



City of Destin

August 9, 2001

Order No. 01-24

Final Development Order:

**“DESTIN SOUTHERN LINC”:
A MINOR DEVELOPMENT
(SP-01-09)**

Based upon the City's approval of this Development Order, on July 31, 2001, 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: Buddy Robinson of Southern Linc, Inc., on behalf of Destin Water Users, Inc.
Location: The proposed project is located at 500 Industrial Park Road.
Request: Approval of a Minor Development identified as “Destin Southern Linc.” The proposed project consists of co-locating nine (9) antennas on the Destin Water Users, Inc. (DWU) water tank tower and constructing a standard pre-cast concrete equipment shelter of approximately 500 square feet.
Parcel Size: The subject property contains 0.675 acres, more or less.
Future Land Use: Light Industrial (IN)
Zoning District: Protected Industry (IP)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.34 Floor Area Ratio
Application Date: April 2, 2001
TRC Date: April 18, 2001
Approved Site Plan Date: July 31, 2001

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report dated July 31, 2001, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE "DESTIN SOUTHERN LINC": A MINOR DEVELOPMENT (SP-01-09):

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 July 31, 2001 (no later than July 31, 2002), and must be completed as shown on plans approved by the Technical Review Committee (stamp dated July 31, 2001).

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 "Destin Southern Linc" will be protected for five (5) years through July 31, 2006. **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, if any, associated with this project that are owed to the City must be paid in full. The outstanding costs are as follows:

City Reimbursement - Major Development to Minor Development: \$1,000.00-\$335.00 = \$665.00 credit

City Traffic Consultant: \$74.31 (paid from Escrow)

City Compatibility Expert: \$1,437.50

Remaining Escrow of \$425.69 and City Reimbursement credit of \$665.00 = \$1,090.69 total credit

Subtracting \$1,437.50 from the total credit of \$1,090.69 equals \$-346.81.

The applicant thus owes \$346.81 prior to issuance of any City Permit.

5. **Prior to the issuance of any City Permit**, provide a copy of FDEP stormwater approval.
6. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation & Maintenance Plan shall be acknowledged and signed by the owner.
7. To protect public safety, in case of potential hurricane, the tank owner shall increase the water level to add additional weight to the tank structure and ensure that the tank is approximately three-quarters full to optimize foundation loads under hurricane conditions. This will guarantee that the tank will be stable and that the downwind foundation will not be stressed any greater than normal everyday full tank conditions.

TECHNICAL REVIEW COMMITTEE REPORT

“DESTIN SOUTHERN LINC”: A MINOR DEVELOPMENT (SP-01-09)

TRC Report: July 31, 2001

ISSUE:

Applicant: Buddy Robinson of Southern Linc, Inc., on behalf of Destin Water Users, Inc.
Location: The proposed project is located at 500 Industrial Park Road.
Request: Approval of a Minor Development identified as “Destin Southern Linc.” The proposed project consists of co-locating nine (9) antennas on the Destin Water Users, Inc. (DWU) water tank tower and constructing a standard pre-cast concrete equipment shelter of approximately 500 square feet.
Parcel Size: The subject property contains 0.675 acres, more or less.
Future Land Use: Light Industrial (IN)
Zoning District: Protected Industry (IP)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.34 Floor Area Ratio
Application Date: April 2, 2001
TRC Date: April 18, 2001
Approved Site Plan Date: July 31, 2001

DISCUSSION/FINDINGS:

Buddy Robinson of Southern Linc, Inc., on behalf of Destin Water Users, Inc., is requesting approval of a Minor Development identified as “Destin Southern Linc.” The proposed project consists of co-locating nine (9) antennas on the Destin Water Users, Inc. (DWU) water tank tower and constructing a standard pre-cast concrete equipment shelter of approximately 500 square feet. The proposed project is located at 500 Industrial Park Road. The subject property contains 0.675 acres, more or less.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Map Designation of Light Industrial (IN) and a Zoning Designation of Protected Industry (IP). 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 and meets the minimum requirements with conditions. See the attached compatibility analysis for Southern Linc (DWU): SP-01-09.

DENSITY:

Not applicable.

HEIGHT:

The IP Zoning District has a maximum building height of fifty (50) feet. The existing water tower is approximately 157 feet high and the proposed antennas do not extend above the 157-foot mark.

FLOOR AREA RATIO:

The project has a 0.34 Floor Area Ratio, which is less than the maximum of 1.07 allowed.

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 no traffic impacts.

SUBDIVISION OR PUD - PLAT:

Not applicable.

AIRPORT PROTECTION:

The subject site is not located within the airport protection 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 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:

Not applicable.

WHITE SANDS ZONE:

The proposed project is not located within either White Sand Zone 1 or 2.

SIGNS:

No signs have been proposed and approved with this project.

COX COMMUNICATIONS:

Cox Communications approved the project at the April 18, 2001, TRC meeting.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated June 7, 2001.

GULF POWER:

Gulf Power approved the project in a letter dated April 17, 2001.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated April 18, 2001.

SPRINT:

Sprint approved the project at the April 18, 2001, TRC meeting.

NEWSOUTH COMMUNICATIONS:

NewSouth Communications approved the project at the April 18, 2001, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated June 4, 2001.

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Engineer approved with conditions the stormwater plan in a memo dated May 10, 2001.

INGRESS/EGRESS:

Access to the existing water tank tower and accessory structures is provided by an existing access and utility easement.

SIDEWALKS:

N/A

REFUSE COLLECTION:

Not applicable.

LANDSCAPE:

The project does not create or generate any additional landscape requirements.

PARKING:

The project does not create or generate any additional parking demands.

LOADING SPACE (ZONE):

The project does not create or generate any additional loading space demands.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater) has not been issued for this site. The permit must be on file prior to the issuance of any City of Destin permit.

IMPACT FEES:

Not applicable.

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 Compatibility Expert:	\$1,437.50	Planning Commission Advertising:	Not applicable
City Traffic Consultant:	\$74.31 (paid)	City Council Advertising:	Not applicable
City Surveyor:	Not utilized		

COMMENTS:

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, if any, associated with this project that are owed to the City must be paid in full. The outstanding costs are as follows:

City Reimbursement - Major Development to Minor Development: \$1,000.00-\$335.00 = \$665.00 credit

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City Compatibility Expert: \$1,437.50

Remaining Escrow of \$425.69 and City Reimbursement credit of \$665.00 = \$1,090.69 total credit

Subtracting \$1,437.50 from the total credit of \$1,090.69 equals \$-346.81.

The applicant thus owes \$346.81 prior to issuance of any City Permit.

2. To protect public safety, in case of potential hurricane, the tank owner shall increase the water level to add additional weight to the tank structure and ensure that the tank is approximately three-quarters full to optimize foundation loads under hurricane conditions. This will guarantee that the tank will be stable and that the downwind foundation will not be stressed any greater than normal everyday full tank conditions.

Per Engineering Department:

1. **Prior to the issuance of any City Permit**, provide a copy of FDEP stormwater approval.
2. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation & Maintenance Plan shall be acknowledged and signed by the owner.

UNRESOLVED ISSUES:

None.


 _____ 8-9-01
 Gerald F. Mucci, Date
 Community Development Director


 _____ 8/9/01
 Richard Griswold, Date
 General Mgr.,
 Destin Water Users, Inc.

COMPATIBILITY ANALYSIS: SOUTHERN LINC (DWU): SP-01-09

FOR CITY OF DESTIN, FLORIDA

PURPOSE OF THIS REPORT

Southern Linc proposes the co-location of antennas on the Destin Water Users (DWU) water tank tower located south of Industrial Park Road, near the southern boundary of the DWU Plant, south of the Gulf Power transmission easement. This report addresses the compatibility of the proposed expansion with the surrounding area.

The report: 1) identifies the compatibility requirements of the City of Destin that are contained in the City's Land Development Code [LDC, §7.09] and Comprehensive Plan [Policy 7.A.4.6 (p)]; 2) analyzes whether the proposed development complies with those requirements; and 3) provides an opinion regarding the compatibility of the propose location of antennas with the surrounding area.

Aside from addressing the compatibility issue, this report does not address issues regarding the consistency of the proposed improvements with any other provisions of the City's Comprehensive Plan or the LDC.

DEFINITION OF "COMPATIBILITY" AND REQUISITE CONSIDERATIONS

In land use planning, "compatibility" means the extent to which a use(s) or development is capable of existing in harmony with other uses situated in its immediate vicinity. In the City's LDC as well as in Rule 9J-5, FAC, *compatibility* is defined as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." The City's Comprehensive Plan also includes this definition but elaborates more broad-based concerns consistent with accepted planning principles and practices.

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.

PROJECT DESCRIPTION

Southern Linc proposes the co-location of antennas on the Destin Water Users (DWU) water tank tower located south of Industrial Park Road, near the southern boundary of the DWU Plant, south of the Gulf Power transmission easement. The project also includes the construction of a standard pre-cast concrete equipment shelter that is less than 500 square feet, and will be used to house communication equipment.

The portion of the DWU property where the water tank tower is located is in a remote area of the DWU plant located south of the Gulf Power transmission easement. An existing access and utility easement provides site access to the water tank tower and the nearby accessory structures, including a one story masonry building, concrete pads, a walkway, an existing Alltel Equipment Shelter and wave guide bridge, an existing Alltel generator, and a power pole.

DESCRIPTION OF SURROUNDING AREA

The surrounding properties are as follows:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	IN	IP	DWU Complex, Industrial Park
South	IN	IP	Vacant; 98 Palms Shopping Center located 600 feet southeast of the tower
East	IN	IP	Vacant
West	IN	IP	Vacant

ANALYSIS OF COMPATIBILITY

A. Type of Land Use, Zoning District, and Land Use Category.

SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
DWU Water Tower	IN	IP	Potable Water Tower with cellular antennas and related infrastructure described under Project Description above.

As stated in the above section "Project Description," Southern Linc proposes the co-location of antennas on the Destin Water Users (DWU) water tank tower located south of Industrial Park Road, near the southern boundary of the DWU Plant, south of the Gulf Power transmission easement. The project also includes the construction of a standard pre-cast concrete equipment shelter that is less than 500 square feet, and will be used to house communication equipment.

The DWU site is designated "Industrial" on the Future Land Use Map and is zoned "Protected Industrial" (IP). The water tower is located in an area removed from any substantially dissimilar residential or non-residential development. Industrial uses are allowable uses within the "Industrial" Comprehensive Plan Future Land Use designation if the uses comply with the height, area and bulk restrictions contained in the Land Development Code [Section 7.A.4.6 (m), Destin Comprehensive Plan]. Pursuant to City Ordinance 279, cellular antennas are cited as accessory facilities to communication towers. However, the subject site plan does not include a communication tower. Instead, the antennas are constructed as accessory structures to the water tower. Accessory structures specifically allowed as within the IP zoning district [Section 7.12.01(J)(2), Destin Land Development Code]. The proposed antennas together with the propose accessory shelter and supportive infrastructure are clearly accessory structures that are consistent with the Comprehensive Plan and the LDC, provided compatibility criteria are met and provided specific regulations within Ordinance 279 are satisfied. This analysis does not include an analysis of the structural integrity of the proposed antenna installations.

B. Location of Structure, Dimensions, Height, and Floor Area Ratio.

The antennas are attached directly to the roof of the water tower. The length of the antenna and supportive infrastructure is approximately eight (8) feet tall. The antennas will not require installation of a tower. The weight of each antenna is approximately 125 pounds. The antennas and the shelter that will accommodate communications equipment and infrastructure comply with setback requirements and will have a de minimus impact on the floor area ratio.

According to the applicant's engineer, Donald A. Sawyer, P.E., the antennas are proposed to be installed on the roof of Destin Water Users' existing 500,000 gallon Torus Bottom Water Tank that was designed for wind velocities up to 150 mile per hour when the tank is considered empty. His report concludes:

"The antenna installation increases the wind load such that the uplift at the upwind column exceeds the weight of the foundation (soil plus concrete). Nevertheless, adjustment of the water level in the tank prior to the approach of a hurricane can compensate for the extra uplift caused by the antennas. Alternatively, the modified empty tank is satisfactory for wind velocities less than 145 miles per hour...However, in the case of a hurricane we strongly recommend that the tank owner increase the water level to add additional weight to the tank structure...In any case, a prudent tank manager will fill his tank to about three-quarters full to optimize foundation loads under hurricane conditions. This will guarantee that the tank will be stable and that the downwind foundation will not be stressed any greater than normal everyday full tank conditions."

Donald A. Sawyer's recommendations were based on the results of two computer design/analysis supervised by Mr. Sawyer. The design parameters of Mr. Sawyer's analysis included installation of eighteen (18) antennas, although only nine (9) antennas are proposed in the current site plan. The current proposal includes sufficient infrastructure to accommodate nine additional antenna installations as a future Phase 2 site plan. In order to protect the public safety, as a condition of approval, the City should require that the tank owner accept Mr. Sawyer's above stated recommendations, and require that the tank owner incorporate the recommendations as standard operating procedures.

C. Location and Extent of Parking, Access Drives, and Service Areas.

The City Engineer shall review off-street parking requirements as well as the design and specifications of access drives.

D. Traffic Generation, Hours of Operation, Noise Levels and Outdoor Lighting.

1. **Traffic Generation.** In my opinion the antennas will have a negligible or “*diminimus*” impact on existing traffic generated by the marina.
2. **Noise Levels.** The applicant must comply with City ordinances governing noise.
3. **Outdoor Lighting.** No lighting is proposed as part of the amended site plan. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans must provide specifications for the proposed outdoor lighting, 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.

E. Alteration of Light and Air.

Aside from the evaluation stated immediately above concerning lighting, the plan does not appear to generate any other adverse impacts to light and air.

F. Setbacks and Buffers

The proposed antennas and accessory structures do not violate any adopted setback requirements and do not require a buffer.

OPINION. The Southern Linc site plan for installation of antennas on the water tower at the DWU complex complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code, §7.09 subject to compliance with the following two conditions.

1. **Location of Structure.** In order to protect the public safety, as a condition of approval, the City will require that the tank owner accept the recommendations of Donald A. Sawyer, P.E., Consulting Engineer on the site plan. Accordingly, the tank owner must incorporate the following recommendations as standard operating procedures: *In case of a hurricane, the tank owner shall increase the water level to add additional weight to the tank structure and ensure that the tank is about three-quarters full to optimize foundation loads under hurricane conditions. This will guarantee that the tank will be stable and that the downwind foundation will not be stressed any greater than normal everyday full tank conditions.*”

2. **Outdoor Lighting.** No lighting is proposed as part of the amended site plan. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans must provide specifications for the proposed outdoor lighting, 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.

Summary. In my professional opinion, subject to the above condition, the site plan amendment complies with the criteria for compatibility review contained in the City of Destin Comprehensive Plan and the Land Development Code. If the City approves the above-stated conditions, prior to issuance of a building permit, the site plan shall incorporate appropriate documents that bind responsible entities to the conditions approved by the City.

Any future 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 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].