



City of Destin

Waiting on owner's signature

May 6, 2003

Order No. 03-11

Final Development Order:

**“DWU PHASE II WATER IMPROVEMENTS:”
A MINOR DEVELOPMENT
(SP-03-03)**

Based upon the City's approval of this Final Development Order, on April 4, 2003, this document will serve as the Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

BACKGROUND / ISSUE:

Applicant: Michael Langston, on behalf of Destin Water Users, Inc.
Location: The proposed project will be located on Lot 1, Block 34 and Lot 6, Block 35 in the Crystal Beach Subdivision. The Tax Parcel Identification numbers for these parcels are No. 00-2S-22-0580-0034-0010 and No. 00-2S-22-0580-0035-0060.
Request: Approval of a Minor Development identified as “DWU Phase II Water Improvements.” The proposed project consists of two structures housing an in-line booster pump station (1,050 square feet) and water meter pit (408 square feet.)
Parcel Size: 0.57/24,690 square feet
Future Land Use: Crystal Beach Neighborhood (CBN)
Zoning District: Residential Intensive Apartment (RIA)
Density: Not Applicable
Intensity: Required Floor Area Ratio (FAR): 1.07
Provided FAR: 0.063
Application Date: January 31, 2003
TRC Date: February 19, 2003
Approved Site Plan Date: April 4, 2003

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report April 4, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE “DWU PHASE II WATER IMPROVEMENTS”: A MINOR DEVELOPMENT (SP-03-03):

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 April 4, 2003 (no later than April 4, 2004), and must be completed as shown on plans approved by the Technical Review Committee (April 4, 2003).

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 "DWU Phase II Water Improvements" will be protected for five (5) years through April 4, 2008. **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 associated with this project that are owed to the City must be paid in full.
5. **Prior to the issuance of any City Permit**, a copy of the FDEP stormwater and NPDES approvals shall be forwarded to the City Engineer's office.
6. Prior to installing any outdoor lighting (in addition to what has been shown on the approved site plans), a photometric plan must be submitted to the Community Development Department for review and approval.
7. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.
8. **Prior to the issuance of 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 infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

9. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.

TECHNICAL REVIEW COMMITTEE REPORT

“DWU PHASE II WATER IMPROVEMENTS:” A MINOR DEVELOPMENT (SP-03-03)

TRC Report: April 4, 2003

ISSUE:

Applicant: Michael Langston, on behalf of Destin Water Users, Inc.
Location: The proposed project will be located on Lot 1, Block 34 and Lot 6, Block 35 in the Crystal Beach Subdivision. The Tax Parcel Identification numbers for these parcels are No. 00-2S-22-0580-0034-0010 and No. 00-2S-22-0580-0035-0060.
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Intensity: Required Floor Area Ratio (FAR): 1.07
Provided FAR: 0.063
Application Date: January 31, 2003
TRC Date: February 19, 2003
Approved Site Plan Date: April 4, 2003

DISCUSSION/FINDINGS:

Michael Langston, on behalf of Destin Water Users, Inc., is requesting approval of a Minor Development identified as “DWU Phase II Water Improvements.” The proposed project consists of two structures housing an in-line booster pump station (1,050 square feet) and water meter pit (408 square feet.) The proposed project will be located on Lot 1, Block 34 and Lot 6, Block 35 in the Crystal Beach Subdivision. The Tax Parcel Identification numbers for these parcels are No. 00-2S-22-0580-0034-0010 and No. 00-2S-22-0580-0035-0060.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Crystal Beach Neighborhood (CBN) and a Zoning Designation of Residential Intensive Apartment (RIA). 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. Refer to the attached “Compatibility Analysis: Destin Water Users In-line Booster Pump Station (SP-03-03)” for the complete analysis, dated February 10, 2003, which finds the proposed project compatible with the surrounding area, provided the applicant complies with the recommendations/conditions as provided in the Compatibility Analysis. The following is a brief overview of the analysis.

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

The proposed construction supplements the existing water system facilities on the site and is allowed in both the Crystal Beach Neighborhood (CBN) Future Land Use Category and the Residential Intensive Apartment (RIA) Zoning District. The building meets adopted building setback criteria, minimum lots, height, and floor area requirements of the Land Development Code.

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

The proposed structures will be located on the lot on the north side of Luke Avenue at the Crystal Beach Drive and Luke Avenue intersection. The pump station is approximately 25 feet wide and 42 feet long and 15 feet high. The meter pit is approximately 7 feet wide by 17 feet long. The Floor Area Ratio (FAR) proposed for this project is 0.063. The Future Land Use Designation for this area is Crystal Beach Neighborhood, which has an allowable FAR of 1.07. Therefore, the proposed project would be in compliance.

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

According to the regulations in the City of Destin's Land Development Code, zero (0) parking spaces are required for this development. The property already contains a concrete parking lot that adequately serves the site.

The property meets the requirements for access by providing one 22-foot two-way driveway off Luke Avenue

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

No formal transportation currency was deemed necessary by the City's transportation consultant due to the nature of this project.

No adverse impacts related to noise or hours of operation have been identified. Lighting plans have not been submitted. The applicant has been notified that lighting plans must be approved by the City prior to the issuance of a Certificate of Occupancy.

E) Alteration of light and air;

The height of the proposed development (measured from the mean of the roofline) is only 15 feet, and there are adequate setbacks between properties. Therefore, this development will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The RIA Zoning district requires the following setbacks: front - 20 feet, side - 7.5 feet, and rear - 10 feet. The pump station building will be 76 feet from the front property line (south) facing Luke Avenue, 16 feet from the side property line (east) facing a single family residence, 116 feet from the side property line (west) facing a single family residence, and 33 feet from the rear property line (north) facing the Gulf Power easement and a vacant commercial lot. The meter pit will be 115 feet from the front property line (south) facing Luke Avenue, 52 feet from the side property line (east) facing a single family residence, 95 feet from the side property line (west) facing a single family residence, and 28 feet from the rear property line (north) facing the Gulf Power easement and a vacant commercial lot. All measurements are taken from the closest point of the proposed building to the nearest property line. The proposed structures meet all of

the required setbacks for the Residential Intensive Apartment (RIA) zoning district.

The overall site plan meets the open space requirement (18% required / 78.4% provided). The following buffers are required: the standard ten (10) foot front perimeter landscape buffer along the southern property line, and the standard five (5) foot common boundary landscape buffer on the western, eastern, and northern property lines. Tree replacement, parking island, and reforestation requirements have been satisfied.

DENSITY:

Not applicable.

HEIGHT:

The new building is 15 feet high, which is within the height requirement in the CBN Zoning District.

FLOOR AREA RATIO:

The Floor Area Ratio (FAR) for the proposed project is 0.063. The Future Land Use Designation for this property is Crystal Beach Neighborhood (CBN), which has an allowable FAR of 1.07. Therefore, the proposed development meets FAR requirements.

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:

No formal transportation concurrency analysis was deemed necessary by the City's transportation consultant due to the nature of the project.

SUBDIVISION OR PUD - PLAT:

Not applicable.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area.

SETBACKS:

The RIA Zoning district requires the following setbacks: front - 20 feet, side - 7.5 feet, and rear - 10 feet. The pump station building will be 76 feet from the front property line (south) facing Luke Avenue, 16 feet from the side property line (east) facing a single family residence, 116 feet from the side property line (west) facing a single family residence, and 33 feet from the rear property line (north) facing the Gulf Power easement and a vacant commercial lot. The meter pit will be 115 feet from the front property line (south) facing Luke Avenue, 52 feet from the side property line (east) facing a single family residence, 95 feet from the side property line (west) facing a single family residence, and 28 feet from the rear property line (north) facing the Gulf Power

easement and a vacant commercial lot. All measurements are taken from the closest point of the proposed building to the nearest property line. The proposed structures meet all of the required setbacks for the Residential Intensive Apartment (RIA) zoning district.

WHITE SANDS ZONE:

The proposed project is located outside of both White Sands Zones.

SIGNS:

No signs have been proposed and approved with this project. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated February 13, 2003.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated February 19, 2003.

GULF POWER:

Gulf Power approved the project in a letter dated February 18, 2003.

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated February 10, 2003.

SPRINT:

Sprint approved the project in a letter February 10, 2003.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project at the February 19, 2003, TRC meeting.

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated March 11, 2003.

INGRESS/EGRESS:

The property meets the requirements for access by providing one 22-foot two-way driveway off Luke Avenue.

SIDEWALKS:

A 4' foot concrete sidewalk will be on the south property line and within the right-of-way of Luke Avenue.

REFUSE COLLECTION:

Not applicable.

LANDSCAPE:

The project meets or exceeds the landscape requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

Open Space Requirements:

24,690 sq. ft. of property x 18%	=	4,444 sq. ft. required
Site plan provides 78.4%	=	19,364 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 (12 trees x 3 credits per tree):	36
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:	36
Reforestation Trees (1 per every .10 of an acre: .57/ .10 = 5.7) Required on Site:	6
Total Reforestation Credits:	36
Total Reforestation Trees Required on Site:	0
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	0
Perimeter Trees (1 per 25') Required on Site:	7
Parking Lot Trees (1 per end row and landscape island) Required on Site:	0
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
TOTAL TREES REQUIRED:	7
TOTAL TREES PROVIDED:	13

A 5' Common Boundary Buffer is required along the eastern, western, and northern property lines, and a 10' Front Perimeter Landscape Area is required along the southern property line. The required five (5) foot Common Boundary Buffer shall provide a minimum of fifty (50) percent 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. 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.**

PHASING:

The applicant has proposed to construct the project in a single phase. Therefore, the construction plans do not contain a phasing plan.

PARKING:

No parking spaces are required for this development. A concrete parking lot exists on the property that adequately serves the site.

LOADING SPACE (ZONE):

No loading spaces are required for this development.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater).
2. A National Pollution Discharge Elimination System permit.

IMPACT FEES:

The owner/applicant must pay the following impact fees prior to the issuance of a Certificate of Occupancy:

Police Protection: The police protection impact fees were calculated using the "Industrial per 1,000 square feet" fee = \$5.87 under the "Outside U.S. 98 Corridor" category.

$$(1,458 \text{ sq. ft.}) \times (\$5.87) = 8,558.46 / 1,000 = \$8.56$$

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

Total Police Protection Impact Fees to be paid for "DWU Phase II Water Improvements": \$8.56

Roads: The roads impact fees were calculated using the "General Light Industry = \$1,030.00 category.

$$(1,458 \text{ sq. ft.}) \times (\$1,030.00) = 1,501,740.00 / 1,000 = \$1,501.74$$

$$(\text{sq. ft. of proposed buildings}) \times (\text{General Light Industry amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Roads Impact Fees to be paid for "DWU Phase II Water Improvements": \$1,501.74

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$8.56
Roads:	=	\$1,501.74
TOTAL:	=	<u>\$1,510.30</u>

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 Traffic Consultant:	0
City Compatibility Consultant:	0
Administrative Costs:	\$2.23
Planning Commission Advertising:	Not applicable.
<u>City Council Advertising:</u>	<u>Not applicable</u>
TOTAL :	\$2.23

COMMENTS/CONDITIONS:

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 associated with this project that are owed to the City must be paid in full.
2. Prior to installing any outdoor lighting (in addition to what has been shown on the approved site plans), a photometric plan must to submitted to the Community Development Department for review and approval.
3. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.
4. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.

Per Engineering Department:

1. **Prior to the issuance of a any City Permit**, a copy of the FDEP stormwater and NPDES approvals shall be forwarded to the City Engineer's office.
2. **Prior to the issuance of any City Permit**, the stormwater maintenance plan shall be acknowledged and signed by the owner. This plan shall include by 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 infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

UNRESOLVED ISSUES:

None, except for the conditions previously identified.


 Gerald F. Mucci, Date
 Community Development Director

 John G. Gilday, President Date
 Destin Water Users, Inc.

COMPATIBILITY ANALYSIS: DESTIN WATER USERS IN-LINE BOOSTER PUMP STATION (SP-03-03)

FOR THE CITY OF DESTIN, FLORIDA

PURPOSE OF THIS REPORT

Destin Water Users (DWU) proposes construction of two buildings housing an in-line booster pump station (1,050 square feet) and water meter facilities (408 sq. ft. together with a stormwater facility. The proposed buildings are 1,050 sq. ft. and 498-sq. ft., respectively. The site is 0.57 acre (24,690-sq. ft.) and is located north of the intersection of Luke Avenue and Stingray Street, south of the Gulf Power easement. The site is part of the Crystal Beach single family subdivision. 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 proposed location of facilities 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.

DESCRIPTION OF SURROUNDING AREA

The surrounding properties are as follows:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	CBN and C	BR and RIA	Gulf Power easement; vacant commercial; to northeast is an RV park.
South	CBN	RIA	Single family residential
East	CBN	RIA	Single family residential
West	CBN	RIA	Single family residential

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 and Wastewater Plants	CBN	RIA	Water System Facilities

The proposed uses are permitted uses within the "CBN" 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 (f), Destin Comprehensive Plan]. Public facilities are allowed as a permitted use within the IP zoning district [Section 7.12.01(E)(d), Destin Land Development Code]. The Public Service Commission and DEP regulate the public and private utility water systems. The operation and maintenance of the DWU water and wastewater plants are continually monitored and approved by the Department of Environmental Protection (DEP) as public water and wastewater facilities. The proposed public facilities are consistent with the Comprehensive Plan and the LDC, provided compatibility criteria are met. This analysis does not include an analysis of the engineered specifications, structural design and operational components of the system or the adequacy of the stormwater facility. This analysis is focus on land use compatibility.

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

The proposed structures comprise a floor area ratio (FAR) of 0.063 (1,548 sq. ft. of building floor area divided by 24,690 sq. ft. of site area = 0.063 FAR). The height of the two buildings are each less than fifteen (15) feet. The west, south, and north property lines are landscaped. In addition, the proposed facilities are screened along the north and east property lines by a wood fence six (6) feet in height. The structures are compatible with the surrounding area with the proposed landscape and screening.

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.** This analysis does not address traffic generation.
2. **Outdoor Lighting.** The proposed lighting is less than 250 watts. Therefore, no lighting plan with photometrics has been submitted. If the applicant proposes additional outdoor lighting in the future, an outdoor lighting plan must be submitted to the Community Development Department for review and approval. Any such future outdoor lighting plans 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. The source of all illumination should not be visible from off-site.

E. Alteration of Light and Air. There are no impediments restricting access to light and air.

F. Setbacks and Buffers. The setbacks and buffers are adequate.

OPINION. The DWU booster station and meter house comply with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code, §7.09 subject to the following comment:

Outdoor Lighting. No lighting plan with photometrics has been submitted. If the applicant proposes additional outdoor lighting in the future, an outdoor lighting plan must be submitted to the Community Development Department for review and approval. Any such future outdoor lighting plans 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. 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 complies with the criteria for compatibility review contained in the City of Destin Comprehensive Plan and the Land Development Code. Any future additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members.