



City of Destin

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January 29, 2001

Order No. 00-56

Final Development Order:

“WINGS RETAIL STORE # 1 ADDITION, 1ST AMENDMENT”: A MAJOR DEVELOPMENT (SP-00-45)

Based upon the City Council’s approval of this Development Order, on December 18, 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 City Council:

BACKGROUND / ISSUE:

- Applicant:** Choctaw Engineering, Inc., on behalf of 1000 Highway 98 East Corporation.
- Location:** The proposed project is generally located at 1000 Highway 98 East, more specifically known as Property Appraiser’s parcel I. D. 00-2S-22-1223-0021-001D.
- Request:** Approval of a Major Development identified as “Wings Retail Store #1 Addition, 1st Amendment.” The proposed project consists of an addition of 3,920 square feet of retail space.
- Parcel Size:** The subject property contains 1.50 acres more or less.
- Future Land Use:** Mixed Use (MU)
- Zoning District:** Business Tourism (BT)
- Density:** Not applicable
- Intensity:** Allowed: 1.07 Floor Area Ratio
Proposed: 0.21 Floor Area Ratio
- Application Date:** July 31, 2000
- TRC Date:** August 16, 2000
- Approved Site Plan Date:** October 3, 2000
- Planning Commission Date:** November 16, 2000
- City Council Date:** December 18, 2000

DETERMINATIONS:

1. A hearing was held by the Destin City Council on December 18, 2000, and the City Council approved the development by a vote of 7-0 with the conditions listed in the staff report; and
2. The Planning Commission considered the proposal on November 16, 2000, and recommended that the City Council approve the proposed project as presented by staff. The motion passed by a vote of 6-1; and

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Library
(850) 837-8572

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3. All the findings of the Technical Review Committee report dated October 3, 2000, are incorporated herein.

CONDITIONS OF APPROVAL FOR "WINGS RETAIL STORE # 1 ADDITION, 1ST AMENDMENT", A MAJOR DEVELOPMENT (SP-00-45):

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 December 18, 2000 (no later than December 18, 2001), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated October 3, 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 "Wings Retail Store # 1 Addition, 1st Amendment" is protected through December 18, 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. All conditions of approval contained in the Compatibility Analysis must be made on the site plans prior to the issuance of any City Permits.
5. 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.
6. Prior to the issuance of a Building Permit, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).
7. Prior to the issuance of a Certificate of Occupancy, all applicable impact fees must be paid.
8. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
9. Prior to obtaining a Certificate of Occupancy, the operation and maintenance plan must be acknowledged and signed by the owner.
10. If the applicant proposes outdoor lighting in the future, and if the proposed wattage of the bulbs is 250 watts or less, an outdoor lighting plan must be submitted to the Community Development Department for review and approval. If the proposed lighting plan indicates that the proposed wattage of the bulbs is greater than 250 watts, then the lighting plan will be considered a major deviation to the development order and will have to be reviewed by the Planning Commission and the City Council.

TECHNICAL REVIEW COMMITTEE REPORT

“WINGS RETAIL STORE # 1 ADDITION, 1ST AMENDMENT”: A MAJOR DEVELOPMENT (SP-00-45)

TRC Report: October 3, 2000

ISSUE:

Applicant: Choctaw Engineering, Inc., on behalf of 1000 Highway 98 East Corporation.
Location: The proposed project is generally located at 1000 Highway 98 East, more specifically known as Property Appraiser’s parcel I. D. 00-2S-22-1223-0021-001D.
Request: Approval of a Major Development identified as “Wings Retail Store #1 Addition, 1st Amendment.” The proposed project consists of an addition of 3,920 square feet of retail space.
Parcel Size: The subject property contains 1.50 acres more or less.
Future Land Use: Mixed Use (MU)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.21 Floor Area Ratio
Application Date: July 31, 2000
TRC Date: August 16, 2000
Approved Site Plan Date: October 3, 2000
Planning Commission Date: November 16, 2000
City Council Date: December 18, 2000

DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of 1000 Highway 98 East Corporation, is requesting approval of a Major Development identified as “Wings Retail Store #1 Addition, 1st Amendment.” The proposed project consists of an addition of 3,920 square feet of retail space. The proposed project is generally located at 1000 Highway 98 East, more specifically known as Property Appraiser’s parcel I. D. 00-2S-22-1223-0021-001D. The property contains 1.50 acres more or less.

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate 3 PM Peak Hour directional trips on Segment “B” of U. S. Highway 98. Segment “B” currently has 188 PM Peak Hour directional trips available. There will be 185 PM Peak Hour directional trips remaining for Segment “B.” Therefore, traffic concurrency is satisfied for this project, as confirmed by the City’s traffic consultant (See Exhibits “F” and “G”).

The City’s compatibility consultant has determined that the proposed request is compatible with the surrounding area (See Exhibits “D” & “E”).

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include Compatibility review, Concurrency Management review, and Level of Service review. This project is not located within the Community Redevelopment Area or the Destin Harbor Area Master Plan.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use designation of Mixed Use (MU) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the MU Future Land Use designation and is a permitted principal use in the BT Zoning district.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to Exhibits "D" and "E" for the complete Compatibility Analysis Report from the City's compatibility consultant, Mr. Les Solin, dated November 28, 2000, finding the proposed project compatible with the surrounding area.

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. Refer to Exhibits "D" and "E" for the complete Compatibility Analysis Report from Les Solin, dated November 28, 2000, which describes the height and finds the proposed project compatible with the surrounding area.

FLOOR AREA RATIO:

The total floor area ratio for this project is 0.21, which is below the 1.07 maximum allowed in the Mixed Use Future Land Use designation.

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

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

Please refer to the attached Exhibits "F" through "K" for approved Concurrency Evaluation Certificates.

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate 3 PM Peak Hour directional trips on Segment "B" of U. S. Highway 98. Segment "B" currently has 188 PM Peak Hour directional trips available. There will be 185 PM Peak Hour directional trips remaining for Segment "B." Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibits "F" and "G").

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 placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

SETBACKS:

The proposed building meets all of the required setbacks for the Business Tourism (BT) Zoning district. The BT Zoning district requires the following setbacks: front – 10 feet, side – 0 feet, and rear – 0 feet. However, landscape buffers are required for the proposed project, which are listed as follows:

	Required	Buffers	Provided
Front (north):	10'	10' FP	77.50' including a 10' FP
Side (south):	0'	5' CB	54.85' including a 5' CB
Side (east):	0'	5' CB	20.81' including a 5' CB
Side (west):	0'	5' CB	81.76' including a 5' CB
Between Bldgs.:	0'	N/A	N/A

Note: 10' FPLA = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. A ten (10) foot Front Perimeter Landscape Area is required along the northern property line. A five (5) foot Common Boundary Landscape Area is required along the eastern, western, and southern property lines.

WHITE SANDS ZONE:

The southern portion of the proposed project is located within White Sand Zone I. All fill material will have to comply with the White Sands Ordinance in this area.

SIGNS:

No signs have been proposed with this project. A ground sign currently exists on site. Any future signage 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 August 16, 2000, TRC meeting.

DESTIN FIRE CONTROL DISTRICT:

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

GULF POWER:

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

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated August 16, 2000.

SPRINT:

Sprint approved the project in a letter dated August 15, 2000.

UNIVERSALCOM:

Universal Com approved the project at the August 16, 2000, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated September 13, 2000.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a memorandum dated September 29, 2000, and had the following condition:

1. Prior to obtaining a Certificate of Occupancy, the operation and maintenance plan must be acknowledged and signed by the owner.

INGRESS/EGRESS:

The ingress/egress point for the development is provided by an existing twenty-four (24) foot connection off of U. S. Highway 98. The ingress/egress point does not exceed the requirements of the Destin Land Development Code.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The proposed dumpster is enclosed by a six (6) foot tall wood screen with a gate. The location of the dumpster and its screening is indicated on sheet 3 of 6 of the plans.

SIDEWALKS:

A five (5) foot wide concrete sidewalk currently exists along the southern right-of-way of U. S. Highway 98.

LANDSCAPE:

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

Open Space Requirement:

65,432 sq. ft. of property x 18 %	=	11,778 sq. ft. required
Site plan provides 38.2 %	=	<u>24,976 sq. ft. provided</u>

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" to 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>0</u>

Total Reforestation Credits for Trees Required on Site:	0
Reforestation Trees (1 per every .10 of an acre: 1.50 x 10 = 15) Required on Site:	<u>15</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>15*</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 Article 12, Section 12.04.04.C.

Total Reforestation Trees Required on Site:	15
Front Perimeter Trees (1 per 25') Required on Site:	13
Parking Lot Trees (1 per end row and landscape island) Required on Site:	13

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
	<hr/>
TOTAL TREES REQUIRED:	41**
TOTAL TREES PROVIDED:	41**

****Note:** The number of total trees required and provided includes trees that are currently planted in the existing portion of the site (e.g. frontage, parking lot, and reforestation trees).

A ten (10) foot Front Perimeter Landscape Area is required along the northern property line. A five (5) foot Common Boundary Landscape Area is required along the eastern, western, and southern property lines. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) 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 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 the parking requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

Per code:

Retail General:

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

Per site plan:

Retail General:

1 space for every 200 square feet / 14,000 square feet of gross floor area = 70 parking spaces.

TOTAL REQUIRED: 70 parking spaces (including 3 handicap spaces)

TOTAL PROVIDED: 70 parking spaces (including 3 handicap spaces)

LOADING SPACE (ZONE):

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

Per code:

Retail Commercial:

1 space for the first 10,000 sq. ft. of gross floor area, and 1 space for each additional 20,000 sq. ft.

Per site plan:

Retail Commercial:

14,000 sq. ft. / 1 space per first 10,000 sq. ft. and 1 space for each additional 20,000 sq. ft. = 2 loading spaces

TOTAL REQUIRED: 2 loading spaces

TOTAL PROVIDED: 2 loading spaces

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A Florida Department of Environmental Protection (FDEP) general notice permit (for stormwater).

IMPACT FEES:

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

Police Protection: The police protection impact fees were calculated using the “Retail per 1,000 sq. ft. = \$47.59” fee amount under the “Non-residential – U.S. 98 Corridor” category.

$$(3,920 \text{ sq. ft.}) \times (\$47.59) = 186,552.80 / 1,000 = \$186.55$$

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

Total Police Protection Impact Fees to be paid for “Wings Retail Store #1 Addition, 1st Amendment”: \$186.55

Road: The road impact fees were calculated using the “Retail < 100,000 sq. ft. (per 1,000 sq. ft.) = \$2,142.00” fees.

$$(3,920 \text{ sq. ft.}) \times (\$2,142.00) = 8,369,640 / 1,000 = \$8,396.64$$

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

Total Road Impact Fees to be paid for “Wings Retail Store #1 Addition, 1st Amendment”: **\$8,396.64**

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$186.55
<u>Roads:</u>	=	<u>\$8,396.64</u>
TOTAL:	=	<u>\$8,583.19</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:	\$1,806.25	Planning Commission Advertising:	\$51.54 (paid)
City Traffic Consultant:	\$260.00 (paid)	City Council Advertising:	\$141.75 (paid)
City Surveyor:	not used		

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 Building Permit, a construction crane registration form, which has been approved by Okaloosa County Airport Authority, must be submitted (if necessary).
3. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
4. Comment: If the applicant proposes outdoor lighting in the future, and if the proposed wattage of the bulbs is 250 watts or less, an outdoor lighting plan must be submitted to the Community Development Department for review and approval. If the proposed lighting plan indicates that the proposed wattage of the bulbs is greater than 250 watts, then the

lighting plan will be considered a major deviation to the development order and will have to be reviewed by the Planning Commission and the City Council.

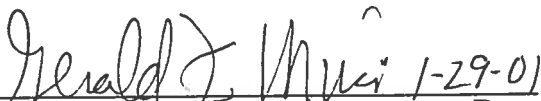
5. All conditions of approval contained in the Compatibility Analysis must be made on the site plans prior to the issuance of any City Permits.

Per Engineering Department:


1. Prior to obtaining a Certificate of Occupancy, the operation and maintenance plan must be acknowledged and signed by the owner.

CONDITIONS PRIOR TO BEING ADVERTISED FOR CITY COUNCIL:

None.



Gerald F. Mucci, Date
Community Development Director



1000 Highway 98 East Corporation, Date
Owner
Nir Tzanani,
Vice-President