



## City of Destin

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March 30, 2000

**ORDER #00-15**

### Final Development Order:

**“MING RETAIL SALES”:  
A MINOR DEVELOPMENT  
(SP-00-08)**

Based upon the City's approval of this Development Order, on March 24, 2000, 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 Technical Review Committee:

### BACKGROUND / ISSUE:

**Applicant:** Tradewinds Development Corp., on behalf of Bruce A. Ming.  
**Location:** The proposed project is located at 331 U.S. Highway 98 East.  
**Request:** Approval of a Minor Development identified as “Ming Retail Sales” for a 2,100 square foot retail building containing two units. The first unit has two floors, while the second unit has one floor.  
**Parcel Size:** The property contains 0.50 acres +/-.  
**Future Land Use:** Commercial (C)  
**Zoning District:** Business Tourism (BT)  
**Density:** N/A  
**Intensity:** 0.10 Floor Area Ratio  
**Application Date:** January 31, 2000  
**TRC Date:** February 16, 2000  
**Approved Site Plan Date:** March 24, 2000

### DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated March 24, 2000.

Community Development ♦  
(850) 837-5686  
Fax: (850) 837-7949

Engineering ♦  
(850) 837-5694

Building Inspections ♦  
(850) 654-1119  
Fax: (850) 837-7949

Public Works  
(850) 837-6869

**CONDITIONS OF APPROVAL FOR "MING RETAIL SALES", A MINOR DEVELOPMENT (SP-00-08):**

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 24, 2000 (no later than March 24, 2001) and must be completed as shown on plans approved by the Technical Review Committee (stamp dated March 24, 2000).

**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.**

**NOTE: An applicant/owner who desires to extend the twelve (12) month deadline shall submit a request to the Community Development Department, no less than sixty (60) days prior to the expiration of the twelve (12) month deadline to obtain a construction permit. The applicant /owner should review Article 2, Section 2.15.00 of the Destin Land Development Code for further explanation of the Development Order extension process.**

2. If the Applicant fully complies with the requirements of Condition Number 1 above, the concurrency status for "Ming Retail Sales" is protected (for five years) through March 24, 2005. 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. 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 a Clearing Permit**, a clearing plan must be reviewed and approved by the Community Development Department.
5. **Prior to the issuance of a Building Permit**, a cross-access/drainage easement and agreement must be executed and recorded in the official records of Okaloosa County and a copy provided to the Community Development Department.
6. **Prior to the issuance of a Building Permit**, FDEP and FDOT permits must be provided to the Community Development Department.
7. **Prior to the issuance of a Certificate of Occupancy**, an Operations and Maintenance Plan, which shall be acknowledged and signed by the owner must be submitted to the Engineering Department. The Operations and Maintenance Plan shall contain, among other things, the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, lines, and grade."
8. **Prior to the issuance of a Certificate of Occupancy**, the required landscaping must be inspected and approved by the Community Development Department.
9. Requirements identified by the Technical Review Committee:

## TECHNICAL REVIEW COMMITTEE REPORT

### "MING RETAIL SALES" A MINOR DEVELOPMENT (SP-00-08)

**TRC Report: March 24, 2000**

#### ISSUE:

**Applicant:** Tradewinds Development Corp., on behalf of Bruce A. Ming.  
**Location:** The proposed project is located at 331 U.S. Highway 98 East  
**Request:** Approval of a Minor Development identified as "Ming Retail Sales" for a 2,100 square foot retail building containing two units. The first unit has two floors, while the second units has one floor.  
**Parcel Size:** The property contains 0.50 acres +/-.  
**Future Land Use:** Commercial (C)  
**Zoning District:** Business Tourism (BT)  
**Density:** N/A  
**Intensity:** 0.10 Floor Area Ratio  
**Application Date:** January 31, 2000  
**TRC Date:** February 16, 2000  
**Approved Site Plan Date:** March 24, 2000

**DISCUSSION/FINDINGS:**

Tradewinds Development Corp., on behalf of Bruce A. Ming, is requesting approval of a Minor Development identified as "Ming Retail Sales". The proposed project consists of the construction of a 2,100 square foot retail building containing two units. The first unit has two floors, while the second units has one floor. The proposed project is located at 331 U.S. Highway 98 East and is generally described by Property Appraiser's Tax I. D. number 00-2S-22-0630-0000-0620. The property contains 0.50 acres more or less.

**COMPREHENSIVE PLAN/ZONING:**

The property has a Future Land Use Designation of Commercial (C) and a Zoning Designation of Business Tourism (BT). The proposed use is consistent with these land use regulations.

**COMPATIBILITY:**

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use</u>
North:	C	BT	Commercial
South:	MU	BT	Commercial
East:	C	BT	Commercial
West:	C	BT	Commercial

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

**DENSITY:**

Not applicable.

**HEIGHT:**

The BT Zoning District does not have a maximum building height. The proposed height of the building (two-story) is 23.5 feet +/- to the top of the roof's main ridge.

**FLOOR AREA RATIO:**

The project has a 0.10 Floor Area Ratio, which is less than the maximum of 1.07 allowed.

**RIGHT-OF-WAY DEDICATION:**

There is no right-of-way dedication involved with this project.

**CONCURRENCY MANAGEMENT:**

Concurrency requirements have been met:

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

**TRAFFIC ANALYSIS:**

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate five (2) new PM Peak Hour directional trips on Segment "A" of U. S. Highway 98. Segment "A" currently has 46 PM Peak Hour directional trips available and, with this project, there will be 44 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

**SUBDIVISION OR PUD - PLAT:**

Not applicable.

**AIRPORT PROTECTION:**

The subject site is not located within the airport protection 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 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.

**SETBACKS:**

The proposed building addition meets or exceeds all of the required setbacks for the Business Tourism (BT) Zoning District.

	<u>Required</u>	<u>Buffers Required</u>	<u>Provided</u>
Front (south):	10'	10' FP	126' including 10' FP
Back (north):	0'	5' CB	97' including 5' CB
Side (east):	0'	5' CB	5' including 5' CB
Side (west):	0'	5' CB	11' including 5' CB
Between Bldgs:	N/A	N/A	N/A

Note: 10' FP = 10' Front Perimeter Landscape Area and 5' CB = 5' Common Boundary Landscaped Area. A 5' Common Boundary Buffer is required along the northern, eastern, and western (in areas not used for cross-access) property lines, and a 10' Front Perimeter Landscape Area is required along the southern property line.

**WHITE SANDS ZONE:**

The proposed project is located within White Sand Zone II.

**SIGNS:**

No signs have been proposed with this project. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

**COX COMMUNICATIONS:**

Cox Communications approved the project at the February 16, 2000 TRC meeting.

**DESTIN FIRE CONTROL DISTRICT:**

Destin Fire Control District approved the project in a letter dated February 16, 2000.

**GULF POWER:**

Gulf Power approved the project in a letter dated February 16, 2000.

**OKALOOSA GAS:**

Okaloosa Gas approved the project at the February 16, 2000 TRC meeting.

**SPRINT:**

Sprint approved the project at the February 16, 2000 TRC meeting.

**UNIVERSALCOM:**

Universal Com approved the project in a letter dated February 14, 2000.

**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated February 18, 2000.

**UTILITIES:**

All utilities are required to be underground.

**STORMWATER:**

The City Engineer approved the stormwater plan in a letter dated March 24, 2000 with the following conditions:

1. A cross-access/drainage easement and agreement has been reviewed and approved by the City Attorney. Please review the City Attorney memo dated March 23, 2000 and adjust accordingly. It is necessary for you to provide an executed and recorded (Okaloosa County) copy prior to obtaining a building permit.
2. Provide FDEP and FDOT permits (before a building permit can be issued).
3. Submit an Operations & Maintenance Plan, which shall be acknowledged and signed by the owner prior to obtaining a certificate of occupancy. It is not required prior to obtaining a development order or a building permit. The Operations & Maintenance Plan shall contain, among other things, the following statement: "Owner shall regrade swale/retention areas as required to maintain approved design cross-sections, lines, and grade."

NOTE: These comments are from the March 24, 2000 letter of approval and may have already been addressed.

**INGRESS/EGRESS:**

Access to the property is provided by one 24-foot wide two-way drive off of U.S. Highway 98 East. Cross-access is also provided to the west and north of the subject property.

**SIDEWALKS:**

Sidewalks are currently in place for this property.

**REFUSE COLLECTION:**

Refuse collection is provided by a curbside pick-up as noted on the site plan.

**LANDSCAPE:**

The project meets or exceeds the landscape requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

**OPEN SPACE:**

<u>21,630.6</u> sq. ft. of property x 18%	=	<u>3,893.5</u> sq. ft. required
Site plan provides <u>32.55%</u>	=	<u>7,041.02</u> sq. ft. provided

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 (4 trees x 3 credits per tree):	12
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
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>12</u>
Total Reforestation Credits for Trees Required on Site:	12
Reforestation Trees (1 per every .10 of an acre: $0.50 \times 10 = 5$ ) Required on Site:	<u>5</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>0*</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 this ordinance.

Total Reforestation Trees Required on Site:	0
Front Perimeter Trees (1 per 25') Required on Site:	4
Parking Lot Trees (1 per end row and landscape island) Required on Site:	6
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
<b>TOTAL TREES REQUIRED:</b>	<u>10</u>
<b>TOTAL TREES PROVIDED:</b>	<u>15</u>

A five (5) foot Common Boundary Buffer is required along the northern, eastern, and western (in areas not used for cross-access) property lines, and a ten (10) foot Front Perimeter Landscape Area is required along the southern property line. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent 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 years of planting. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of 20 feet at maturity. If the 20 foot crown requirement is not met, additional trees shall be added and grouped together to meet the 20 foot crown. If shrubs are used in the required buffer areas, they must be a minimum of 12 inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material has been inspected and approved by the Community Development Department.**



**PARKING:**

The project meets or exceeds the parking requirements as follows:

*Per code:*

Retail: 1 space is required for every 200 square feet of gross retail floor area.

Storage: 1 space is required for every 1,000 square feet of gross storage floor area.

*Per site plan:*

Retail: 2,100 sq. ft. / 1 space per 200 sq. ft. = 11

Storage: 1,050 sq. ft. / 1 space per 1,000 sq. ft. = 1

TOTAL 12 spaces required

**TOTAL REQUIRED: 12 spaces (includes 1 handicapped parking space)**

**TOTAL PROVIDED: 12 spaces (includes 1 handicapped parking space)**

**LOADING SPACE (ZONE):**

*Per code:*

Commercial:

1 loading space is required (10 feet wide and 25 feet long with 15 foot clearance) for the first 10,000 sq. ft. of gross floor area, and one space for each additional 20,000 sq. ft.

*Per site plan:*

No loading space or zone is designated on the site plan. However, the Engineering Department has expressed that the area north of the proposed building may be used for a loading zone.

**STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:**

1. A Florida Department of Environmental Protection general notice permit (for stormwater).
2. A Florida Department of Transportation driveway connection permit is required.

**COMMENTS:**

Citizens: There have been no comments of support or opposition filed regarding this project.

Staff: Community Development - Please be advised that this project will require the following impact fees if built according to this Development Order (# 00-15):

Parks: Not applicable	=	\$0.00
Public Library: Not applicable	=	\$0.00
Police Protection: \$47.59/1,000 sq. ft.	=	\$99.94
Roads: Retail - \$2,142/1,000 sq. ft.	=	\$4,498.20
Storage - \$214/1,000 sq. ft.	=	\$224.70
<b>TOTAL:</b>	<b>=</b>	<b>\$4,822.84</b>

UNRESOLVED ISSUES:

None, other than the conditions of approval found on pages 2 and 3 of the Development Order.

R. Ashley Grana                      3/30/00  
R. Ashley Grana,                      Date  
Current Planning Manager

Bruce A. Ming                      3-30-00  
Bruce A. Ming                      Date  
Owner