



City of Destin

October 10, 2002

Order No. 02-52

Final Development Order:

**“CHOPPER ONE:”
A MINOR DEVELOPMENT
(SP-02-37)**

Based upon the City's approval of this Final Development Order, on October 10, 2002, this document will serve as the Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

BACKGROUND / ISSUE:

Applicant: Michael A. Buckingham
Location: The proposed project will be located on the north side of U.S. Highway 98 between Stahlman Avenue and Palmetto Street. The Tax Parcel Identification number for this property is No. 00-2S-22-0310-000B-1050.
Request: Approval of a Minor Development identified as “Chopper One.” The proposed project consists of a one-story, 5,967 square-foot motorcycle retail sales store.
Parcel Size: 0.46/20,250 square feet
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not Applicable
Intensity: Required Floor Area Ratio (FAR): 1.07
Provided FAR: 0.297
Application Date: August 5, 2002
TRC Date: August 21, 2002
Approved Site Plan Date: October 10, 2002

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report October 10, 2002, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE “CHOPPER ONE”: A MINOR DEVELOPMENT (SP-02-37):

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 October 10, 2002 (no later than October 10, 2003), and must be completed as shown on plans approved by the Technical Review Committee (stamp dated October 10, 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 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 "Chopper One" will be protected for five (5) years through October 10, 2007. 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 Building Permit**, a copy of the FDEP stormwater and FDOT connection approvals shall be forwarded to the City Engineer's office.
6. If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be void and the revised stormwater plan shall be re-submitted for review and approval.
7. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval.
8. **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.
9. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.

TECHNICAL REVIEW COMMITTEE REPORT

"CHOPPER ONE:" A MINOR DEVELOPMENT (SP-02-37)

TRC Report: October 10, 2002

ISSUE:

Applicant: Michael A. Buckingham
Location: The proposed project will be located on the north side of U.S. Highway 98 between Stahlman Avenue and Palmetto Street. The Tax Parcel Identification number for this property is No. 00-2S-22-0310-000B-1050.
Request: Approval of a Minor Development identified as "Chopper One." The proposed project consists of a one-story, 5,967 square-foot motorcycle retail sales store.
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Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not Applicable
Intensity: Required Floor Area Ratio (FAR): 1.07
Provided FAR: 0.297
Application Date: August 5, 2002
TRC Date: August 21, 2002
Approved Site Plan Date: October 10, 2002

DISCUSSION/FINDINGS:

Mike Buckingham is requesting approval of a Minor Development identified as "Chopper One." The proposed project consists of one-story, 5,967 square foot motorcycle retail sales business. The proposed project will be located on the north side of US Highway 98, between Stahlman Avenue and Palmetto Street. The subject parcel contains 0.46 acres/20,250 square feet, more or less.

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. Refer to the attached "Compatibility Analysis: Chopper One (SP-02-37)" for the complete analysis, dated August 21, 2002, which finds the proposed project compatible with the surrounding area, provided the applicant complies with the recommendations/conditions as provided in the Compatibility Analysis. The following is a brief overview of the analysis.

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

The proposed construction is a commercial land use, which is a permitted principal use in both the Commercial (C) Land Use Category and the Business Tourism (BT) Zoning District. The building meets adopted building setback criteria, minimum lots, height, and floor area requirements of the Land Development Code.

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

The proposed building is located on the north side of US Highway 98 between Stahlman Avenue and Palmetto Street. The building is approximately 45.9 feet wide and 130 feet long and 22 feet high. The Floor Area Ratio (FAR) proposed for this project is 0.297. The Future Land Use Designation for this area is Commercial, which has an allowable FAR of 1.07. Therefore, the proposed project would be in compliance.

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

According to the regulations in the City of Destin's Land Development Code, 10 parking spaces are required for this development. 10 parking spaces have been provided, including one (1) handicapped parking space.

The property meets the requirements for access by providing one 25-foot two-way driveway off US Highway 98.

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

According to the traffic review conducted by the City's traffic consultant, the proposed development will generate 7 PM Peak Hour directional trips on Segment "A" of US Highway 98. Currently Segment "A" has 414 PM Peak Hour directional trips available. There will be 407 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.

No adverse impacts related to noise or hours of operation have been identified. Lighting plans have not been submitted. The applicant has been notified that lighting plans must be approved by the City prior to the issuance of a Certificate of Occupancy.

E) Alteration of light and air;

The height of the proposed development (measured from the mean of the roofline) is only 22 feet, and there are adequate setbacks between properties. Therefore, this development will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The BT Zoning district requires the following setbacks: front - 10 feet, side - 0 feet, and rear - 0 feet. The proposed building will be 30 feet from the front property line (south) facing US Highway 98, 30 feet from the side property line (east) facing a parking lot, 5.10 feet from the side property line (west) facing a vacant parcel, and 90.48 feet from the rear property line (north.) All measurements are taken from the closest point of the proposed building to the nearest property line. The proposed building meets all of the required setbacks for the Business Tourism (BT) zoning district.

The overall site plan meets the open space requirement (18% required / 24% provided). The following buffers are required: the standard ten (10) foot front perimeter landscape buffer along the southern property line, and the standard five (5) foot common boundary landscape buffer on the western, eastern, and northern property lines.

Tree replacement, parking island, and reforestation requirements have been satisfied.

DENSITY:

Not applicable.

HEIGHT:

The proposed addition is 22 feet high, which is within the height requirement in the BT Zoning District.

FLOOR AREA RATIO:

The Floor Area Ratio (FAR) for the proposed project is 0.297. The Future Land Use Designation for this property is Commercial, which has an allowable FAR of 1.07. Therefore, the proposed development meets FAR requirements.

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 7 PM Peak Hour directional trips on Segment "A" of US Highway 98. Currently Segment "A" has 414 PM Peak Hour directional trips available. There will be 407 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:

As a result of the property in question being subdivided from an existing lot, a plat of the new lot was required.

AIRPORT PROTECTION:

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

SETBACKS:

The BT Zoning district requires the following setbacks: front - 10 feet, side - 0 feet, and rear - 0 feet. The proposed building will be 30 feet from the front property line (south) facing US Highway 98, 30 feet from the side property line (east) facing a parking lot, 5.10 feet from the side property line (west) facing a vacant parcel, and 90.48 feet from the rear property line (north.) All measurements are taken from the closest point of the proposed building to the nearest property line. The proposed building meets all of the required setbacks for the Business Tourism (BT) zoning district.

WHITE SANDS ZONE:

The proposed project is located in White Sands Zone II. All materials for construction purposes brought on

site shall be in compliance with Ordinance No. 029.2.

SIGNS:

No signs have been proposed and approved with this project. 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.

NEW SOUTH COMMUNICATIONS:

Not applicable.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated August 19, 2002.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated August 21, 2002.

GULF POWER:

Gulf Power approved the project in a letter dated August 21, 2002.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated August 21, 2002.

SPRINT:

Sprint approved the project in a letter August 15, 2002.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated August 21, 2002.

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Engineer approved with conditions the stormwater plan in a letter dated September 18, 2002.

INGRESS/EGRESS:

The property meets the requirements for access by providing one 25-foot two-way driveway off US Highway 98.

SIDEWALKS:

There is an existing concrete walk on the south side of the property along US Highway 98.

REFUSE COLLECTION:

A roll out plastic dumpster will be used for refuse collection. It will be located within the building.

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:

<u>20,250</u> sq. ft. of property x 18%	=	<u>3,645</u> sq. ft. required
Site plan provides <u>24%</u>	=	<u>4,853</u> 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 (0 trees x 5 credits per tree):	<u>0</u>
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u>0</u>
 Reforestation Trees (1 per every .10 of an acre: .47 x .10 = 4.7) Required on Site:	<u>5</u>
 Total Reforestation Credits:	<u>0</u>
Total Reforestation Trees Required on Site:	<u>5</u>
 Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	5
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:	4
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
TOTAL TREES REQUIRED:	<u>14</u>
TOTAL TREES PROVIDED:	<u>14</u>

A 5' Common Boundary Buffer is required along the western, eastern, and northern property lines, and a 10' Front Perimeter Landscape Area is required along the southern property line. The required five (5) foot Common Boundary Buffer shall provide 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.**

PHASING:

The applicant has proposed to construct the project in a single phase. Therefore, the construction plans do not contain a phasing plan.

PARKING:

The project meets or exceeds the parking requirements as follows:

Per code:

Auto Sales: 1 space for every 400 square feet of gross floor area.

Warehouse/Storage: 1 space for every 1000 square feet of storage area.

Per site plan:

Auto Sales: 2,983.5 square feet / 400 = 7 spaces

Warehouse/Storage: 2,983.5 square feet/1000= 3 paces

TOTAL REQUIRED: 10 spaces

TOTAL PROVIDED: 10 spaces (includes 1 handicapped parking space)

LOADING SPACE (ZONE):

Per code:

Retail business and services: 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 or part thereof.

Per site plan:

Retail business and services: 1 loading space is shown (10 feet wide and 25 feet long with 15 foot clearance)

TOTAL REQUIRED: 1 loading space

TOTAL PROVIDED: 1 loading space

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater).
2. A Florida Department of Transportation permit (for connection approvals).

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 square feet" fee = \$47.59 under the "Non-residential –U.S. 98 Corridor" category.

$$(5.967 \text{ sq. ft.}) \times (\$47.59) = 283.969.53 / 1,000 = \$283.97$$

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

Total Police Protection Impact Fees to be paid for "Chopper One": \$283.97

Roads: The roads impact fees were calculated using the "Retail under 100,000 square feet = \$2,142.00 category.

(5,967 sq. ft.) x (\$2,142.00) = 12,781,314 / 1,000 = \$12,781.31

(sq. ft. of proposed buildings) x (retail under 100,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Total Roads Impact Fees to be paid for "Chopper One": \$12,781.31

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$283.97
Roads:	=	\$12,781.31
TOTAL: =		<u>\$13,065.28</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 Traffic Consultant:	\$281.16 - \$500.00 escrow =	\$218.84
City Compatibility Consultant:	\$468.75 - \$218.84 escrow =	\$249.91
City Surveyor:		TBD
Administrative Costs:		Paid
Planning Commission Advertising:		Not applicable.
City Council Advertising:		Not applicable
TOTAL (without Surveyor Cost):		\$249.91

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 installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval.

