



City of Destin

February 5, 2002

Order No. 02-09

2nd Amended Final Development Order:

**“WINGS RETAIL STORE # 1 ADDITION, 2nd AMENDMENT”:
A MINOR DEVIATION TO A PREVIOUSLY
APPROVED MAJOR DEVELOPMENT
(SP-01-44)**

Based upon the City approval of this Development Order, on February 5, 2002, this document will serve as your Second Amended Final Development Order, to include all of the provisions of the attached Technical Review Committee Report and with the following conditions, as specified by the Technical Review Committee:

BACKGROUND / ISSUE:

- Applicant:** 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 Minor Deviation to a previously approved Major Development identified as “Wings Retail Store #1 Addition, 2nd Amendment.” The proposed project consists of re-arranging: regular and handicap parking spaces in the front of the building, the crosswalk and sidewalk leading to U.S. Highway 98 East, the addition of a larger covered front entry-way and associated support columns, addition of a sidewalk along the rear of the new building addition, and the re-arrangement of loading spaces, parking spaces and sidewalk located to the southwest corner of the building.
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
2nd Amendment Application Date: November 13, 2001
2nd Amendment Approved Site Plan Date: February 5, 2002

DETERMINATIONS:

1. All of the findings of the 1st Amended Final Development Order No. 00-56 are incorporated herein; and
2. This 2nd Amended Development Order does not extend the overall concurrency status determined by the 1st Amended Final Development Order (No. 00-56); and
3. All the findings of the Technical Review Committee report dated October 3, 2000, and amended on February 5, 2002, are incorporated herein.

CONDITIONS OF APPROVAL FOR "WINGS RETAIL STORE # 1 ADDITION, 2nd AMENDMENT", A MAJOR DEVELOPMENT (SP-01-44):

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 February 5, 2002 (no later than February 5, 2003), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated February 5, 2002).

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, 2nd 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 stormwater management plan shall be acknowledged and signed by the owner.
10. **Condition:** entire loft area shall be less than six (6) feet in height from the floor to ceiling; should the loft area exceed six (6) feet in height, the floor areas shall be recalculated to provide the appropriate number of additional parking spaces **prior to obtaining a Certificate of Occupancy.**
11. 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, 2nd AMENDMENT”: A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-01-44)

TRC Report: October 3, 2000,
and amended on February 5, 2002

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 Minor Deviation to a previously approved Major Development identified as “Wings Retail Store #1 Addition, 2nd Amendment.” The proposed project consists of re-arranging: regular and handicap parking spaces in the front of the building, the crosswalk and sidewalk leading to U.S. Highway 98 East, the addition of a larger covered front entry-way and associated support columns, addition of a sidewalk along the rear of the new building addition, and the re-arrangement of loading spaces, parking spaces and sidewalk located to the southwest corner of the building.
- 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
- 2nd Amendment Application Date:** November 13, 2001
- 2nd Amendment Approved Site Plan Date:** February 5, 2002

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, 2nd Amendment.” The proposed project consists of re-arranging: regular and handicap parking spaces in the front of the building, the crosswalk and sidewalk leading to U.S. Highway 98 East, the addition of a larger covered front entry-way and associated support columns, addition of a sidewalk along the rear of the new building addition, and the re-arrangement of loading spaces, parking spaces and sidewalk located to the southwest corner of the building. 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.

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:

No change to this section of the previously approved development order by this amendment.

COMPATIBILITY:

No change to this section of the previously approved development order by this amendment.

DENSITY:

No change to this section of the previously approved development order by this amendment.

HEIGHT:

No change to this section of the previously approved development order by this amendment.

FLOOR AREA RATIO:

No change to this section of the previously approved development order by this amendment.

RIGHT-OF-WAY DEDICATION:

No change to this section of the previously approved development order by this amendment.

CONCURRENCY MANAGEMENT:

No change to this section of the previously approved development order by this amendment.

TRAFFIC ANALYSIS:

No change to this section of the previously approved development order by this amendment.

SUBDIVISION OR PUD - PLAT:

No change to this section of the previously approved development order by this amendment.

AIRPORT PROTECTION:

No change to this section of the previously approved development order by this amendment.

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	69.50' 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:

No change to this section of the previously approved development order by this amendment.

SIGNS:

No change to this section of the previously approved development order by this amendment.

COX COMMUNICATIONS:

No change to this section of the previously approved development order by this amendment.

DESTIN FIRE CONTROL DISTRICT:

No change to this section of the previously approved development order by this amendment.

GULF POWER:

No change to this section of the previously approved development order by this amendment.

OKALOOSA GAS:

No change to this section of the previously approved development order by this amendment.

SPRINT:

No change to this section of the previously approved development order by this amendment.

UNIVERSALCOM:

No change to this section of the previously approved development order by this amendment.

WATER/SEWER PROVIDER:

No change to this section of the previously approved development order by this amendment.

UTILITIES:

No change to this section of the previously approved development order by this amendment.

STORMWATER:

The City Engineer approved the stormwater plan in a memorandum dated February 5, 2002, and had the following conditions:

1. **Prior to obtaining a Certificate of Occupancy**, the stormwater management plan shall be acknowledged and signed by the owner.
2. **Condition:** Entire loft area shall be less than six (6) feet in height from the floor to ceiling; should the loft area exceed six (6) feet in height, the floor areas shall be recalculated to provide the appropriate number of additional parking spaces **prior to obtaining a Certificate of Occupancy**.

INGRESS/EGRESS:

No change to this section of the previously approved development order by this amendment.

REFUSE COLLECTION:

No change to this section of the previously approved development order by this amendment.

SIDEWALKS:

A five (5) foot wide concrete sidewalk currently exists along the southern right-of-way of U. S. Highway 98. The location of the sidewalk and crosswalk from U.S. Highway 98 East to the front of the building has been shifted to the east side of the driveway. Additionally, a sidewalk has been added from the exit door of the addition west to the sidewalk that connects to the loading spaces.

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 37 % = 24,314 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" 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:	14
Compatibility Analysis Trees	39
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

TOTAL TREES REQUIRED: 68**
TOTAL TREES PROVIDED: 68**

****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 (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:

No change to this section of the previously approved development order by this amendment.

LOADING SPACE (ZONE):

No change to this section of the previously approved development order by this amendment.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

No change to this section of the previously approved development order by this amendment.

IMPACT FEES:

No change to this section of the previously approved development order by this amendment.

OTHER FEES:

No change to this section of the previously approved development order by this amendment.

COMMENTS:

Public Input:

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

Per Community Development Department:

No change to this section of the previously approved development order by this amendment.


Per Engineering Department:

1. **Prior to obtaining a Certificate of Occupancy**, the stormwater management plan shall be acknowledged and signed by the owner.


2. **Condition:** Entire loft area shall be less than six (6) feet in height from the floor to ceiling; should the loft area exceed six (6) feet in height, the floor areas shall be recalculated to provide the appropriate number of additional parking spaces prior to obtaining a Certificate of Occupancy.

CONDITIONS PRIOR TO BEING ADVERTISED FOR CITY COUNCIL:

No change to this section of the previously approved development order by this amendment.



Gerald F. Mucci, Date
Community Development Director



1000 Highway 98 East Corporation, Date
Owner
Nir Tzanami, Eliezer Tabib
~~Vice President~~ President