



CITY of DESTIN

+200 Two Trees Road • Destin, Florida 32541



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March 15, 2006

Order No. 06-05

Final Development Order:

**“QUAIL LAKE, 2nd AMENDMENT”
A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT
(SP-05-31)**

Based upon the City's approval and issuance of this Development Order, on March 15, 2006, 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: Scott Jenkins, P.E., on behalf of Quail Lake Development, LLC., is requesting approval of a Minor Deviation to a Previously Approved Major Development identified as “Quail Lake, 2nd Amendment.”

Request: The proposed development consists of two commercial office buildings of 3,000 square feet each added to an existing 70-unit townhome project.

Location: The proposed development is located at a parcel of land in undivided Township 2 South, Range 22 West, Okaloosa County, Florida (northwest of the intersection of Airport Road and Indian Bayou Trail), and is more specifically known by the Property Appraiser’s Parcel I.D. numbers 00-2S-22-4537-0000-0720 and 00-2S-22-4537-0000-0710.

Parcel Size: The current site area is 10.06 acres, more or less.

Future Land Use: Residential, Office, and Institutional (ROI)

Zoning District: Business Retail (BR)

Density: Allowed: 12.00 dwelling units per acre
Existing: 6.96 dwelling units per acre

Intensity: Allowed: 0.50 Floor Area Ratio (FAR) per Comprehensive Plan 2010
Proposed: 0.014 FAR

Application Date: September 19, 2005

TRC Date: October 26, 2005

Approved Site Plan Date: February 22, 2006

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated February 22, 2006 are incorporated herein.

CONDITIONS OF APPROVAL FOR "QUAIL LAKE, 2nd AMENDMENT" A MINOR AMENDMENT TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-05-31):

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

Construction of infrastructure 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 March 15, 2006 (no later than March 15, 2007), 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) for construction of infrastructure and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.10.00)

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 of infrastructure. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, 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 No. 1 above, the concurrency capacity allocation status for "Quail Lake, 2nd Amendment" will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
 - A. Construction permit(s) in association with construction of infrastructure are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
 - B. Construction of infrastructure 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 Article 6 of the Destin Land Development Code.

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: Refer to pages 11 and 12 of the attached TRC Report dated February 22, 2006.

TECHNICAL REVIEW COMMITTEE REPORT

"QUAIL LAKE, 2nd AMENDMENT" A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-05-31)

TRC Report: February 22, 2006

ISSUE:

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Proposed: 0.014 FAR

Application Date: September 19, 2005

TRC Date: October 26, 2005

Approved Site Plan Date: February 22, 2006

DISCUSSION/FINDINGS:

Scott Jenkins, P.E., on behalf of Quail Lake Development, LLC., is requesting approval of a Minor Deviation to a Previously Approved Major Development identified as "Quail Lake, 2nd Amendment." The proposed development consists of two commercial office buildings of 3,000 square feet each added to an existing 70-unit townhome project. The proposed development is located at a parcel of land in undivided Township 2 South, Range 22 West, Okaloosa County, Florida (northwest of the intersection of Airport Road and Indian Bayou Trail), and is more specifically known by the Property Appraiser's Parcel I.D. numbers 00-2S-22-4537-0000-0720 and 00-2S-22-4537-0000-0710. The current site area is 10.06 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a technical 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 Residential, Office, Institutional (ROI) and a Zoning designation of Business Retail (BR). The proposed use is consistent with the Residential, Office, and Institutional (ROI) Future Land Use designation and is a permitted principal use within the Business Retail (BR) Zoning District.

LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Proximity of proposed nonresidential use to abutting low rise residential property
- Massing (Width and Depth), Height (Buildings) and Intensity (Floor Area Ratio)
- Traffic generation
- Setbacks and buffers
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

Proximity of proposed nonresidential use to abutting low rise residential property:

The proposed development consists of two commercial office buildings of 3,000 square feet each added to an existing 70-unit townhome project. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Airport (A)	Airport Industrial Park (AIP)	North: Destin-Ft. Walton Beach Airport
South	Residential Office, Institutional (ROI), Institutional (INST)	Business Tourism (BT)	South: Self-storages mini-warehouses and Multi-family dwellings
East	Institutional (INST), Commercial General (CG)	Business Tourism (BT)	East: Emergency Medical Services and a Commercial Shopping Center
West	Residential Office, Institutional (ROI)	Residential Urban Duplex (RUD)	West: Quail Lake Subdivision and Quiet Wood Townhomes

As described herein, the surrounding uses include airport, self-storage mini-warehouses, multi-family residential, commercial shopping center, single family residential, and townhouses. 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.

Massing (Width and Depth), Height (Buildings) and Intensity (Floor Area Ratio):

Massing (Width and Depth) and Height (Buildings):

The proposed development consists of two commercial office buildings of 3,000 square feet each added to an existing 70-unit townhome project. Each proposed commercial office building measures 60 feet wide by 25 feet deep. The proposed commercial office buildings are each two stories with a building height not exceeding 24 feet measured to the cornice line.

Intensity (Floor Area Ratio - FAR):

The FAR calculation methodology results in an FAR of 0.014, which is also below 0.50 and is calculated as follows:

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

$$6,000 \text{ sq. ft.} / 438,398 \text{ sq. ft.} = 0.014 \text{ FAR}$$

Traffic Generation:

Please refer to the "Traffic Analysis" section below.

Setbacks and Buffers:

The proposed development meets all of the required setbacks for the BR Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (Northeast):	10'	10' FP	10' including 10'FP
Back (West):	0'	N/A	35' to Edge of the Lake
Side (South):	0'	5' CB	110' including 5'CB and 100' Easement
Between Bldgs.:	10'	N/A	Min. of 10'
From Easement:	10'	N/A	10' to the Gulf Power Easement

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 northeast property line, and five (5) foot common boundary buffer along the southern property lines.

Mechanical equipment:

Condition: Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.

Outdoor storage and display:

No storage or display areas are depicted on the approved site plan. Therefore, the outdoor storage and display of materials, equipment, and merchandise is not permitted for this proposed development.

Solid waste collection areas:

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses and setback a minimum of five feet from any property line which abuts a non-residential or mixed use.

Condition: All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque.

Parking, loading, or accessway 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."

The site plan for "Quail Lake, 2nd Amendment" complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] 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 December 13, 2005 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:

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion Area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

WHITE SANDS ZONE:

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

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 did not attend the TRC meeting nor did they provide documentation for this project. They approve the project by default.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated October 26, 2005.

GULF POWER:

Gulf Power approved the project in a letter dated October 12, 2005.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated October 26, 2005.

SPRINT:

Sprint did not attend the TRC meeting nor did they provide documentation for this project. They approve the project by default.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated February 16, 2006, and had the following conditions:

1. All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
2. The Engineer of Record shall furnish field verified and scaled "as-built" plans including all utility infrastructures to Destin Water Users, Inc. prior to issuance of Certificate of Occupancy by the City of Destin.

STORMWATER:

The City approved the stormwater management plan on October 20, 2005, and had the following stormwater related condition:

1. **Condition:** Stormwater calculations previously submitted accounted for the entire site including the impervious area of the additional two commercial buildings.

INGRESS/EGRESS:

There are two proposed ingress/egress accessways attributed to this development. The northern most two-way accessway is approximately 24' wide and includes a deceleration lane. The main accessway is a two-way approximately 27' wide ingress/egress, which also includes a deceleration lane.

PARKING:

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

Per code:

Office: 1 space per 200 square feet of office space.

Per site plan:

Parking Required: 24 spaces

Parking Provided: 25 spaces including 2 handicap spaces

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Land Development Code.

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 5-foot wide concrete sidewalk is required along Airport Road.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 438,398 sq. ft. (10.064 acres, more or less)
Required 25% Open Space: 109,600 sq. ft.
Provided Open Space: 256,275 sq. ft (58%)

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):	5
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	5
Reforestation Trees (1 per every .10 of an acre: 10.064 x 10 = 8) Required on Site:	100
Total Reforestation Credits:	5
Total Reforestation Trees Required on Site:	95
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	95
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	52
Perimeter Trees (1 per 25') Required on Site:	57
Parking Lot Trees (1 per end row and landscape island) Required on Site:	12
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Conditional Compatibility Vegetation	14
TOTAL TREES REQUIRED:	230
TOTAL TREES PROVIDED:	234

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (south). A ten (10) foot Front Perimeter Landscape Area is required along the northeast 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 98 Corridor Office per 1,000 square feet" fee = \$24.88

$$(6,000 \text{ sq. ft.}) \times (\$24.88) = 149,280 / 1,000 = \$149.28$$

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

Total Police Protection Impact Fees to be paid for "Quail Lake, 2nd Amendment": \$149.28

Roads: The roads impact fees were calculated using the "Office under 100,000 sq. ft. per 1,000 sq. ft = \$1,421.00

$$(6,000 \text{ sq. ft.}) \times (\$1,421.00) = 8,526,000.00 / 1,000 = \$8,526.00$$

$$(\text{sq. ft. of buildings}) \times (\text{Medical-Dental}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Roads Impact Fees to be paid for "Quail Lake, 2nd Amendment": \$8,526.00

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$149.28
Roads:	=	\$8,526.00
TOTAL	=	<u>\$ 8,675.28</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (August 5, 2005). 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:	Paid
City Council Advertising:	N/A
TOTAL (as of 2/22/06) =	Paid

COMMENTS/CONDITIONS:

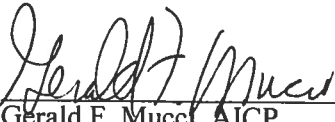
Public Input:

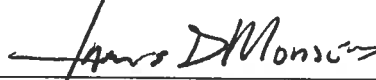
No public comments have been presented to staff at the time of this report.

Per Community Development Department:

1. **Condition:** Stormwater calculations previously submitted accounted for the entire site including the impervious area of the additional two commercial buildings.

2. **Condition:** Airport Road right-of-way acquisition as described previously must be transferred to the city prior to obtaining any C.O. for the commercial area(s).
3. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.
4. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque.
5. **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 any city 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.
6. 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.
7. **Prior to the issuance of a Certificate of Occupancy,** all applicable impact fees must be paid.
8. **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.
9. **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.

 3-15-06
 Gerald F. Mucci, AICP Date
 Community Development Director

 3/16/06
 James D. Monsees Date
 Owner