



CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

September 15, 2005

Order No. 05-37

Final Development Order:

**“CLARY OFFICE BUILDING”
A MINOR DEVELOPMENT
(SP-05-21)**

Based upon the City's approval and issuance of this Development Order, on September 15, 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: Richard Noakes, P.E., on behalf of Charlie Clary, is requesting approval of a Minor Development identified as “Clary Office Building.”

Request: The proposed development entails a 3,000 square foot building, consisting of 2,250 square feet of office use and 750 square feet of warehouse use.

Location: The proposed development is located at, Commercial Parcel “B” of Emerald Heights Subdivision, Okaloosa County, Florida, and is more specifically known as 90 Trista Terrace Court, Property Appraiser’s Parcel I.D. number 00-2S-22-0975-0000-00B0.

Parcel Size: The current site area is 0.33 acres, more or less.

Future Land Use: Residential, Office, and Institutional (ROI)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 0.50 Floor Area Ratio (FAR) per Comprehensive Plan 2010
Proposed: 0.21 FAR

Application Date: May 31, 2005

TRC Date: June 15, 2005

Approved Site Plan Date: August 31, 2005

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated August 31, 2005, are incorporated herein.

CONDITIONS OF APPROVAL FOR "CLARY OFFICE BUILDING" A MINOR DEVELOPMENT (SP-05-21):

1. Pursuant to the City of Destin Land Development Code:

Construction of infrastructure 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 September 15, 2005 (no later than September 15, 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) for construction of infrastructure and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.10.00)

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 of infrastructure. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, 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 No. 1 above, the concurrency capacity allocation status for "Clary Office Building" will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
 - A. Construction permit(s) in association with construction of infrastructure are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
 - B. Construction of infrastructure 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 Article 6 of the Destin Land Development Code.

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 August 31, 2005.

TECHNICAL REVIEW COMMITTEE REPORT

“CLARY OFFICE BUILDING” A MINOR DEVELOPMENT (SP-05-21)

TRC Report: August 31, 2005

ISSUE:

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Parcel Size: The current site area is 0.33 acres, more or less.

Future Land Use: Residential, Office, Institutional (ROI)

Zoning District: Business Tourism (BT)

Density: N/A

Intensity: Allowed: 0.50 Floor Area Ratio (FAR) per Comprehensive Plan 2010
Proposed: 0.21 FAR

Application Date: May 31, 2005

TRC Date: June 15, 2005

Approved Site Plan Date: August 31, 2005

DISCUSSION/FINDINGS:

Richard Noakes, P.E., on behalf of Charlie Clary, is requesting approval of a Minor Development identified as “Clary Office Building.” The proposed development entails a 3,000 square foot building, consisting of 2,250 square feet of office use and 750 square feet of warehouse use. The proposed development is located at, Commercial Parcel “B” of Emerald Heights Subdivision, Okaloosa County, Florida, and is more specifically known as 90 Trista Terrace Court, Property Appraiser’s Parcel I.D. number 00-2S-22-0975-0000-00B0. The current site area is 0.33 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 Residential, Office, Institutional (ROI) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with

the Residential, Office, and Institutional (ROI) Future Land Use designation and is a permitted principal use within the Business Tourism (BT) Zoning District.

LAND USE TRANSITION:

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 development entails a 3,000 square foot building, consisting of 2,250 square feet of office use and 750 square feet of warehouse use. The property currently has a Future Land Use designation of Residential, Office, Institutional (ROI) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the ROI 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 entails a 3,000 square foot building, consisting of 2,250 square feet of office use and 750 square feet of warehouse use. The following is a description of the surrounding area:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	Okaloosa County (MU-1)	Okaloosa County (BT)	North: Restaurant
South	Residential Office, Institutional (ROI)	Business Tourism (BT)	South: Emerald Heights Subdivision
East	Residential Office, Institutional (ROI)	Business Tourism (BT)	East: Retail
West	Residential Office, Institutional (ROI)	Business Tourism (BT)	West: Vacant

As described herein, the surrounding uses include retail, restaurant, vacant land and single-family residential. 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 0.21, which is also below 0.50 and is calculated as follows:

Total square feet of existing and proposed buildings / square feet of subject parcel = FAR

$$3,000 \text{ sq. ft.} / 14,514 \text{ sq. ft.} = 0.21 \text{ FAR}$$

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 “Clary Office Building” complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 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 1-2.1.7] 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 September 1, 2005, 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 BT Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (North):	10'	10' FP	12' including 10' FP
Side (South):	10'	10' VB	93' including 10' VB
Side (East):	N/A	5' CB	12' including 5' CB
Front (West):	10'	10' FP	25' including 10' FP
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 and western property line, ten (10) foot vegetative buffer along the southern property line, and five (5) foot common boundary buffer along the eastern 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 June 1, 2005.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project at the Technical Review Committee held on June 15, 2005.

GULF POWER:

Gulf Power approved the project in a letter dated June 1, 2005.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated June 15, 2005.

SPRINT:

Sprint approved the project in a letter dated June 14, 2005.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated August 23, 2005, and had the following related conditions:

1. All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
2. Field verified "as-built" plans including all utility infrastructures must be furnished to Destin Water Users, Inc. prior to issuance of Certificate of Occupation.
3. Please revise the plans to indicate that Destin Water Users, Inc. will furnish the meter. The RPZ backflow preventer is the responsibility of the owner/contractor.

STORMWATER:

The City approved the stormwater management plan on August 30, 2005, and had the following stormwater related conditions:

1. **Condition:** Prior to obtaining a Certificate of Occupancy, the *Stormwater Maintenance Plan* shall be acknowledged and signed by the Owner. A sample plan is attached for reference.
2. **Condition:** Prior to obtaining any City permit, a copy of the FDEP stormwater approval shall be forwarded to the City Engineer's office.
3. **Condition:** Prior to obtaining any City permit, provide a NPDES Stormwater Construction Generic Permit (CGP) approval.
4. **Condition:** Prior to obtaining any City permit, an original signed and sealed stormwater Concurrency Certificate shall be forwarded to the City Engineer's office.

INGRESS/EGRESS:

The property meets the requirements for access by utilizing a 12-foot drive from Trista Terrace Court.

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 office space.

Warehouse: 1 space for every 1,000 square feet of gross floor area for the first 20,000 square feet devoted to warehousing.

Per site plan:

Parking Required: 12 spaces including 1 handicap space

Parking Provided: 12 spaces including 1 handicap space

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 curbside pickup.

SIDEWALKS:

A 5-foot wide concrete sidewalk is required along Trista Terrace Court and Emerald Coast Parkway.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 14,514 sq. ft. (0.33 acres, more or less)
Required 25% Open Space: 3,628 sq. ft.
Provided Open Space: 6,759 sq. ft (46.6%)

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 (0 trees 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) Required on Site:	<u>4</u>
Total Reforestation Credits:	<u>0</u>
Total Reforestation Trees Required on Site:	<u><u>4</u></u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>4</u>
Total Reforestation Trees Provided on Site:	4
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	N/A
Replacement Trees Provided on Site:	N/A
Front Perimeter Trees (1 per 25') Required on Site:	<u>9</u>
Front Perimeter Trees (1 per 25') Provided on Site:	9
Parking Lot Trees (1 per end row and landscape island) Required on Site:	<u>4</u>
Parking Lot Trees (1 per end row and landscape island) Provided on Site:	4
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	<u>4</u>
Vegetative Buffer Trees, if applicable, (1 per 25') Provided on Site:	20
TOTAL TREES REQUIRED:	<u><u>17</u></u>
TOTAL TREES PROVIDED:	<u><u>33</u></u>

A five (5) foot Common Boundary Landscape Area is required along those property lines that directly abut an adjacent parcel (east). A ten (10) foot Front Perimeter Landscape Area is required along the northern and western property lines. A ten (10) foot Vegetative Buffer is required along those property lines that directly abut a residential parcel (south). 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 “U.S. 98 Corridor Office per 1,000 square feet” fee = \$24.56

$$(3,000 \text{ sq. ft.}) \times (\$24.56) = 73,680.00 / 1,000 = \$73.68$$

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

Total Police Protection Impact Fees to be paid for “Clary Office Building”: \$73.68

Roads: The roads impact fees were calculated using the “Office under 100,000 sq. ft. per 1,000 sq. ft” fee = \$1,421.00 and “Warehouse/storage/mini-warehouse per 1,000 sq. ft.” fee = \$369.00

$$\text{Office Component: } (2,250 \text{ sq. ft.}) \times (\$1,421.00) = 3,197,250.00 / 1,000 = \$3,197.25$$

$$\text{Warehouse Component: } (750 \text{ sq. ft.}) \times (\$369.00) = 276,750.00 / 1,000 = \$276.75$$

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

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

$$(\text{Office Component of Impact Fee}) + (\text{Warehouse Component of Impact Fee}) = \text{Total Roads Impact Fee}$$

Total Roads Impact Fees to be paid for “Clary Office Building”: \$3,474.00

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$73.68
Roads:	=	\$3,474.00
TOTAL	=	<u>\$3,547.68</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (September 15, 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:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Stormwater Man.)	Paid
Administrative Costs:	N/A
City Council Advertising:	N/A
TOTAL (as of 09/15/05) =	N/A

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:** Prior to obtaining a Certificate of Occupancy, the *Stormwater Maintenance Plan* shall be acknowledged and signed by the Owner. A sample plan is attached for reference.
4. **Condition:** Prior to obtaining any City permit, a copy of the FDEP stormwater approval shall be forwarded to the City Engineer's office.
5. **Condition:** Prior to obtaining any City permit, provide a NPDES Stormwater Construction Generic Permit (CGP) approval.
6. **Condition:** Prior to obtaining any City permit, an original signed and sealed stormwater Concurrence Certificate shall be forwarded to the City Engineer's office.

