x .10 = 6) Required on Site:	<u>6</u>
Total Reforestation Credits:	<u>0</u>
Total Reforestation Trees Required on Site:	<u>6</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	6
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
Perimeter Trees (1 per 25') Required on Site:	8
Parking Lot Trees (1 per end row and landscape island) Required on Site:	5
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	N/A
TOTAL TREES REQUIRED:	<u>19</u>
TOTAL TREES PROVIDED:	<u>26</u>

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (north, south, and east). A ten (10) foot Front Perimeter Landscape Area exists along the western property line. If shrubs are used in the required buffer areas, they must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the gross floor area of the development and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. **Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees.** The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Police Protection: The police protection impact fees were calculated using the "Outside Corridor Retail per 1,000 square feet" fee = \$47.59

$$(5,000 \text{ sq. ft.}) \times (\$47.59) = 237,950 / 1,000 = \$237.95$$

$$(\text{sq. ft. of buildings}) \times (\text{Retail per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Police Protection Impact Fees to be paid for "Hutchinson Street Plaza": \$237.95

Roads: The roads impact fees were calculated using the "Retail under 100,000 square feet/per 1,000 sq. ft = \$3702.00

$$(5,000 \text{ sq. ft.}) \times (\$3,702.00) = 18,510,000 / 1,000 = \$18,510$$

$$(\text{sq. ft. of buildings}) \times (\text{retail under 100,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Roads Impact Fees to be paid for "Hutchinson Street Plaza": \$18,510

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$237.95
Roads:	=	<u>\$18,510.00</u>
TOTAL:	=	<u>\$18,747.95</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (October 8, 2004). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	N/A
City Compatibility Consultant:	N/A
City Surveyor:	N/A
City Stormwater Review Consultant:	Paid
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Stormwater Man.)	Paid
Administrative Costs:	\$9.81
City Council Advertising:	N/A
TOTAL (as of 10/8/04) =	\$9.81 (Subject to change)

COMMENTS/CONDITIONS:

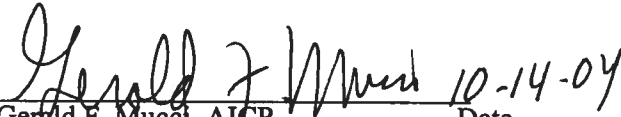
Public Input:

No public comments have been presented to staff at the time of this report.

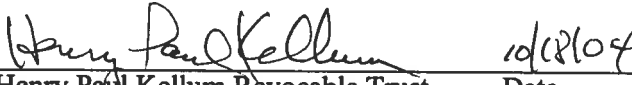
Per Community Development Department:

1. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department. The lighting plan must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.
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3. **Prior to the issuance of any City Permit**, all outstanding costs associated with this project that are owed to the City must be paid in full.

4. **Prior to the issuance of a Certificate of Occupancy/Completion**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
5. **Prior to obtaining a building permit**, a copy of the FDEP stormwater shall be forwarded to the City Engineer's office.
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8. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.



Gerald F. Mucci, AICP Date
Community Development Director

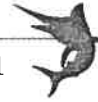


Henry Paul Kellum Revocable Trust Date
Owner



CITY of DESTIN

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kgallander@cityofdestin.com

September 2, 2005

Henry Paul Kellum Revocable Trust
Attn: Dr. Henry Paul Kellum
985 Airport Road
Destin, FL 32541

Subject: Approval for Extension to Final Development Order No. 05-02

Dear Dr. Kellum:

On August 30, 2005, a request was made by Mr. Thomas Lee Goodson, AIA, of Bullock Tice Associates, on your behalf for an extension to Final Development Order No. 05-02. After reviewing the request, the Community Development Director has conditionally approved the extension to Final Development Order No. 05-02, which as a condition shall meet all requirements and be in compliance with Article 2, Section 2.21.01 of the Land Development Code.

Note: The extension is valid for one year (October 12, 2006) from the original 12-month deadline of October 12, 2005.

If you have questions or need additional information, please contact my office.

Sincerely,

Kenrick S. Gallander, AICP
Current Planning Manager

KSG/

cc: Community Development Department (File SP-04-40)
File: 2005 Final Development Order Binder ✓
File: Letter Log
Building Division (Place copy with Final Development Order No. 05-02)
Thomas Lee Goodson, AIA (Fax: 850-432-5208)