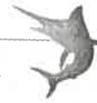




CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



www.cityofdestin.com

March 22, 2006

Order No. 06-06

Final Development Order:

**“GEORGE F. FRENCH RECLAMATION FACILITY,
PHASE VI AND VII SECOND AMENDMENT”
(SP-06-09)**

Based upon the City's approval and issuance of this Development Order, on March 22, 2006, 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: Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc.

Location: The proposed project is located at 14 Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0010 and 00-2S-22-0000-0001-0620.

Request: Approval of a Minor Amendment to a Major Development identified as “George F. French Reclamation Facility, Phase VI and VII, Second Amendment” The proposed project consists of modifications to proposed buildings, parking areas, stormwater management facilities, and the main entrance.

Parcel Size: The property contains 31.42 acres more or less.

Future Land Use: Institutional (INST)

Zoning District: Protected Industry (IP)

Density: Not applicable

Intensity: Allowed: 0.50 Floor Area Ratio (FAR)
Proposed: 0.02 Floor Area Ratio (FAR)

Application Date: January 3, 2006

TRC Date: January 17, 2006

Approved Site Plan Date: March 16, 2006

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated March 16, 2006 are incorporated herein.

CONDITIONS OF APPROVAL FOR “GEORGE F. FRENCH RECLAMATION FACILITY, PHASE VI & VII, SECOND AMENDMENT” (SP-06-09):

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

Construction 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 March 22, 2006 (no later than March 22, 2007), 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) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.

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.

1. **If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for “George F. French Reclamation Facility, Phase VI and VII, Second Amendment” will be protected.** However, the protected concurrency status will be lost 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.

2. **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.

**TECHNICAL REVIEW COMMITTEE REPORT
"GEORGE F. FRENCH RECALMATION FACILITY,
PHASE VI AND VII, SECOND AMENDMENT":
(SP-06-09)**

TRC Report: March 16, 2006

ISSUE:

Applicant: Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc.
Location: The proposed project is located at 14 Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0010 and 00-2S-22-0000-0001-0620.
Request: Approval of a Minor Amendment to a Major Development identified as "George F. French Reclamation Facility, Phase VI and VII, Second Amendment" The proposed project consists of modifications to proposed buildings, parking areas, stormwater management facilities, and the main entrance.
Parcel Size: The property contains 31.42 acres more or less.
Future Land Use: Institutional (INST)
Zoning District: Protected Industry (IP)
Density: Not applicable
Intensity: Allowed: 0.50 Floor Area Ratio (FAR)
Proposed: 0.02 Floor Area Ratio (FAR)
Application Date: January 3, 2006
TRC Date: January 17, 2006
Approved Site Plan Date: March 16, 2006

DISCUSSION/FINDINGS:

Baskerville-Donovan, Inc., on behalf of Destin Water Users, Inc., is requesting approval of a Minor Amendment to a Major Development identified as "George F. French Reclamation Facility, Phase VI and VII, Second Amendment". The proposed project consists of modifications to proposed buildings, parking areas, stormwater management facilities, and the main entrance. The proposed project is generally located at the end of Industrial Park Lane, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-0000-0001-0010 and 0-2S-22-0000-0001-0620. The property contains 31.42 acres more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes technical review, Concurrency Management review, and 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 Institutional (INST) and a Zoning designation of Protected Industry (IP). The proposed use is consistent with the INST Future Land Use designation and is a permitted principal use in the IP Zoning district.

LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that “All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.” The LDC requirements regulating “special design criteria” are “...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.” This section also states, “These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.” [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Proximity of proposed nonresidential use to abutting low rise residential property
- Massing (Width and Depth), Height (Buildings) and Intensity (Floor Area Ratio)
- Traffic generation
- Setbacks and buffers
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

Proximity of proposed nonresidential use to abutting low rise residential property:

The following is a description of the surrounding area:

| LOCATION RELATIVE TO SUBJECT SITE | FUTURE LAND USE | ZONING | EXISTING LAND USES |
|-----------------------------------|--|---------------------------------------|---------------------------------|
| North | Industrial (IN) | Industrial Protected (IP) | Warehouse/Industrial |
| South | Town Center Mixed Use (TCMU) | Business Tourism (BT) | Commercial |
| East | Residential, Office, Institutional (ROI) | Residential General Development (RGD) | Wetlands Conservation/Townhomes |
| West | Institutional (INST) | Industrial Protected (IP) | Offices/ Gulf Power Substation |

As described herein, the surrounding uses include warehouse, industrial, commercial and conservation. 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.

Massing (Width and Depth), Height (Buildings) and Intensity (Floor Area Ratio):

Massing (Width and Depth) and Height (Buildings):

There are no proposed buildings proposed with this development.

Intensity (Floor Area Ratio - FAR):

The Institutional Future Land Use designation has a maximum floor area ratio (FAR) of 0.50. The overall FAR for the entire project is 0.02, which is below the 0.50 allowed.

Traffic Generation:

Please refer to the "Traffic Analysis" section below.

Setbacks and Buffers:

The building meets and exceeds all of the required setbacks for the Protected Industry (IP) Zoning district. The IP Zoning district requires the following setbacks: front - 20 feet, side – 20 feet (when adjacent to all other zoning districts), side – 5 feet (when adjacent to other properties zoned IP) and rear - 20 feet. Refer to the approved site plans for a view of the proposed improvements versus the required setbacks.

Mechanical equipment:

Condition: Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line facing a right-of-way. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six (6) feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement.

Outdoor storage and display:

No storage or display areas are depicted on the approved site plan. Therefore, the outdoor storage and display of materials, equipment, and merchandise is not permitted for this proposed development.

Solid waste collection areas:

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses and setback a minimum of five feet from any property line which abuts a non-residential or mixed use.

Condition: All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque.

Parking, loading, or accessway 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."

The site plan for "George F. French Reclamation Facility, Phase VI and VII, Second Amendment" 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 further 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 February 14, 2006, 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 dated February 14, 2006.

SUBDIVISION OR PUD - PLAT:

Not applicable.

WHITE SANDS ZONE:

The project property is not located in either White Sand Zone I or II.

PHASING:

The proposed development will be a phased development.

The applicant has proposed to construct the project in two (2) phases. Please see Sheet C-102 of the approved plans for the Phasing schedule.

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.

SIGNS:

All 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 January 16, 2006.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated January 18, 2006.

GULF POWER:

Gulf Power approved the project in a letter dated January 9, 2006.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated January 18, 2006.

SPRINT:

No comments have been received from Sprint at this time.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated January 18, 2006.

STORMWATER:

The stormwater management plan was found acceptable and approved on February 7, 2006, and had the following **stormwater** related conditions:

1. **Note:** The Engineer of Record is cautioned to review the construction documents as submitted to assure thorough information is provided to allow proper construction. All stormwater management facilities shall be required to be constructed per the Codes of the City of Destin.
2. **Condition:** If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.
3. **Prior to obtaining any city permit,** a copy of the FDEP Stormwater Documentation & NPDES (if applicable) approval shall be forwarded to the City Engineer's office.
4. **Prior to obtaining a Certificate of Occupancy:** The Stormwater Maintenance Plan shall be acknowledged and signed by the owner.
5. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management".

INGRESS/EGRESS:

Industrial Park Lane, which dead ends into the property, provides ingress/egress to the subject site. No new ingress/egress points are proposed for the site in conjunction with this application.

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 = 39 parking spaces

Storage: 1 space per 1,000 square feet = 17 parking spaces

TOTAL REQUIRED: 56 parking spaces
TOTAL PROVIDED: 111 parking spaces

LOADING SPACE (ZONE):

All required loading spaces exist interior to the site.

SIDEWALKS:

A 5-foot wide sidewalk is provided along Industrial Park Lane as indicated on the approved Right of Way Use Permit Agreement and the approved site plans.

OPEN SPACE/LANDSCAPE:

Open Space Requirements:

Development Area (Total Area): 1,368,599 sq. ft. (31.42 acres, more or less)
Provided Open Space: 475,984 sq. ft. (76.2%)

Landscape Requirements:

A ten (10) foot buffer zone landscaping is required along all property lines abutting an adjacent parcel. A tree is required within each parking row landscape island. A ten (10) foot Front Perimeter Landscape Area is required along the western property line. The ten (10) foot Front Perimeter Landscape Buffer shall be calculated as one (1) tree per twenty-five (25) linear feet of buffer. Unless otherwise noted, **all required trees must be a minimum of ten (10) 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 per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

Not applicable.

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (March 3, 2006). 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 Surveyor: | N/A |
| Re-Review Fees (Community Dev.) | Paid |
| Re-Review Fees (Stormwater Man.) | Paid |
| Administrative Costs: | Paid |
| City Council Advertising: | N/A |

TOTAL (as of 3/3/06) = Paid (Subject to change)

