



City of Destin

October 24, 2002

Order No. 02-54

Final 2nd Amended Development Order:

**“ECKERD, 2nd AMENDMENT (PREVIOUSLY MAIN STREET PLAZA)”:
A MINOR DEVIATION TO A PREVIOUSLY APPROVED
MAJOR DEVIATION
(SP-02-35)**

Based upon the City's approval of this Development Order, on October 21, 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 City Council:

BACKGROUND / ISSUE:

Applicant: Campbell Engineering, Inc., on behalf of Main Street Joint Venture Partners
Location: The proposed project is generally located at the northwest corner of the intersection of U.S. Highway 98 East and Main Street, more specifically known as Property Appraiser's parcel I.D. 00-2S-22-0701-0001-0080.
Request: Approval of a Minor Deviation to a previously approved Major Deviation (D.O. No. 02-25) identified as “Eckerd, 2nd Amendment.” The proposed deviation consists of adding two required parking spaces due to the 1,240 square feet of additional gross floor area to the previously approved gross floor area of 12,748 square feet, altering the stormwater management system, altering the dumpster enclosures, and landscape plan.
Parcel Size: No change.
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.24
2nd Amendment Application Date: July 31, 2002
2nd Amendment TRC Date: Not applicable for this deviation
2nd Amendment Approved Site Plan Date: October 21, 2002

DETERMINATIONS:

1. All of the findings, conditions of approval, requirements, etc... of the Final Development Order No. 02-25 are incorporated herein; and
2. All the findings of the Technical Review Committee Report dated April 30, 2002, and amended on May 29, 2002, June 3, 2002, and October 21, 2002 are incorporated herein.

CONDITIONS OF APPROVAL FOR "ECKERD, 2nd AMENDMENT" A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVIATION (SP-02-35):

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 Amended Development Order (No. 02-25) on June 3, 2002 (no later than June 3, 2003), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated June 3, 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 "Eckerd, 2nd Amendment" is protected through March 23, 2003 (This date remains in affect due to the fact this development order is an amendment to the previously approved development order on March 23, 1998). **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 Amended 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 identified in Final Amended Development Order No. 02-25 (D.O. No. 02-25) are applicable and must be satisfied.
5. In addition to previously established outdoor lighting conditions (D.O. No. 02-25), if the installed outdoor lighting is found to be of a nuisance or complaints are filled with the City of Destin, additional modifications, such as reducing the wattage, providing for light shields, etc. must be taken.

TECHNICAL REVIEW COMMITTEE REPORT

“ECKERD, 2nd AMENDMENT (PREVIOUSLY MAIN STREET PLAZA)”: A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVIATION (SP-02-35)

TRC Report: April 30, 2002 and amended May 29, 2002, June 3, 2002, and October 21, 2002

ISSUE:

Applicant: Campbell Engineering, Inc., on behalf of Main Street Joint Venture Partners
Location: The proposed project is generally located at the northwest corner of the intersection of U.S. Highway 98 East and Main Street, more specifically known as Property Appraiser's parcel I.D. 00-2S-22-0701-0001-0080.
Request: Approval of a Minor Deviation to a previously approved Major Deviation (D.O. No. 02-25) identified as “Eckerd, 2nd Amendment.” The proposed deviation consists of adding two required parking spaces due to the 1,240 square feet of additional gross floor area to the previously approved gross floor area of 12,748 square feet, altering the stormwater management system, altering the dumpster enclosures, and landscape plan.
Parcel Size: No change.
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: No significant change
2nd Amendment Application Date: July 31, 2002
2nd Amendment TRC Date: Not applicable for this deviation
2nd Amendment Approved Site Plan Date: October 21, 2002

DISCUSSION/FINDINGS:

Campbell Engineering, Inc., on behalf of Main Street Joint Venture Partners, is requesting approval of a Minor Deviation to a previously approved Major Deviation identified. The proposed deviation consists of adding two required parking spaces due to the 1,240 square feet of additional gross floor area to the previously approved gross floor area of 12,748 square feet, altering the stormwater management system, altering the dumpster enclosures, and landscape plan. The proposed project is generally located at the northwest corner of the intersection of U.S. Highway 98 East and Main Street, more specifically known as Property Appraiser's parcel I.D. 00-2S-22-0701-0001-0080. The property contains 1.34 acres more or less.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions. Refer to the attached document for the complete Compatibility Analysis from the City's Compatibility Consultant, Mr. Les Solin, and dated March 29, 2002.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include the Compatibility review, Concurrency Management review, and Level of Service review. This project is located within the Community Redevelopment Area.

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, Renaissance Planning Group, Inc., the proposed development will return 6 PM Peak Hour directional trips (reduction of 1 trip from D.O. No. 02-25) on Segment "A" and 4 PM Peak Hour directional trips (reduction of 1 trip from D.O. No. 02-25) on Segment "B." Currently, Segment "A" has 407 PM Peak Hour directional trips available and Segment "B" 308 PM Peak Hour directional trips available. There will be 406 PM Peak Hour directional trips remaining for Segment "A" and 307 for Segment "B." Therefore, traffic concurrency remains satisfied for this project, as confirmed by the City's traffic consultant.

SUBDIVISION OR PUD - PLAT:

Not applicable.

WHITE SANDS ZONE:

No change.

PHASING:

No change.

AIRPORT PROTECTION:

No change.

SETBACKS:

No change.

SIGNS:

No change.

COX COMMUNICATIONS:

No change.

DESTIN FIRE CONTROL DISTRICT:

No change.

GULF POWER:

No change.

OKALOOSA GAS:

No change.

SPRINT:

No change.

NEWSOUTH COMMUNICATIONS:

No change.

WATER/SEWER PROVIDER:

No change.

UTILITIES:

No change.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated August 12, 2002. and had the following stormwater conditions:

1. If groundwater is observed standing in stormwater structures. the Stormwater Management Plan shall be void and require a revised Stormwater Management Plan to be reviewed and approved.
2. Prior to obtaining a Certificate of Occupancy, 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 areas as required to maintain approved design cross-section(s), line(s), and grade(s).”

INGRESS/EGRESS:

No change.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The proposed dumpsters are screened with a six foot eight inch cinder block and brick wall enclosure with gates.

SIDEWALKS:

A five (5) foot wide concrete sidewalk is required along the western right-of-way Main Street. Prior to the issuance of a Certificate of Occupancy, all sidewalks be installed and accepted by the City.

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 Requirements:

<u>58,446</u> sq. ft. of property x 18 %	= 10,520.3 sq. ft. required
Site plan provides <u>19.3</u> %	= <u>11,255.0</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" 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: 1.34 x 10 = 13) Required on Site:	<u>13</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>13*</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:	13
Front Perimeter Trees (1 per 25') Required on Site:	21
Parking Lot Trees (1 per end row and landscape island) Required on Site:	9
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:	<u>0</u>
 TOTAL TREES REQUIRED:	43
TOTAL TREES PROVIDED:	43

A five (5) foot Common Boundary Landscape Area is required along western and northern property lines. A ten (10) foot Front Perimeter Landscape Area is required along the southern and eastern property lines. 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. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. 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:

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

Per code:

Retail:

1 space per 200 square feet of gross floor area.

Per site plan:

Retail:

12,748 sq. ft. retail building / 200 sq. ft. = 64 parking spaces (including 3 handicap space).
(1,240 sq. ft. of second floor storage / 1,000 sq. ft. of storage = 2 parking spaces)

TOTAL REQUIRED: 66 parking spaces (including 3 handicap spaces)
TOTAL PROVIDED: 66 parking spaces (including 3 handicap spaces)

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 as follows:

Per code:

Retail:

One (1) space for the first 10,000 sq. ft. of gross floor area or fraction thereof, and one (1) space for each additional 20,000 square feet.

Per site plan:

Retail:

13,988 sq. ft. retail building sq. ft. / the first 10,000 sq. ft. = 2 loading spaces (an additional zone is required as the square footage is over 10,000 and not over 20,000)

TOTAL REQUIRED: 2 loading spaces
TOTAL PROVIDED: 2 loading spaces

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this project and is on file.

IMPACT FEES:

The owner/applicant must pay impact fees prior to the issuance of a Certificate of Occupancy. The following impact fees are preliminary and estimated based on current fees. Final impact fee amounts will be determinant upon whether exemption or credits are applicable and the latest applicable associated fees. Any claim for exemption or credits must be made no later than the time of application for a Certificate of Occupancy. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees:

Police Protection: The police protection impact fees were calculated using the "U.S. Highway 98 Corridor Retail per 1,000 sq. ft. = \$47.59" category.

Retail:

$$(13,988 \text{ sq. ft.}) \times (\$47.59) = 665,688.92 / 1,000 = \$665.69$$

$$(\text{sq. ft. of proposed retail building}) \times (\text{Retail per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Police Protection Impact Fees to be paid for "Eckerd, 2nd Amendment": **\$665.69**

Road: The road impact fees were calculated using the "Retail < 100,000 sq. ft. (per 1,000 sq. ft.) = \$2,142.00" fee amount.

Retail:

$$(13,988 \text{ sq. ft.}) \times (\$2,142) = 29,962,296.00 / 1,000 = \$29,962.30$$

$$(\text{sq. ft. of proposed retail building}) \times (\text{Retail < 100,00 sq. ft per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Road Impact Fees to be paid for "Eckerd": **\$29,962.30**

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$665.69
<u>Roads:</u>	=	\$29,962.30
TOTAL:	=	<u>\$30,627.99</u>

