



City of Destin

April 19, 2001

Order No. 01-08

Final Development Order:

**“SOUTHSIDE PLAZA”:
A MINOR DEVELOPMENT
(SP-00-62)**

Based upon the City's approval of this Development Order, on April 18, 2001, 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: Connelly & Wicker, Inc., on behalf of Southside Investments, Inc.
Location: The proposed project is located at 101 Mountain Drive.
Request: Approval of a Minor Development identified as “Southside Plaza.” The proposed project consists of a single combination warehouse and office building and a single warehouse only building. The combined area of all structures is 8,630 square feet.
Parcel Size: The subject property contains 0.62 acres, more or less.
Future Land Use: Public Lands (PL): A Small-Scale Plan Amendment has been applied for to change the Future Land Use Map Designation to Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.32 Floor Area Ratio
Application Date: October 30, 2000
TRC Date: November 15, 2000
Approved Site Plan Date: April 18, 2001

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report dated April 18, 2001, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE "SOUTHSIDE PLAZA": A MINOR DEVELOPMENT (SP-00-62):

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

Construction must commence within twelve (12) months of approval of the Final Development Order on April 18, 2001 (no later than April 18, 2002), and must be completed as shown on plans approved by the Technical Review Committee (stamp dated April 18, 2001).

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 will become void and the application for plan approval must be re-initiated.

NOTE: An applicant/owner who desires to extend the twelve (12) month deadline must 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 "Southside Plaza" will be protected for five (5) years through April 18, 2006. **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 any City Permit**, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. **Prior to the issuance of a Clearing Permit**, a clearing plan must be submitted and approved by the Community Development Department.
6. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.
7. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
8. The applicant agrees to submit an application for a Small-Scale Plan Amendment, with the \$1,000.00 filing fee, by Friday, April 20, 2001.
9. The applicant agrees that the City will not issue a certificate of occupancy or a certificate of completion unless the City Council approves the applicant's application for a Small-Scale Plan Amendment.
10. The applicant agrees that the issuance of this Development Order, and any expenditures that the applicant makes in reliance upon this Development Order, creates no legal rights based upon the doctrine of equitable estoppel or vesting.
11. The applicant agrees that the issuance of this Development Order, and any expenditures that the applicant makes in reliance upon this Development Order, are irrelevant to the issue of whether the City Council should or should not approve the applicant's application for a Small-Scale Plan Amendment.
12. The applicant agrees that it will rely upon this Development Order at its own peril, and expressly acknowledges that it will limit the use of any structures constructed pursuant to this Development Order to such uses that are expressly identified as permitted uses in the Public Lands Zoning District, if the City Council denies the applicant's application for a Small-Scale Plan Amendment.
13. The applicant agrees that it has discussed Conditions 8 through 12 with its attorney, and that the applicant understands and accepts each of these conditions in this Development Order for the Southside Plaza project.
14. If the applicant proposes outdoor lighting in the future, an outdoor lighting plan must be submitted to the Community Development Department for review and approval.

15. If groundwater is observed standing in the stormwater structures, the stormwater management plan will be void and a revised stormwater plan must be resubmitted for review and approval.
16. Prior to obtaining a building permit, provide details and cross sections of retaining wall.

TECHNICAL REVIEW COMMITTEE REPORT

"SOUTHSIDE PLAZA": A MINOR DEVELOPMENT (SP-00-62)

TRC Report: April 18, 2001

ISSUE:

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Location: The proposed project is located at 101 Mountain Drive.
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Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.32 Floor Area Ratio
Application Date: October 30, 2000
TRC Date: November 15, 2000
Approved Site Plan Date: April 18, 2001

DISCUSSION/FINDINGS:

Connelly & Wicker, Inc., on behalf of Southside Investments, Inc., is requesting approval of a Minor Development identified as "Southside Plaza." The proposed project consists of a single combination warehouse and office building and a single warehouse only building. The combined area of all structures is 8,630 square feet. The proposed project is located at 101 Mountain Drive. The subject property contains 0.62 acres, more or less.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Map Designation of Public Lands (PL) and a Zoning Designation of Business Tourism (BT). The applicant is in the process of changing the Future Land Map Designation from Public Lands to Commercial. If the change is approved, the proposed use will be consistent with the Commercial and Business Tourism land use regulations.

COMPATIBILITY:

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use</u>
North:	Commercial/Mixed Use/ Public Lands	Business Tourism	Commercial
South:	Commercial/Public Lands	Business Tourism	Commercial/Vacant/Library
East:	Commercial	Business Tourism	Commercial
West:	Public Lands	Public Lands	Cemetery

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

The intersection of Mountain Drive and Stahlman Avenue is an area that encompasses a variety of commercial land uses within the City of Destin. The parcels surrounding this project reflect much of the same commercial land uses. The development to the north, northwest, and west of this parcel include a variety of land uses, which consists of warehouses, a veterinary/kennel, cemetery, and a retail paint store. To the south, the land uses are commercial properties that include a landscaping business and a rental center. Also south of the proposed development is the City's Library. The library will be relocating in the near future away from this primarily commercial area. East of the project is a parcel that contains a foreign car maintenance shop.

The majority of the surrounding structures are very similar to the height, bulk, intensity, and scale of the proposed structures. The impacts of the land use types, as it would apply to the land uses along Mountain Drive, Stahlman Avenue, and those developments directly adjacent to this project would be minimal. This is due to the fact that the proposed development use is very similar to the present and future intent for this area of the City of Destin.

DENSITY:

Not applicable.

HEIGHT:

The BT Zoning District does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The proposed height of the tallest building to the average of the highest roof and as seen from the north elevation is thirty-three (33) feet, more or less.

FLOOR AREA RATIO:

The project has a 0.32 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, the proposed development will generate 3 PM Peak Hour directional trips on Segment "A" of U. S. Highway 98. Segment "A" currently has 360 PM Peak Hour directional trips available. There will be 357 PM Peak Hour directional trips remaining for Segment "A." 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 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 placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

SETBACKS:

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (southern):	10'	10' FP	15' including 10' FP
Front (western):	10'	10' FP	10.94' including 10' FP
Side (eastern):	None	5' CB	5' CB
Side (northern):	None	5' CB	27.14' including 5' CB
Between Bldgs:	10'	N/A	38'

Note: 10' FP = 10' Front Perimeter Landscape Area, 5' CB = 5' Common Boundary Buffer, and 10' VB = 10' Vegetative Buffer. A 5' Common Boundary Buffer is required along the eastern and northern property lines, a 10' Front Perimeter Landscape Area is required along the southern and western property lines. There is a ten (10) foot distance separation between structures required by the Land Development Code.

WHITE SANDS ZONE:

The proposed project is located within White Sand Zone 2.

SIGNS:

No signs have been proposed and approved with this project, even though signage has been portrayed on the elevation plans. 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 November 15, 2000, TRC meeting.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated February 23, 2001.

GULF POWER:

Gulf Power approved the project in a letter dated November 14, 2000.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated November 15, 2000.

SPRINT:

Sprint approved the project in a letter dated November 13, 2000.

UNIVERSALCOM/NEWSOUTH:

UniversalCom/NewSouth approved the project in a letter dated November 15, 2000.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated February 6, 2001.

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Engineer approved with conditions the stormwater plan in a memo dated April 18, 2001.

INGRESS/EGRESS:

Access to the property is provided by one twenty-six (26) foot wide two-way drive onto Mountain Drive and a second twenty-seven (27) foot wide two-way drive onto Stahlman Avenue.

SIDEWALKS:

A section of a five (5) foot sidewalk must be installed along the property adjacent to Mountain Drive and Stahlman Avenue.

REFUSE COLLECTION:

Refuse collection is provided by an enclosed dumpster as stated on the approved 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 Requirements:

27,007 sq. ft. of property x 18% = 4,861 sq. ft. required
Site plan provides 40% = 10,691 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 (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 trees x 5 credits per tree):	<u>5</u>
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>5</u></u>

Reforestation Trees (1 per every .10 of an acre: $0.62 \times 10 = 6$) Required on Site: 6

Total Reforestation Credits ($5 - 6 = -1$ (0 remaining credits) or 1 required tree): 1

Total Reforestation Trees Required on Site: **1**

Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site: 1

Replacement Trees (removal of trees over 12" d.b.h.) Required on Site: 3

Perimeter Trees (1 per 25') Required on Site: 18

Parking Lot Trees (1 per end row and landscape island) Required on Site: 4

Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site: 0

TOTAL TREES REQUIRED: **26**

TOTAL TREES PROVIDED: **26**

A 5' Common Boundary Buffer is required along the northern and eastern property lines, a 10' Front Perimeter Landscape Area is required along the southern and western property lines. The required five (5) foot Common Boundary Buffer must have a minimum of fifty (50) 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 (3) years of planting. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. 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 has been inspected and approved by the Community Development Department.**

PARKING:

The project meets or exceeds the parking requirements as follows:

Per code:

Warehouse/storage: 1 space for every 1,000 square feet of gross floor area.

Office: 1 space for every 200 square feet of gross floor area.

Per site plan:

Warehouse/storage: 6,980 square feet / 1,000 = 7 spaces

Office: 1,650 square feet / 200 = 8 spaces

TOTAL REQUIRED: 15 spaces (includes 1 handicap parking space)

TOTAL PROVIDED: 15 spaces (includes 1 handicap parking space)

LOADING SPACE (ZONE):

Per code:

Industrial: 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.

Per site plan:

Industrial: 1 loading space is required (10 feet wide and 25 feet long with 15 foot clearance) for 7,650 sq. ft. of gross floor area.

TOTAL REQUIRED: 1 loading space

TOTAL PROVIDED: 1 loading space (The loading space is located in front of the dumpster pad as indicated on the approved site plan.)

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this site and is on file.

IMPACT FEES:

The owner/applicant must pay the following impact fees prior to the issuance of a Certificate of Occupancy:

Parks: Not applicable.

Public Library: Not applicable.

Police Protection: The police protection impact fees were calculated using the "Office per 1,000 sq. ft. = \$24.88" fee amounts under the "Non-residential -Outside Corridor" category and "Industrial per 1,000 sq. ft. = \$5.87" fee amounts under the "Non-residential -Outside Corridor" category.

(sq. ft. of building) x (Office per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

$$(1,650 \text{ sq. ft.}) \times (\$24.88) = \$41,052 / 1,000 = \underline{\$41.05}$$

(sq. ft. of building) x (Industrial per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

$$(6,980 \text{ sq. ft.}) \times (\$5.87) = \$40,972.60 / 1,000 = \underline{\$40.97}$$

Subtotal Police Impact Fees to be paid for "Southside Plaza": \$82.02

Road: The road impact fees were calculated using the "Office < 100,000 sq. ft. (per 1,000 sq. ft.) = \$822.00" and "Warehouse/Storage per 1,000 sq. ft. = \$214.00" fee amounts.

(sq. ft. of building) x (Office < 100,000 sq. ft. per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

$$(1,650 \text{ sq. ft.}) \times (\$822.00) = \$1,356,300 / 1,000 = \underline{\$1,356.30}$$

(sq. ft. of building) x (Warehouse/Storage per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

$$(6,980 \text{ sq. ft.}) \times (\$214.00) = \$1,493,720 / 1,000 = \underline{\$1,493.72}$$

Subtotal Road Impact Fees to be paid for "Russ & Cindy's Office Building": \$2,850.02

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$82.02
Roads:	=	<u>\$2,850.02</u>
TOTAL:		<u>\$2,932.04</u>

OTHER FEES:

The fees listed below are based on the most recent information available and are required to be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Expert:	Not utilized	Planning Commission Advertising:	Not applicable
City Traffic Consultant:	\$140.58 (paid)	City Council Advertising:	Not applicable
City Surveyor:	Not utilized		

COMMENTS:

Public Input:

There have been no comments of support or opposition filed with Staff regarding this project.

Per Community Development Department:

1. **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.
2. **Prior to the issuance of a Clearing Permit**, a clearing plan must be submitted and approved by the Community Development Department.
3. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.
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10. The applicant agrees that it has discussed Conditions 5 through 9 with its attorney, and that the applicant understands and accepts each of these conditions in this Development Order for the Southside Plaza project.
11. If the applicant proposes outdoor lighting in the future, an outdoor lighting plan must be submitted to the Community Development Department for review and approval.

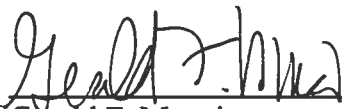
Per Engineering Department:

1. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be void and a revised stormwater plan must be resubmitted for review and approval.
2. Prior to obtaining a building permit, provide details and cross sections of retaining wall.

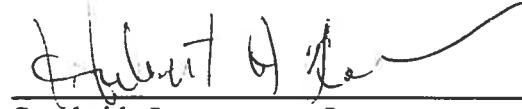
UNRESOLVED ISSUES:

The applicant is required to satisfy those specific conditions 8 through 13 as identified on page 3 of this Development Order, which are a result of the pending Future Land Use Map Designation change.

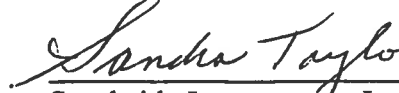
In addition to the above-mentioned issue, the conditions as listed on pages 2, 3, and 4 of this Development Order must be satisfied.

 4-19-01

 Gerald F. Mucci, Date
 Community Development Director



 Southside Investments, Inc., Date
 Owner
 H. Alan Laird,
 President

 4-19-01

 Southside Investments, Inc., Date
 Owner
 Sandra Taylor,
 Sole Officer and Director