

The City of Destin



4200 Two Trees Road Destin, Florida 32541 (904) 837-4242 FAX (904) 837-3267

January 9, 1998

ORDER # 98-3

(SP-98-03)

Final Development Order:

CRYSTAL BEACH PLAZA SHOPPING CENTER: A MAJOR DEVELOPMENT

Based upon the City Council's approval of Crystal Beach Plaza Shopping Center at its meeting on January 5, 1998, this document will serve as your Final Development Order to include all the provisions of the attached Technical Review Committee Report and with the following conditions:

BACKGROUND

Applicant: Selig Enterprises, Inc., Owner, Stephen Selig, President, William Dawkins, Secretary, Choctaw Engineering, Inc. Agent.

Property Location: 34906 Emerald Coast Parkway, between Vanguard Bank and Edwin Watts Golf Shop

Request: Approval of a Major Development consisting of a one-story shopping center containing 75,577 s.f. of commercial retail space.

Parcel Size: 12.6 acres

Land Use Designation: LIU (Low Intensity Urban)

Zoning District: BR (Business Retail)

Density: N/A

Intensity: FAR = .14 (total site)

Application Date: November 13, 1997

Council Approval: January 5, 1998

Determinations:

1. A hearing was held by the Destin City Council on January 5, 1998.
2. All the findings of the Technical Review Committee report are incorporated herein.

Conditions of Approval for Crystal Beach Plaza Shopping Center, a Major Development:

Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Development must commence within twelve months of City Council approval on January 5, 1998 (no later than January 4, 1999) or this approved Development

Order will expire and the project will have to be resubmitted for review.

2. The concurrency status of Crystal Beach Plaza Shopping Center is identified in the attached Technical Review Committee Report dated November 25, 1997, and identified as Exhibit 1 hereto.
3. The concurrency status of Crystal Beach Plaza Shopping Center is protected (for five years) through January 4, 2003), IF Crystal Beach Plaza Shopping Center commences development within the twelve month period following City Council approval on January 5, 1998; and should the developer stop building for a period exceeding one year from the date of the issuance of the last building permit, then all approvals become null and void for concurrency.
4. Crystal Beach Plaza Shopping Center must obtain City of Destin permits for the following activities on and off site (may require appropriate bonding):
 - a. disturbance to the city's rights of way;
 - b. pavement cuts
 - c. construction of any kind
 - d. clearing and grubbing
 - e. paving, grading, drainage, sidewalks
 - f. signage
 - g. installation of utilities
 - h. construction trailers
5. An approved, valid and current Department of Environmental Protection (DEP) permit for Crystal Beach Plaza Shopping Center must be presented to the City for the Stormwater Management Facilities prior to the issuance of any building permit.
6. The required 5 foot wide (5') sidewalk adjacent to the northern property line, fronting Emerald Coast Parkway, must be "bonded" prior to the issuance of any building permits
7. The "future out-parcels" must remain wooded. No clearing is allowed on these designated areas.
8. An eight foot (8') high wooden privacy fence is required to be constructed in the 10' vegetative buffer along the southern property line which is north of the residential houses-fronting on Luke Avenue.
9. The trees required for the ten foot (10') vegetative buffer landscaping along the southern property line must be a minimum of ten feet (10') tall at the time of planting. These trees must also reach a crown of at least twenty feet (20') at maturity.
10. A fifty foot (50') wide impervious / landscaped area is required along the southern property line. Impervious or semi-impervious materials are not allowed in this fifty (50') area.
11. The lighting around the southern portion of the building must be revised to eliminate the 250 watt wall mounted lights.
12. The rear of the shopping center building shall be lighted with a combination of directional pole mounted lights facing the building and lower wattage wall-

packs mounted ten feet (10') or less.

13. An approved, valid, and current FDOT driveway connection permit is required and must be submitted prior to the issuance of a building permit.
14. An approved and recorded Gulf Power Easement Encroachment Agreement is required and must be submitted prior to the issuance of a building permit.
15. An approved, executed, and recorded cross access agreement concerning lot 5 (Vanguard Bank) is required and must be submitted prior to the issuance of a building permit.
13. Requirements identified by the Technical Review Committee.

**TECHNICAL REVIEW COMMITTEE REPORT
COMMUNITY DEVELOPMENT DEPARTMENT
CRYSTAL BEACH PLAZA SHOPPING CENTER
A MAJOR DEVELOPMENT
NOVEMBER 25, 1997**

ISSUE

Applicant: Selig Enterprises, Inc., Owner, Stephen Selig, President, William Dawkins, Secretary, Choctaw Engineering, Inc. Agent.

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Zoning District: BR (Business Retail)

Density: N/A

Intensity: FAR = .14 (total site)

Application Date: November 13, 1997

DISCUSSION:

Choctaw Engineering, Inc., Agent for Selig Enterprises, Inc., Owner, Stephen Selig, President, Kevin Curry, Vice-president, William Dawkins, Secretary, request approval of Crystal Beach Plaza Shopping Center, a Major Development. The project consists of two (2), one-story commercial retail buildings containing a total of 75,577 square feet. The main building contains 75,377 square feet of shopping center / commercial retail space. The second building containing 200 square feet of commercial retail space is a kiosk, located in the shopping center parking lot. The property contains 12.6 acres, more or less. The uses surrounding the property are as follows: north - Emerald Coast Parkway, various commercial businesses and vacant land located in Okaloosa County jurisdiction, south - 100' Gulf Power Company Easement, Crystal Beach Residential neighborhood, east & northeast - Vanguard Bank, Hutchinson Street, and vacant land, west & northwest - Edwin Watts Golf Shop, Wings retail store, Remax office building, and Matthew Blvd. The Technical Review Committee reviewed the project on November 25, 1997, and approved the project with specific changes. These changes have been addressed by

the applicant.

ZONING/COMPREHENSIVE PLAN

The property is zoned BR (Business Retail) and the Land Use Category is LIU (Low Intensity Urban). The proposed project complies with the Land Use Requirements.

COMPATIBILITY

North: BR Zoning, LIU Land Use, Vanguard Bank, Edwin Watts Golf Shop, Emerald Coast Parkway, Okaloosa County Jurisdiction
South: RIA Zoning, LIU Land Use, 100' Gulf Power Company Easement, Crystal Beach Residential Subdivision
East: BT Zoning, LIU Land Use, Hutchinson Street, vacant land
West: BR Zoning, MU Land Use, Edwin Watts Golf Shop, Remax Office Complex, Wings retail store, Matthew Blvd.

The project, as required by Ordinance 152.23, has undergone a compatibility review and meets the minimum code requirements. The General Compatibility Checklist and the following items were included in the compatibility review.

The subject property is located southwest of the intersection of Emerald Coast Parkway and Hutchinson Street, southwest of Vanguard Bank and southeast of Edwin Watts Golf Shop. The uses located within three hundred feet of the subject property have been identified above. The property is located in an area which is developed with office/ retail businesses with entrances onto and fronting Emerald Coast Parkway and single-family residences located to the south which front Luke Avenue. The buildings located within the residential and commercial developments are one and two-stories in height.

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

The proposed use and activity of retail shopping center building is a permitted use in the BR Zoning District and the LIU Land Use Category. The project contains two, one-story retail buildings which are to be located directly southwest of the existing Vanguard Bank and southeast of Edwin Watts Golf Shop. The addition of the retail shopping center was part of the original design of the Crystal Beach Plaza Commercial Subdivision. The buildings and uses are compatible with the existing development pattern, the current zoning, and the existing future land use designation.

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

The main shopping center building is located in the southern portion of the lot adjacent to the 100' Gulf Power Company Easement. The 200 square foot kiosk building is located in the northeast corner of the lot adjacent to the eastern property line bordering the western boundary of Vanguard Bank. The main shopping center building which is 177' x 667' containing 75,377 square feet meets all setback requirements. The kiosk building which is 10' x 20' containing 200 square feet meets all setback requirements. The maximum height proposed for the main shopping center building is approximately 33'. The height proposed for the kiosk is approximately 17'. There is no maximum allowable building height in the BR Zoning District. The floor area ratio for the entire Crystal Beach Plaza Shopping Center property is .14. This is below the 1.07 maximum allowed. The other commercial and residential buildings which surround this project are one and two stories in height. The buildings' location, height and floor area ratio are similar to other developments in the area and are considered to be compatible.

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

The project is required to have 302 total parking spaces including eight (8) handicapped spaces. 433 spaces are provided as well as 9 handicapped spaces. The parking for the complex is located primarily in the front of the building. Access to the property will be provided from four (4) points. One access point is the existing Vanguard Bank drive, a two-way drive connecting to Emerald Coast Parkway from the south. A second access point is the existing two-way service road located behind (south) Edwin Watts retail store, Remax Office building, and Wings retail store connecting to Matthew Boulevard from the east. A third access point will be a new 27' wide, two-way drive connecting from the west to Hutchinson Street. A fourth access point will be a new 24' wide, two-way drive connecting to Emerald Coast Parkway from the south. The existing deceleration lane for eastbound traffic on Emerald Coast Parkway will be extended westward for vehicles entering the property. The driveways for the property are aligned for easy access and there are various internal access routes which provide for internal traffic circulation. The project provides for adequate loading and service areas at the building.

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

This project was envisioned as part of an existing Development Order, Crystal Beach Plaza Commercial Subdivision (October 1994), which has reserved trips in the amount of 6,617 AADT trips. The original Development Order indicated that future development, as approved, would have to subtract their traffic generation from the amount reserved. A traffic analysis dated November 10, 1997 (revised December 3, 1997) was conducted for this project by Spence King, P.E., of Choctaw Engineering. This report indicates that 3,176 AADT trips will be generated by this project. The 3,176 AADT trips generated must be deducted from the "remaining available trips", 5,173 AADT, for Crystal Beach Plaza Commercial Subdivision. After subtracting the "generated trips" from the "reserved tips", 1,997 AADT trips remain "reserved" from the original Crystal Beach Plaza Development Order (October 1994). The proposed project does not exceed the "reserved" traffic capacity vested for Crystal Beach Plaza Commercial Subdivision from its original Development Order.

Another aspect of traffic generation to consider is how will the traffic generated impact ingress and egress to the site. As noted earlier, there are four (4) ingress and egress points to the site. There are two access points onto Emerald Coast Parkway which have deceleration lanes existing or proposed. There are additional ingress and egress points which connect to Matthew Boulevard and Hutchinson Street. These access points provide access to the Crystal Beach area and the additional access points to Emerald Coast Parkway. Therefore, traffic generation is considered compatible as it relates to ingress and egress to the site.

The hours of operation for the proposed shopping center will be similar to other retail establishments in Destin. Typical hours of operation will be from 10 am to 9 pm. These hours are similar to other shopping centers and the other retail complexes in the area. If a grocery store chain occupies the largest retail unit, it most likely would be open on a 24 hour basis, similar to other grocery stores in Destin. The peak hours of operation, for the most part, are consistent with the periods of highest activity in the adjoining residential developments. Noise levels for the shopping center are expected to be consistent with the residential development and other commercial/retail developments in the area; therefore, there should be no unresolved compatibility issues as it relates to noise or hours of operation.

Outdoor lighting will be consistent with other similar buildings along Emerald Coast Parkway in Destin. The lighting addresses both safety and security. The outdoor lighting will consist of eighteen (18), thirty foot tall (30'), one-thousand watt (1000) high pressure sodium light poles located north and adjacent (east and west) to the front facade of the shopping center building. To the south of the building, twenty-three (23), 250 watt high pressure sodium wall mounted lights will be fixed to the southern side (rear) of the shopping center building. The wall mounted lights are located fourteen feet (14') above the proposed grade and are downward focused directional lights. A site plan indicating the proposed lighting effects and a letter, dated December 23, 1997, from James M. Fuller, Choctaw Engineering Project Manager, is contained as part of this compatibility analysis. The photometries on the lighting plan indicate the proposed lighting will not negatively impact the residential properties to the south of the subject property. The highest intensity lighting is located north of the shopping center building, and the building itself will act as a buffer from the lights. The wall mounted lights located on the rear of the shopping center building will provide for security of the building and the adjoining parking lot, but the photometries on the lighting plan illustrate that this light does not leave the southern property line of the subject property.

Along the southern property lines, a 10' vegetative buffer is required. This buffer consists of a minimum 6' high privacy fence and a tree planted every 25 linear feet along the boundaries. The required buffers should reduce the effects of the outdoor lighting on the adjoining residential properties.

A review of the traffic generated, the hours of operation, the anticipated noise levels and the proposed lighting plan indicates that these items are compatible with the surrounding development.

E) alteration of light and air;

The one-story shopping center building is generally oriented in a east/west direction and will not materially alter the light or flow of air around the proposed buildings or around the existing developments. The building is one-story in height (33' tall), contains 75,377 square feet total, and has a FAR of 0.14 or less.

F) setbacks and buffers.

The shopping center buildings meet all setback and buffer requirements. The surrounding properties are primarily commercial developments with residential developments being located south of the 100' Gulf Power Company Easement located on the southern boundary of the property. A ten foot (10') vegetative buffer is required and provided along the residential boundaries to the south. Additionally, many of the trees required to meet the landscape requirements are located south of the proposed building in the Gulf Power easement. The site plan meets the open space and landscape requirements. A 100' Gulf Power Easement exists along the southern boundary line of the property and the building is located north of the easement. The landscape buffers will include the construction and maintenance of a 6' high (minimum) privacy fence along the southern boundary and must contain one tree per 25 linear feet of buffer (36 trees). The orientation of the building fronting toward Emerald Coast Parkway, its location north of the 100' Gulf Power easement and the required buffers minimize the impact of the structures on the surrounding neighborhoods.

DENSITY

Not applicable.

HEIGHT

The proposed project contains two, one-story commercial-retail buildings. The 75,377 square foot main building has an approximate maximum height of 33' as measured to the peak of the roof. The 200 sq. ft. kiosk has a proposed approximate height of 17'. This is an allowable height in the BR Zoning District. There is no maximum allowable height in the BR Zoning District.

FLOOR AREA RATIO

The floor area ratio is .14. This is below the 1.07 maximum allowed.

RIGHT OF WAY DEDICATION

There are no new right of way dedications for this project.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Potable Water X Roadways X Solid Waste X
Recreation N/A Sewer X Drainage X

TRAFFIC ANALYSIS

This project was envisioned as part of an existing Development Order, Crystal Beach Plaza Commercial Subdivision (October 1994), which has reserved trips in the amount of 6,617 AADT trips. The original Development Order indicated that future development, as approved, would have to subtract their traffic generation from the amount reserved. A traffic analysis dated November 10, 1997 (revised December 3, 1997), was conducted for this project by Spence King, P.E., of Choctaw Engineering. This report indicates that 3,176 AADT trips will be generated by this project. The 3,176 AADT trips generated must be deducted from the "remaining available trips" for Crystal Beach Plaza Commercial Subdivision. The following information and calculations illustrate the generated traffic counts for existing developments and the proposed development for the Crystal Beach Plaza Commercial Subdivision:

RESERVED TRIPS per
original development order: 6,617 AADT

<u>EXISTING PROJECTS</u>	<u>TRIPS (AADT)</u>
Wings retail store	406
Remax Office	119
Edwin Watts Golf Shop	275
Vanguard Bank	644
<u>TOTAL</u>	1,444 AADT

AVAILABLE TRIPS 5,173 AADT (6,617 - 1,444)

<u>PROPOSED PROJECT</u>	<u>NEW TRIPS GENERATED</u>
75,577 sq.ft. Shopping Center	3,176 AADT trips

AADT TRIPS REAMING
5,173 AADT - 3,176 AADT = 1,997 AADT

Trips available: 5,173 AADT
Proposed trips: 3,176 AADT
Remaining trips: 1,997 AADT

The proposed project generates 3,176 AADT. This number when subtracted from the available remaining trips (5,173 AADT) for the original Crystal Beach Plaza

Development Order (October 1994) shows that the proposed project does not exceed the "reserved" traffic capacity vested for Crystal Beach Plaza Commercial Subdivision.

SUBDIVISION OR PUD - PLAT

Not Applicable. This project will be located on lot 4 of the Crystal Beach Plaza Commercial Subdivision. If this property, lot 4, is further subdivided in the future, that subdivision must be approved by the City as an amendment to the existing plat. Each lot created must comply with all development requirements including open space, drainage, and landscaping.

STORMWATER

The City Engineer approved the project in a letter dated November 25, 1997, with the following conditions:

- 1) Install stop signs and bars at all exits.
- 2) Provide crosswalk stripping on Hutchinson Street.
- 3) Incorporate comments into the plan that show there will be an 80% maximum allowable impervious development on the out-parcels designated for future development.
- 4) Provide a recorded access agreement with Vanguard Bank.
- 5) Provide a stormwater management operations plan before C.O.
- 6) Provide an analysis of the projected effects of the proposed development on the adjoining property and the existing drainage system.
- 7) Provide copies of the FLDOT and FLDEP permits.

AIRPORT PROTECTION

Not applicable.

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

SHOPPING CENTER

	<u>Required</u>	<u>Provided</u>	<u>Buffers</u>
Front (north)	10'	300'	10' FPLA
Front (east)	10'	61'	10' FPLA
Side: (west)	0'	96'	5' CB
Rear: (south)	0'	120'	10' VB
Between Bldgs:	10'	250'	N/A

KIOSK

	<u>Required</u>	<u>Provided</u>	<u>Buffers</u>
Front:	10'	80'	10' FPLA
Side: East	0'	37'	5' CB
Side: West	0'	500'+	5' CB
Rear:	0'	500'+	10' VB
Between Bldgs:	N/A	N/A	N/A

NOTE: A 10' vegetative buffer is required along the southern boundary. Also a 100' Gulf Power easement runs along the southern boundary.

WHITE SANDS ZONE

This project DOES NOT lie within a White Sand Zone.

SIGNS

No signs are requested for this project. All future signage must comply with the City of Destin Sign Ordinance #245.

WATER/SEWER

DWU approved the project in a letter dated December 9, 1997.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project in a letter dated November 25, 1997 with the following conditions:

- 1) Two additional hydrants will be required.
- 2) A sprinkler systems is required.

OKALOOSA GAS

Okaloosa Gas approved the project at the November 25, 1997, TRC meeting.

GULF POWER

Gulf Power approved the project at the November 25, 1997, TRC meeting.

UTILITIES

Underground utilities are required.

INGRESS/EGRESS

Access to the property will be provided from four (4) points. One access point is the existing Vanguard Bank two-way drive, connecting to Emerald Coast Parkway from the south. This drive will allow for cross access from the Vanguard property to the shopping center property. A second access point is the existing two-way service road located behind (south) Edwin Watts retail store, Remax Office building, and Wings retail store. The service road connects to Matthew Boulevard from the east. A third access point will be a new 27' wide, two-way drive connecting from the west to Hutchinson Street. The land directly across from this drive is wooded and vacant. A fourth access point will be a new 24' wide, two-way drive connecting to Emerald Coast Parkway from the south. The existing deceleration lane for eastbound traffic on Emerald Coast Parkway will be extended westward for vehicles entering the property. The driveways for the property are aligned for easy access and there are various access routes which provide for internal traffic circulation.

SIDEWALKS

5' wide sidewalks are required along Emerald Coast Parkway and Hutchinson Street. The sidewalk along Emerald Coast Parkway may be bonded.

REFUSE COLLECTION

Trash collection is provided by dumpster service. Trash compactors/dumpsters are shown on the site plan.

LANDSCAPE

This project meets the landscape requirements as follows:

OPEN SPACE:

547,269 s.f. of property x 18% = 98,509 s.f. **REQUIRED**

20.5 % **PROVIDED** 103,195 s.f. **PROVIDED***

TREES REQUIRED:

Reforestation: (1 per 1/10 acre)		102*
Perimeter: (1 per 25')	48**	
Parking Lot:	<u>79</u>	
Buffers: (1 per 25')		<u>36</u>
Protected Trees on Site (12" to 23" diameter):		<u>15***</u>
Preserved Trees on Site (24" or more diameter):		<u>None</u>
Credits for Protected/Preserved Trees :		<u><u>0 (-15)</u></u>
TOTAL TREES REQUIRED:		<u>280</u>
TOTAL TREES PROVIDED:		<u>280</u>

* The site plan shows two future out-parcels which contain 2.4 total acres. These areas are to remain uncleared and wooded. If these areas remain wooded, then the reforestation calculation will not be applied to this area, although Perimeter and Buffer landscaping requirements do apply to these future out-parcels. At such time when the land is cleared, the reforestation requirements must be applied to the 2.4 acres. Any development associated with the subdividing of the future out-parcels or construction on, must receive a development order from the City. The "percent of open space provide" was based on the 10.2 acre area to be developed.

** 24 trees are required to be planted along Emerald Coast Parkway and Hutchinson Street, each, to meet the Perimeter Landscape requirement.

*** 15 protected trees are going to be removed and must be replaced by one indigenous tree each. This number is added to the overall trees required.

Note: A vegetative buffer is required along the southern boundary of the lot. This buffer includes the construction and maintenance of a 6' high (minimum) privacy fence and a planting of one tree per 25 linear feet of buffer. This buffer is 884' long at has a tree requirement of 36 trees which must be a minimum of 6' at time of planting and reach a crown of 20' at maturity.

PARKING

Parking for the project is based off the following calculations:

SHOPPING CENTER: 1 parking space / 250 s.f. of gross floor area

75,577 g.s.f. / 250 s.f. = 302.3 = 302 spaces required

Parking Spaces Required:	302 (including 8 H.C. spaces)
Parking Spaces Provided:	433 (including 9 H.C. spaces)

Loading Spaces Required: 5 (minimum 10' x 25')

ITEMS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A DEP Stormwater Permit is required and must be submitted prior to the issuance of a building permit.
2. A FDOT driveway connection permit is required and must be submitted prior to the issuance of a building permit.
3. An approved and recorded Gulf Power Easement Encroachment Agreement.
4. An approved and recorded cross access agreement for lot 5.

COMMENTS

There have been no comments filed with Staff regarding this project.

UNRESOLVED ISSUES

NONE

	
Lockwood Wernet, Community Development Director	S. Kevin Curry, Vice-President, Selig Enterprises, Inc.
DATE 1/13/98	DATE 2/7/98

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The City of Destin

4200 Two Trees Road, Destin, Florida 32541 (850) 837-4242 FAX (850) 837-3267

December 4, 1998

Mr. Ken Shannon, CFEA
Director of Environmental Services
Choctaw Engineering
112 Truxton Avenue
Fort Walton Beach, Florida 32547

Re: Request for time extension for Crystal Beach Shopping Plaza #98-3

Dear Mr. Shannon:

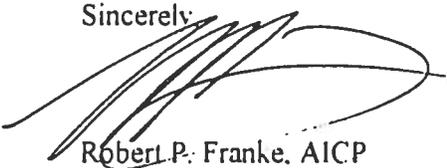
The City does not, at this time, have the ability to grant your request for a one (1) year extension to the Development Order for Crystal Beach Shopping Plaza.

The City is, however, working on an ordinance that would allow a one (1) year extension to "pull" building permits. The City Council will be considering this ordinance in January.

In light of your good faith effort to secure the required FDOT permit, the City will grant you a 30 day extension, until February 4, 1999. This 30 day extension is in keeping with current City policy.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,


Robert P. Franke, AICP
Community Development Director

cc: Interim City Manager/Jill Scroggs
City Land Use Attorney/David Theriaque

attachment:

1. Letter from Choctaw Engineering, Inc. Dated November 18, 1998
h p&zl letters 98.3 ext