



City of Destin

February 11, 2004

Order No. 04-09

Final Development Order:

**“BENNING DRIVE OFFICE WAREHOUSE COMPLEX”:
A MINOR DEVELOPMENT
(SP-03-12)**

Based upon the City's approval of this Development Order, on February 11, 2004, 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: Mike Buckingham, President, Emerald Coast Development Group
Location: The proposed project will be located southeast of the intersection of Benning Drive and Azalea Drive. The Tax Parcel Identification number for the property is No 00-2S-22-0310-000H-H080.
Request: Approval of a Minor Development identified as “Benning Drive Office Warehouse Complex.” The proposed project consists of a 6,750 square foot office warehouse complex with six units.
Parcel Size: 0.62-acres (26,926 square feet)
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Maximum Floor Area Ratio (FAR) allowed: 1.07
Proposed FAR: 0.25
Application Date: May 5, 2003
TRC Date: May 21, 2003
TRC Approval Date: February 11, 2004

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report February 11, 2004, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE “BENNING DRIVE OFFICE WAREHOUSE COMPLEX”: A MINOR DEVELOPMENT (SP-03-12):

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 of the Final Development Order on February 11, 2004 (no later than February 11, 2005), and must be completed as shown on plans approved by the Technical Review Committee (February 11, 2004).

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 commenced 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 Number 1 above, the concurrency capacity allocation status for "Benning Drive Office Warehouse Complex" will be protected. The protected concurrency status, however, will be lost if:
 - A. Building permit(s) are not obtained in accordance with Article 6, Section 6.01.00 of the Land Development Code to maintain concurrency capacity allocation.
 - B. Construction activity ceases for a period exceeding one (1) year after a building permit for construction of the infrastructure or construction of the entire project has been issued, the development order will be considered null and void and capacity assigned to the development will be returned to the pool of available capacity.
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 Certificate of Occupancy/Completion**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.

6. **Prior to the issuance of a Certificate of Occupancy/Completion, 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 area as required to maintain approved design cross-section(s), line(s), and grade(s). Provide schedule of maintenance and provide for annual city inspections and 30-day schedule for correcting deficiencies after notification by the City Engineer.**

TECHNICAL REVIEW COMMITTEE REPORT

**“BENNING DRIVE OFFICE WAREHOUSE COMPLEX”
A MINOR DEVELOPMENT
(SP-03-12)**

TRC Report: February 11, 2004

ISSUE:

Applicant: Mike Buckingham, President, Emerald Coast Development Group
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DISCUSSION/FINDINGS:

Mike Buckingham, President of Emerald Coast Development Group, is requesting approval of a Minor Development identified as “Benning Drive Office Warehouse Complex.” The proposed project consists of a 6,750 square foot office warehouse complex with six units. The proposed project will be located southeast of the intersection of Benning Drive and Azalea Drive. The Tax Parcel Identification number for the property is No 00-2S-22-0310-000H-H080.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Commercial (C) and a Zoning Designation of Business Tourism (BT). The proposed use is consistent with these land use regulations.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review. This compatibility review is incorporated into the report language below.

A) Permitted uses, structures and activities allowed within the land use category;

The proposed construction is a permitted use in both the Commercial (C) Future Land Use Category and the Business Tourism (BT) Zoning District.

B) Building location, dimensions, height, and floor area ratio;

The proposed office warehouse development contains one 6,750 square foot building accommodating six units. The building height is 22 feet above finished grade, which is significantly below maximum adopted building height, and a floor area of 6,750 square feet. The floor area ratio (FAR) of the proposed development (6,750 square feet of floor area ÷ 26,926 square feet of land area = 0.25 FAR) is below the maximum floor area ratio of 1.07 permitted on property designated Commercial (C) on the FLUM.

C) Location and extent of parking, access drives, and service areas;

According to the regulations in the City of Destin's Land Development Code, 11 parking spaces are required for this project. Eleven (11) parking spaces have been provided, including one handicapped space.

The property meets the requirements for access by providing one 24-foot two-way driveway off Benning Drive.

D) Traffic generation, hours of operation, noise levels, and outdoor lighting;

According to the traffic review conducted by the City's Transportation Manager, and approved on October 16, 2003, the proposed development will generate 1 PM Peak Hour directional trips on Segment "A" of US Highway 98. Currently Segment "A" has 482 PM Peak Hour directional trips available. There will be 481 PM Peak Hour directional trips remaining for Segment "A." Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

The proposed lighting consists of surface mount 60-watt exterior light fixtures. It has been determined that these are compatible with surrounding land uses. If it is determined that additional lighting is necessary, a photometrics plan must be submitted and approved by the City prior to the installation of additional lighting.

E) Alteration of light and air;

This development will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The proposed building on this lot meets all of the required setbacks for the BT Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front:	10'	10' FP	14' including the 10' FP
Back:	0'	10' VB	10.5' including the 10' VB
Side (north):	0'	5' CB	10' including the 5' CB
Side (south):	0'	5' CB	157' including the 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

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 western property line, a five (5) foot common boundary buffers along the southern property line, and ten (10) foot vegetative buffers along the northern and eastern property lines.

DENSITY:

Not applicable.

HEIGHT:

The BT Zoning District does not have a maximum building height. Building height in this district is determined by compatibility and whether the proposed structures are three stories or more, which require increased setbacks. None of the proposed structures on more than three stories and the maximum height proposed is 18 feet.

FLOOR AREA RATIO:

The Floor Area Ratio (FAR) for the proposed project is 0.25. The Future Land Use Designation for this property is Commercial (C), which has an allowable FAR of 1.07. Therefore, the proposed development meets the FAR requirements.

RIGHT-OF-WAY DEDICATION:

Not applicable.

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 October 16, 2003, the proposed development will generate 1 PM Peak Hour directional trips on Segment "A" of US Highway 98. Currently Segment "A" has 482 PM Peak Hour directional trips available. There will be 481 PM Peak Hour directional trips remaining for Segment "A." Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

SUBDIVISION OR PUD - PLAT:

No applicable.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area.

WHITE SANDS ZONE:

The proposed project is located outside of both White Sand Zones.

SIGNS:

No 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.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated May 20, 2003.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated May 21, 2003.

GULF POWER:

Gulf Power approved the project in a letter dated May 12, 2003.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated May 21, 2003.

SPRINT:

Sprint approved the project in a letter dated May 12, 2003.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated May 19, 2003

UTILITIES:

Underground utilities/service (existing and proposed) are required.

STORMWATER:

The City Engineer approved the stormwater plan on February 11, 2004.

INGRESS/EGRESS:

The property meets the requirements for access by providing one 24-foot two-way driveway off Benning Drive.

SIDEWALKS:

There is an existing sidewalk on the west side of the property adjacent to Benning Drive. No new sidewalks are proposed.

REFUSE COLLECTION:

An 8' x 10' screened and gated dumpster enclosure is proposed on the north side of the property.

OPEN SPACE/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:

Required 18% Open Space: 4,847 sq. ft.
Provided 39% Open Space: 10,601 sq.ft.

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 (0 trees x 5 credits per tree):	<u>0</u>
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>0</u></u>
 Reforestation Trees (1 per every .10 of an acre: .62 x .10 = 7) Required on Site:	 <u>7</u>
 Total Reforestation Credits:	 <u>0</u>
Total Reforestation Trees Required on Site:	<u><u>7</u></u>
 Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	 7
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
Perimeter Trees (1 per 25') Required on Site:	12
Parking Lot Trees (1 per end row and landscape island) Required on Site:	2
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	N/A
TOTAL TREES REQUIRED:	<u><u>21</u></u>
TOTAL TREES PROVIDED:	<u><u>21</u></u>

A 10' Front Perimeter Landscape Area is required along the western property line, a 5' Common Boundary Buffer is required along the northern and southern property lines, and a 10' Vegetative Buffer is required along the eastern property line. 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. The 10' Vegetative Buffer must meet the criteria of maintaining an opaque screen of vegetation or use of a wall or fence of at least six feet in height. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material has been inspected and approved by the Community Development Department.**

PHASING:

Not applicable.

PARKING:

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

Per code:

Offices: 1 space per every 200 sq. ft. of gross floor area
Warehouse/Storage: 1 space per every 1,000 sq. ft. of gross floor area

Per site plan:

1,000 square feet of building area for Office / 200 = 5 spaces
5,750 square feet of building area for Warehouse/Storage/1000 = 6 spaces

TOTAL REQUIRED: 11 parking spaces
TOTAL PROVIDED: 11 parking spaces (including 1 handicap space)

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 are as follows:

TOTAL REQUIRED: 1 loading space
TOTAL PROVIDED: 1 loading space

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 U.S. Corridor 98 Office per 1,000 square feet" fee = \$24.88

$$(6,750 \text{ sq. ft.}) \times (\$24.88) = 167,940 / 1,000 = \$167.94$$

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

Total Police Protection Impact Fees to be paid for "Benning Drive Office Warehouse Complex":
\$167.94

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

$$(6,750 \text{ sq. ft.}) \times (\$1,421.00) = 9,591,750 / 1,000 = \$9,591.75$$

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

Total Roads Impact Fees to be paid for "Benning Drive Office Warehouse Complex": **\$9,591.75**

Parks: (not applicable) = \$0.00
Public Library: (not applicable)= \$0.00

Police Protection:	=	\$167.94
Roads:	=	\$9,591.75
TOTAL:	=	<u>\$9,759.69</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (January 5, 2004). 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
Re-Review Fees (Community Dev.)	Applied to application overcharge
Re-Review Fees (Engineering Dept.)	Applied to application overcharge
Administrative Costs:	Paid
City Council Advertising:	<u>N/A</u>
TOTAL (as of 1/5/04) =	\$0.00

COMMENTS/CONDITIONS:

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 Certificate of Completion**, if applicable, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.

Per Engineering Department:

1. **Prior to the issuance of a Certificate of Occupancy/Completion**, 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 area as required to maintain approved design cross-section(s), line(s), and grade(s). Provide schedule of maintenance and provide for annual city inspections and 30-day schedule for correcting deficiencies after notification by the City Engineer.

