



4200 Two Trees Road, Destin, Florida 32541 (850) 837-4242 FAX (850) 837-3267

September 22, 1999

ORDER #99-29

First Amended Final Development Order:

**KELLUM PROFESSIONAL OFFICE PLAZA:
A MINOR DEVELOPMENT
(SP #98-58)**

Based upon the City's approval of the Original Development Order on March 18, 1999, this document will serve as your First Amended 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 Community Development Director:

BACKGROUND / ISSUE:

Applicant: Paul Kellum, owner, Don Brock, agent.
Property Location: Northeast corner of Airport Road and Misty Way.
Request: Approval of a Minor Deviation to the Original Development Order #99-01, consisting of the following:
A. Revised landscape plan dated 4-19-99, amended 4-23-99, and signed and sealed on 4-21-99, with the planting schedule and specifications received July 20, 1999 (approved by abutting property owner on 8-16-99)
B. Approval of Minor Development containing three (3) detached buildings: Phase I includes a single-story 2260 sq.ft. office/dental, 36 parking spaces, and all infrastructure; Phase II is a single-story 2,400 sq.ft. office; and Phase III is a single-story 2,400 sq.ft. office. Total building square footage was 7,292 and now is 7,060 sq.ft.
C. Relocation of the dumpster pad.
Parcel Size: 0.689.46 acres
Land Use Designation: LIU (Low Intensity Urban)
Zoning District: RGD (Residential General Development)
Density: N/A (commercial use requested only)
Intensity: FAR is less than the maximum allowed, 1.07.
Application Date: November 2, 1998
TRC Date: November 19, 1998 (revised plans reviewed 12-2-98, 12-23-98, 1-15-99 2-12-99, 3-3-99, and 3-11-1999)
Approved Site Plan: Sign and Sealed March 11, 1999 (stamped TRC approved March 18, 1999)
Approved amended site plan stamped received on August 31, 1999, and stamped approved September 22, 1999.

Original DO #: DO 99-01
Original expiration of DO: March 18, 2000 for building permit issuance and March 18, 2004 for total project.
Amended expiration date: No change to the original D.O.

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated November 19, 1998, as amended January 15, 1999, March 18, 1999, June 9, 1999, and September 22, 1999, are incorporated herein.

CONDITIONS OF APPROVAL FOR KELLUM PROFESSIONAL OFFICE PLAZA: A MINOR DEVELOPMENT (SP #98-58)

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

1. Construction must commence within twelve (12) months of approval of the Final Development Order on March 18, 1999 (no later than March 17, 2000), and must be completed as shown on plans approved by the Technical Review Committee (Sign and Sealed March 11, 1999 – stamped TRC approved March 18, 1999).

WARNING: If the applicant/owner has not obtained a construction permit(s) within 365 days of issuance of the final development order, the final development order is void and the application for plan approval must be re-initiated.

2. If “Kellum Professional Office Plaza” fully complies with the requirements of Condition Number 1 above, the concurrency status “Kellum Professional Office Plaza” is protected (for five years) through March 17, 2004. **The protected concurrency status, however, 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, or**
 - B. **Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.**
3. Construction of Phase I must commence within twelve (12) months of approval of the Development Order, on and must be completed according to the following phasing schedule:

Phase I -	construction to begin within twelve months after Development Order approval.
Phase II -	construction to begin within six (6) months of Certificate of Occupancy for Phase I.
Phase III -	construction to begin within six (6) months of Certificate of Occupancy for Phase II.

Nothing shall preclude the owner from starting construction on Phases II and III, sooner than noted above; however, all construction must be completed within five (5) years from date of approval (no later than March 17, 2004) in order to maintain concurrency status (Land Development Code, Article Six, Section 6.02.00.B.3).

4. Kellum Professional Office Plaza must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):
 - a. disturbance to the city's rights of way.
 - b. pavement cuts.
 - c. construction of any kind.
 - d. clearing and grubbing.
 - e. paving, grading, drainage, sidewalks.
 - f. signage.
 - g. installation of utilities.
 - h. construction trailers.
5. **Before the issuance of any certificate of occupancy, the required five foot (5') wide sidewalk adjacent to both the southern and western boundary line of the subject site - fronting on Misty Way and Airport Road, must be installed.**
6. **Before the issuance of any certificate of occupancy, all required landscaping must be inspected and approved by the Community Development Department, for the entire site.**
7. **Before the issuance of a certificate of occupancy, the owner shall submit a drainage Operations & Maintenance Plan to the City Engineer for review.**
8. The front gate of the dumpster shall have a sign reading: NO PARKING.
9. Lighting for the project shall be focused away from the residential neighbors, and shielded to keep to a minimum, the amount of light leaving the property.
10. **No further work may begin on the Phase I Building until 1) the applicant amends the existing building permits to reflect the new sq.ft. and building plans for the amended buildings – Phase I and II, 2) the city Engineer must approve the revised stormwater plan, and 3) the applicant submits any additional fees association with the revised building plans, including a stormwater review fee of \$85.00.**
11. **The fence along the northern property line must be installed and attached to the existing fence on the abutting property, with the finish side facing north.**
12. Requirements identified by the Technical Review Committee:

TECHNICAL REVIEW COMMITTEE REPORT

**KELLUM PROFESSIONAL OFFICE PLAZA:
A MINOR DEVELOPMENT**

(SP #98-58)

**November 19, 1998, as amended January 15, 1999, March 18, 1999, June 9, 1999, and
September 22, 1999.**

ISSUE

Applicant: Paul Kellum, owner, Don Brock, agent.
Property Location: Northeast corner of Airport Road and Misty Way.
Request: Approval of a Minor Deviation to the Original Development Order #99-01, consisting of the following:
A. Revised landscape plan dated 4-19-99, amended 4-23-99, and signed and sealed on 4-21-99, with the planting schedule and specifications received July 20, 1999 (approved by abutting property owner on 8-16-99)
B. Approval of Minor Development containing three (3) detached buildings: Phase I includes a single-story 2260 sq.ft. office/dental, 36 parking spaces, and all infrastructure; Phase II is a single-story 2,400 sq.ft. office; and Phase III is a single-story 2,400 sq.ft. office. Total building square footage was 7,292 and now is 7,060 sq.ft.
C. Relocation of the dumpster pad.

Parcel Size: 0.689.46 acres
Land Use Designation: LIU (Low Intensity Urban)
Zoning District: RGD (Residential General Development)
Density: N/A (commercial use requested only)
Intensity: FAR is less than the maximum allowed, 1.07.
Application Date: November 2, 1998
TRC Date: November 19, 1998 (revised plans reviewed 12-2-98, 12-23-98, 1-15-99 2-12-99, 3-3-99, and 3-11- 1999)
Approved Site Plan: Sign and Sealed March 11, 1999 (stamped TRC approved March 18, 1999)
Approved amended site plan stamped received on August 31, 1999, and stamped approved September 22, 1999.

Original DO #: DO 99-01
Original expiration of DO: March 18, 2000 for building permit issuance and March 18, 2004 for total project.
Amended expiration date: No change to the original D.O.

Parcel Size: 0.689.46 acres
Land Use Designation: LIU (Low Intensity Urban)
Zoning District: RGD (Residential General Development)
Density: N/A (commercial use requested only)
Intensity: FAR is less than the maximum allowed, 1.07.
Application Date: November 2, 1998

TRC Date: November 19, 1998 (revised plans reviewed 12-2-98, 12-23-98, 1-15-99, 2-12-99, 3-3-99, and 3-11-1999)
Approved Site Plan: Sign and Sealed March 11, 1999 (stamped TRC approved March 18, 1999)
Approved amended site plan stamped received on August 31, 1999, and stamped approved September 22, 1999.
Original DO #: DO #99-01
Original expiration of DO: March 18, 2000 for building permit issuance and March 18, 2004 for total project.
Amended expiration date: No change to the original D.O.

DISCUSSION:

Paul Kellum, owner, and Don Brock, agent, requests approval of a minor development identified as "Kellum Professional Office Plaza". Approval of a three (3) phase Minor Development containing three (3) detached buildings: **Phase I includes a single-story 2260 sq.ft. office/dental, 36 parking spaces, and all infrastructure; Phase II is a single-story 2,400 sq.ft. office; and Phase III is a single-story 2,400 sq.ft. office. Total building square footage was 7,292 and now is 7,060 sq.ft.**

The project is located at the northeast intersection of Airport Road and Misty Way; and is west of the Destin Racquet Club Townhomes. The property contains 0.689 acres, more or less.

The Technical Review Committee reviewed the project on November 19, 1998 (revised plans reviewed 12-2-98, 12-23-98, 1-15-99, 2-12-99, 3-3-99, and 3-11-99), and approved the project with specific changes. These changes have been addressed by the applicant on March 11, 1999 **and amended on June 9, 1999.**

ZONING/COMPREHENSIVE PLAN

The property is zoned RGD (Residential General Development) and the Land Use Category is LIU (Low Intensity Urban). The proposed project complies with the Land Development Code and Future Land Use requirements.

COMPATIBILITY

North: RUA Zoning, MDR Land Use; Single family residence
South: IP & RGD Zoning, IP & MU Land Use; Vacant & mini-warehouses
East: RUA & BR Zoning, LIU Land Use; Private drive, vacant, & health club
West: RGD Zoning, LIU Land Use; vacant & Misty Way

The project, as required by Ordinance 151.13, has undergone a compatibility review and meets the minimum code requirements.

There are no other unresolved or outstanding compatibility issues associated with this project.

DENSITY

Not Applicable.

HEIGHT

The proposed project contains three (3) detached buildings: Phase I includes a single-story 2260 sq.ft. office/dental, 36 parking spaces, and all infrastructure; Phase II is a single-story 2,400 sq.ft. office; and Phase III is a single-story 2,400 sq.ft. office. Total building square footage was 7,292 and now is 7,060 sq.ft. *The maximum proposed height for these buildings are approximately fifteen (15) feet. These heights are allowable in the RGD Zoning District.*

FLOOR AREA RATIO

The floor area ratio for the proposed building is below the 1.07 maximum allowed.

RIGHT OF WAY DEDICATION

Not Applicable.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

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

TRAFFIC ANALYSIS

A Traffic analysis was conducted for this project by the Applicant, which indicates that based on 7,200 sq.ft. of office use would result in a total of 177 AADT trips will be generated by this project. These trips convert to 3 PM Peak Hour/peak direction trips; 1 of the 3 PM Peak Hour/peak direction trips affect Misty Way, while the remaining 2 of the 3 PM Peak Hour/peak direction trips affect Airport Road. The trips generated by this project do not effect any portion of US Hwy 98, due to the distance requirements of 6.06.04 of the LDC. This project does not lower the LOS of traffic on these roads.

SUBDIVISION OR PUD - PLAT

Not Applicable.

AIRPORT PROTECTION

Please note that this property lies within the Noise Zone C as defined within the City=s Land Development Code. 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 FAA for temporary encroachment into this restrictive area and a copy of completed FAA Form 7460, must be place on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

SIGNS

No signs are approved with this Development Order. Future signage must meet requirements of the Land Development Code, "Appendix A".

SIDEWALKS

A 5' wide sidewalk is required along both Misty Way and Airport Road. Both sidewalks are required to be installed prior to the issuance of a Certificate of Occupancy.

SETBACKS

<u>Project</u>	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (south)	20'	10' FPLA	25' including 10' FPLA
2 nd front (west)	10'	10' FPLA	10' including 10' FPLA
3 rd front (east)	10'	10' FPLA	10' including 10' FPLA
Side (north)	10'	10' VB	10' including 10' VB & 6' hedge
Between Bldgs:	10'	N/A	23' minimum

NOTE: 10' FPLA = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area. A 10' VB is required along the northern property line. All must meet LDC requirements, or as specified elsewhere in this Development Order.

WHITE SANDS ZONE

The project lies within:
Zone #1_____ Zone #2_____ Neither X, therefore, all fill material must meet the White Sand Zone Ordinance.

WATER/SEWER

Destin Water Users Inc. approved the project December 7, 1998.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project November 19, 1998.

OKALOOSA GAS

Okaloosa Gas approved the project at the November 19, 1998, TRC meeting.

UNIVERSAL COM

Universal Com approved the project at the November 19, 1998, TRC meeting.

SPRINT

Sprint approved the project at the November 19, 1998, TRC meeting.

UTILITIES

Underground utilities are required

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

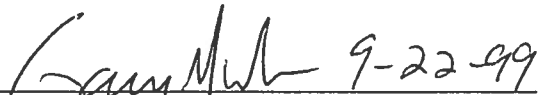
- 1. A DEP Stormwater Permit is required and shall be submitted prior to the issuance of a building permit.

COMMENTS

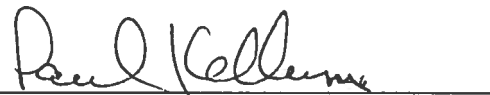
There has been one letter submitted from an adjacent property owner, concerning compatibility. Staff believes that the project, as amended, meets the intent of the Code; and addresses the neighbor's compatibility concerns.

UNRESOLVED ISSUES

See condition numbers 1 – 10.

 9-22-99

 Gary Müller Date
 Acting Community Development Director

 _____
 Paul Kellum, Date
 Owner