



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

May 11, 2005

Order No. 05-24

Final Development Order:

**“WALKER TAYLOR COMMERCIAL”
A MINOR DEVELOPMENT
(SP-05-02)**

Based upon the City's approval of this Development Order, on May 11, 2005, 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: Jenkins, Stanford & Associates, Inc., on behalf of Walker Taylor, Mapacake, LLC, is requesting approval of a Minor Development identified as “Walker Taylor Commercial.”

Request: The proposed development consists of a 6,190 square foot commercial building.

Location: The proposed development is located at 36100 Emerald Coast Parkway, Lots 5-8 of Destination Subdivision, and is more specifically known as Property Appraiser's Parcel I.D. numbers 00-2S-22-0101-000A-0050, 00-2S-22-0101-000A-0060, 00-2S-22-0101-000A-0070, 00-2S-22-0101-000A-0080.

Parcel Size: The current site area is 0.52 acres, more or less.

Future Land Use: Mixed Use (MU), New Comprehensive Plan: Commercial General (CG)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 1.07 Floor Area Ratio (FAR) per Comprehensive Plan 2000
Proposed: 0.29FAR

Application Date: October 4, 2004

TRC Date: October 20, 2004

Approved Site Plan Date: May 6, 2005

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated May 6, 2005 are incorporated herein.

CONDITIONS OF APPROVAL FOR "WALKER TAYLOR COMMERCIAL" A MINOR DEVELOPMENT (SP-05-02):

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 May 11, 2005 (no later than May 11, 2006), 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 "Walker Taylor Commercial" 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: Refer to pages 12 and 13 of the attached TRC Report dated May 6, 2005.

TECHNICAL REVIEW COMMITTEE REPORT

“WALKER TAYLOR COMMERCIAL” A MINOR DEVELOPMENT (SP-05-02)

TRC Report: May 6, 2005

ISSUE:

Applicant: Jenkins, Stanford & Associates, Inc., on behalf of Walker Taylor, Mapacake, LLC, is requesting approval of a Minor Development identified as “Walker Taylor Commercial.”

Request: The proposed development consists of a 6,190 square foot commercial building.

Location: The proposed development is located at 36100 Emerald Coast Parkway, Lots 5-8 Destination Subdivision, and is more specifically known as Property Appraiser’s Parcel I.D. numbers 00-2S-22-0101-000A-0050, 00-2S-22-0101-000A-0060, 00-2S-22-0101-000A-0070, 00-2S-22-0101-000A-0080.

Parcel Size: The current site area is 0.52 acres, more or less.

Future Land Use: Mixed Use (MU), New Comprehensive Plan: Commercial General (CG)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 1.07 Floor Area Ratio (FAR) per Comprehensive Plan 2000
Proposed: 0.29 FAR

Application Date: October 4, 2004

TRC Date: October 20, 2004

Approved Site Plan Date: May 6, 2005

DISCUSSION/FINDINGS:

Jenkins, Stanford & Associates, Inc., on behalf of Walker Taylor, Mapacake, LLC, is requesting approval of a Minor Development identified as “Walker Taylor Commercial.” The proposed development consists of a 6,190 square foot commercial building. The proposed development is located at 36100 Emerald Coast Parkway, Lots 5-8 Destination Subdivision, and is more specifically known as Property Appraiser’s Parcel I.D. numbers 00-2S-22-0101-000A-0050, 00-2S-22-0101-000A-0060, 00-2S-22-0101-000A-0070, 00-2S-22-0101-000A-0080. The current site area is 0.52 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes 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 General (CG) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the Commercial General 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:

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

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

The proposed use is a 6,190 square foot commercial building. The property currently has a Future Land Use designation of Commercial General (CG) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the CG Future Land Use designation and is a permitted principal use within the BT zoning district.

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

The proposed development consists of a 6,190 square foot commercial building. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Okaloosa County	Okaloosa County	North: Okaloosa County/ Emerald Coast Parkway
South	Low Density Residential (LDR)	Business Tourism (BT)	South: Destiny East Subdivision Common Area
East	Commercial General (CG)	Business Tourism (BT)	East: Destination Subdivision
West	Commercial General (CG)	Business Tourism (BT)	West: Sunsail Plaza Subdivision/ Destination Subdivision

As described herein, the surrounding uses include commercial and residential common area. 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 0.29, 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

$$6,190 \text{ sq. ft.} / 22,215 \text{ sq. ft.} = 0.29 \text{ FAR}$$

Height:

The proposed building is two stories with an average mean roof height less than 35 feet.

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."

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.

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

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

The site plan for “Walker Taylor Commercial” 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 November 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:

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.

SETBACKS:

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

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (North):	10'	10' FP	167' including 10'FP
Back (South):	10'	10' VB	23.1' including 10'VB

Side (East):	0'	5' CB	7.5' including 5'CB
Side (West):	0'	5' CB	7.5' including 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 northern property line, and five (5) foot common boundary buffers along the eastern and western property lines. A 10-foot Vegetative Buffer is required along the southern property line.

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 October 15, 2004.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated October 20, 2004.

GULF POWER:

Gulf Power approved the project in a letter dated October 20, 2004.

OKALOOSA GAS:

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

SPRINT:

Sprint approved the project in a letter dated October 18, 2004.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated October 20, 2004.

STORMWATER:

The City approved the stormwater management plan on May 4, 2005, and had the following stormwater related conditions:

1. **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.

2. **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).
3. **Condition: All perforated pipe and exfiltration beds** shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City of Destin, the Engineer of Record shall submit an inspection report that Certifies the compliance of the perforated pipe and exfiltration beds.
4. **Condition: All roof connections to the stormwater system** shall be inspected and approved by the Engineer of Record and the City of Destin prior to Certificate of Occupancy. Prior to inspection by the City of Destin, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
5. **Prior to obtaining any City permit**, a copy of the FDEP Stormwater Documentation & NPDES approval shall be forwarded to the City Engineer's office.

INGRESS/EGRESS:

The property meets the requirements for access by providing one 24-foot driveway off the Destination Subdivision Access Easement.

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 retail space.

Per site plan:

Parking Required: 29 spaces

Parking Provided: 29 spaces including 2 handicap spaces

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Destin 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 Emerald Coast Parkway. The 5' wide concrete sidewalk shall be properly permitted through FDOT and constructed within the public right-of-way. If FDOT will not permit the sidewalk, provide documentation from FDOT and provide a Future Infrastructure payment per the Destin LDC prior to obtaining a Certificate of Occupancy.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 22,556 sq. ft. (0.52 acres, more or less)
Required 18% Open Space: 4,060 sq. ft.
Provided Open Space: 4,246 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):	0
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>0</u></u>
Reforestation Trees (1 per every .10 of an acre: .6 x .10 = 6) Required on Site:	<u>6</u>
Total Reforestation Credits:	0
Total Reforestation Trees Required on Site:	<u><u>6</u></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:	4
Parking Lot Trees (1 per end row and landscape island) Required on Site:	9
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	N/A
TOTAL TREES REQUIRED:	<u>19</u>
TOTAL TREES PROVIDED:	<u><u>23</u></u>

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (east and west). A ten (10) foot Front Perimeter Landscape Area exists along the northern property line. A 10-foot vegetative buffer is required on the southern 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 "Within 98 Corridor Retail per 1,000 square feet" fee = \$47.59

$$(6,190 \text{ sq. ft.}) \times (\$47.59) = 294,582 / 1,000 = \$294.58$$

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

Total Police Protection Impact Fees to be paid for "Walker Taylor Commercial": \$294.58

Roads: The roads impact fees were calculated using the "Retail under 100,000 square feet/per 1,000 sq. ft = \$3,702.00

$$(6,190 \text{ sq. ft.}) \times (\$3,702.00) = 22,915,380.00 / 1,000 = \$22,915.38$$

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

Total Roads Impact Fees to be paid for "Walker Taylor Commercial": \$22,915.38

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$294.58
<u>Roads:</u>	=	<u>\$22,915.38</u>
TOTAL	=	<u>\$ 23,209.96</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (May 6, 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.)	\$125.00
Re-Review Fees (Stormwater Man.)	\$125.00
Administrative Costs:	Paid
City Council Advertising:	N/A
TOTAL (as of 05/16/05) =	\$250.00

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 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.
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. **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.
4. **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).
5. **Condition: All perforated pipe and exfiltration beds** shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City of Destin, the Engineer of Record shall submit an inspection report that Certifies the compliance of the perforated pipe and exfiltration beds.
6. **Condition: All roof connections to the stormwater system** shall be inspected and approved by the Engineer of Record and the City of Destin prior to Certificate of Occupancy. Prior to inspection by the City of Destin, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
7. **Prior to obtaining any City permit**, a copy of the FDEP Stormwater Documentation & NPDES approval shall be forwarded to the City Engineer's office.
8. **Prior to obtaining any city permit**, a replat or "Unity of Title" must be submitted for review and approval by the City.
9. **Prior to obtaining a Certificate of Occupancy**, the 5' wide concrete sidewalk shall be properly permitted through FDOT and constructed within the public right-of-way. If FDOT will not permit the sidewalk, provide documentation from FDOT and provide a Future Infrastructure payment per the Destin LDC prior to obtaining a Certificate of Occupancy.

