



4200 Two Trees Road, Destin, Florida 32541 (850) 837-4242 FAX (850) 837-3267
January 24, 2000 ORDER #00-02

Final Development Order:

**“EMERALD COAST INDUSTRIAL PARK”:
A MAJOR DEVELOPMENT
(SP-99-40)**

Based upon the City Council’s approval of this Development Order, on January 18, 2000, this document will serve as the 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: Mike Buckingham
Location: The proposed project is located on Industrial Park Road.
Request: Approval of a Plat and Major Development identified as “Emerald Coast Industrial Park”. The proposed project consists of sixteen (16) units of office/warehouse (27,675 sq. ft.) within three (3) buildings.
Parcel Size: The property contains 1.59 acres +/-.
Future Land Use: Industrial (IN)
Zoning District: Protected Industry (IP)
Density: N/A
Intensity: 0.395 Floor Area Ratio
Application Date: October 4, 1999
TRC Date: October 20, 1999
Approved Site Plan Date: December 15, 1999 (to be amended)
Planning Commission Date: January 6, 2000
City Council Date (tentative): January 18, 2000

DETERMINATIONS:

1. A hearing was held by the Destin City Council on January 18, 2000, and the City Council approved the plat and major development by a vote of 7-0 with conditions; and
2. The Planning Commission considered the proposal on January 6, 2000 and recommended the City Council approved the proposed plat and major development as presented by staff. The motion passed by a vote of 4-2. Ms. Drowne, Mr. Shores, Mr. Clauson, and Ms. Castro voted for the motion. Mr. Shirley and Mr. Link opposed the motion. Mr. Breithaupt had an excused absence.

3. All the findings of the Technical Review Committee report dated January 3, 2000 and amended on January 18, 2000 are incorporated herein.

CONDITIONS OF APPROVAL FOR "EMERALD COAST INDUSTRIAL PARK": A MAJOR DEVELOPMENT (SP-99-40)

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

1. Construction must commence within twelve (12) months of approval of the Final Development Order on January 18, 2000 (no later than January 18, 2001) and must be completed as shown on plans approved by the Technical Review Committee (stamp dated December 15, 1999 to be amended).

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 "Emerald Coast Industrial Park" fully complies with the requirements of Condition Number 1 above, the concurrency status for "Emerald Coast Industrial Park" is protected (for five years) through January 18, 2005. **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 "Emerald Coast Industrial Park" 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 a Clearing/Demolition Permit, a clearing/demolition plan must be reviewed and approved by the Community Development Department.
5. Prior to the issuance of a Building Permit, a FDEP stormwater permit is required.
6. Prior to the issuance of a Building Permit, a revised site plan must be submitted to the Community Development Department for review and approval. The revised site plan must indicate that five (5) replacement trees are shown and that the required tree calculations are revised. Additionally, the note stating that no preserved or protected trees are located on the subject property must be removed from the site plan.
7. Prior to the issuance of a Building Permit and recording of the Declaration of Covenants, Conditions and Restrictions, the following modifications must be made:

Article VI, Section 6.1, Page 3 shall read as follows: "6.1. Commercial Only. Units shall only be used for those commercial purposes depicted on the site plan and shall not be used for residential purposes. Units shall not be occupied or used for accommodations by transient persons."

Article VII, Section 7.1, Page 5 shall be revised as follows: "7.1. Association. The association shall be responsible for the care, maintenance and repair of the (a) common area, and all improvements thereon, including but not limited to, landscaping, pavement, striping, signage, and lighting."

Subparagraph (b) and (c) of Paragraph 7.1 remain as is. Subparagraph (d) shall be modified as follows: "(d) stormwater management system and discharge facilities in accordance with standards established by applicable governmental agencies having jurisdiction over same, and the Operation & Maintenance Plan for said stormwater management facilities which were accepted and acknowledged by Mike Buckingham on December 1, 1999."

8. Prior to the issuance of a Building Permit, the plat will have to be recorded and the following will have to be provided to the City: 1) One (1) copy of the recorded mylar plat & recorded condominium documents, 2) Three (3) blueprints of the recorded plat, and 3) Two (2) 11" x 17" reduced copies of the recorded plat.
9. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
10. Prior to the issuance of a Certificate of Occupancy, if the applicant chooses to amend the lighting plan, it will have to be approved by the Community Development Department.
11. Requirements identified by the Technical Review Committee.

TECHNICAL REVIEW COMMITTEE REPORT

“EMERALD COAST INDUSTRIAL PARK” A MAJOR DEVELOPMENT (SP-99-40)

TRC Report: January 3, 2000 and amended January 18, 2000

ISSUE:

Applicant: Mike Buckingham
Location: The proposed project is located on Industrial Park Road.
Request: Approval of a Plat and Major Development identified as “Emerald Coast Industrial Park”. The proposed project consists of sixteen (16) units of office/warehouse (27,675 sq. ft.) within three (3) buildings.
Parcel Size: The property contains 1.59 acres +/-.
Future Land Use: Industrial (IN)
Zoning District: Protected Industry (IP)
Density: N/A
Intensity: 0.395 Floor Area Ratio
Application Date: October 4, 1999
TRC Date: October 20, 1999
Approved Site Plan Date: December 15, 1999
Planning Commission Date: January 6, 2000
City Council Date (tentative): January 18, 2000

DISCUSSION/FINDINGS:

Mike Buckingham is requesting approval of a Plat and Major Development identified as “Emerald Coast Industrial Park”. The proposed project consists of sixteen (16) units of office/warehouse (27,675 sq. ft.) within three (3) buildings. The proposed project is located on Industrial Park Road, generally described by Property Appraiser’s Tax I. D. number 00-2S-22-0000-0058-0070. The site consists of 1.59-acres +/-.

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will not degrade the level of service on Airport Road below the City’s adopted standard (see Exhibit “A”). Therefore, traffic concurrency is satisfied for this project, as confirmed by the City’s traffic consultant.

Staff has determined that the proposed request is compatible with the surrounding area. The existing uses of the surrounding properties are as follows:

North: Fire Station
South: Utility Site (Destin Water Users)
East: Industrial / Retail
West: Vacant

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes Compatibility review, Concurrency Management review, and Level of Service

review. Additionally, the project is consistent with the Vision 2000 Plan and the Community Redevelopment Area Plan.

The Technical Review Committee reviewed the project on October 17, 1999, and approved the project with specific conditions and changes.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Industrial (IN) and a Zoning Designation of Protected Industry (IP). The proposed use is consistent with the IN Future Land Use Designation and is a permitted principal use in the IP Zoning District.

COMPATIBILITY:

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use</u>
North:	C/IN	BT/IP	Vacant / Fire Station
South:	IN	IP	Utility Site
East:	IN	IP	Industrial / Retail
West:	IN/C	IP	Vacant

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements.

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

The proposed use is a permitted principal use in both the Industrial (IN) Future Land Use Designation and the Protected Industry (IP) Zoning District.

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

The proposed buildings meet and exceed all of the required setbacks for the Protected Industry (IP) Zoning District. The proposed buildings will be 5 feet, 8 feet, and 15 feet from the west side property line, 10 feet from the east side property line, 20 feet from the north (front) property line, and 37 feet and 11 feet from the rear (south) property line.

The proposed buildings' dimensions are compatible with the surrounding buildings. Directly to the north are two (2) two-story buildings (Belbro Auto Parts and the Fire station) and a vacant lot. To the east is a 1 story building (Florida Septic) and the property to the west is vacant.

The IP Zoning District has a maximum building height of 50 feet. The proposed height of the buildings (one story) is 16 feet +/- . The total floor area ratio for the subject property is 0.395, which is below the 1.07 maximum.

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

The proposed project meets the parking requirements (54 reg. including 3 h. c. proposed / 24 reg. including 1 h. c. required). It also meets the requirements for access drives (24 feet provided), service areas (dumpster is screened by a six (6) foot wood fence), loading areas (1 pro. / 1 req.).

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

According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will not degrade the level of service on Airport Road below the City's adopted standard (see Exhibit "A"). Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

A review of the traffic generated, elevation plans, and architectural plans, in relation to lot sizes and use, indicates that the proposed project will be compatible with the surrounding development. Staff finds that the lighting plan will not have a negative impact on the surrounding properties due to the fact that the applicant is proposing to have recessed lights with 75 watt light bulbs. Staff recommends, as a condition, that if the applicant chooses to amend the lighting plan, it will have to be approved by the Community Development Department prior to the issuance of a certificate of occupancy.

E) Alteration of light and air;

The proposed one-story buildings will not significantly alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The proposed buildings meet and exceed all of the required setbacks for the Protected Industry (IP) Zoning District. The proposed buildings will be 5 feet, 8 feet, and 15 feet from the west side property line, 10 feet from the east side property line, 20 feet from the north (front) property line, and 37 feet and 11 feet from the rear (south) property line.

The overall site plan meets the open space requirements (18% required / 26% provided). The following buffers are required: the standard five (5) foot common boundary landscape buffer on the east, west, and south property lines, and the standard ten (10) foot front perimeter landscape buffer on the north property line.

Parking islands and required tree/vegetation/reforestation requirements have been satisfied.

DENSITY:

Not applicable.

HEIGHT:

The IP Zoning District has a maximum building height of 50 feet. The proposed height of the buildings (one story) is 16 feet +/-.

FLOOR AREA RATIO:

The total floor area ratio for the subject property is 0.395, which is below the 1.07 maximum.

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required.

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, Gay Hamilton Smith, the proposed development will not degrade the level of service on Airport Road below the City's adopted standard (see Exhibit "A"). Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant.

SUBDIVISION OR PUD - PLAT:

The City Surveyor approved the plat in a letter dated December 9, 1999. The City Engineer approved the plat in a memo dated December 30, 1999. However, the City Engineer, after concurring with the City Land Use Attorney and Acting Community Development Director, requires the following modifications to the Declaration of Covenants, Conditions and Restrictions:

1. Article VI, Section 6.1, Page 3, shall read as follows: "6.1. Commercial Only. Units shall only be used for those commercial purposes depicted on the site plan and shall not be used for residential purposes. Units shall not be occupied or used for accommodations by transient persons."
2. Article VII, Section 7.1, Page 5, shall be revised as follows: "7.1. Association. The association shall be responsible for the care, maintenance and repair of the (a) common area, and all improvements thereon, including, but not limited to, landscaping, pavement, striping, signage, and lighting."

Subparagraph (b) and (c) of Paragraph 7.1 remain as is. Subparagraph (d) shall be modified as follows: "(d) stormwater management system and discharge facilities in accordance with standards established by applicable governmental agencies having jurisdiction over same, and the Operation & Maintenance Plan for said stormwater management facilities which were accepted and acknowledged by Mike Buckingham on December 1, 1999."

With those two (2) changes, the City Engineer can recommend approval of the covenants.

Prior to the issuance of a Building Permit, the plat will have to be recorded and the following will have to be provided to the City: 1) One (1) copy of the recorded mylar plat & recorded condominium documents, 2) Three (3) blueprints of the recorded plat, and 3) Two (2) 11" x 17" reduced copies of the recorded plat.

AIRPORT PROTECTION:

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

SETBACKS:

The proposed buildings meet and exceed all of the required setbacks for the Protected Industry (IP) Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (north):	20'	10' FP	20' + 10' FP
Side (east):	5'	5' CB	10'+ 5' CB
Side (west):	5'	5' CB	5', 8', & 15'+ 5' CB
Rear (south):	5'	5' CB	37' & 11', + 5' CB
Between Bldgs.:	10'	N/A	12'

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. A 10' Front Perimeter Landscape Area is required along the northern property line. A 5' Common Boundary Buffer is required along the eastern, western, and southern property lines.

WHITE SANDS ZONE:

The proposed project is not located within either of the White Sand Zones.

SIGNS:

No signs have been proposed 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 at the October 20, 1999, TRC Meeting.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated October 20, 1999.

GULF POWER:

Gulf Power approved the project at the October 20, 1999, TRC Meeting.

OKALOOSA GAS:

Okaloosa Gas approved the project at the October 20, 1999, TRC meeting.

SPRINT:

Sprint approved the project at the October 20, 1999, TRC meeting.

UNIVERSAL COM:

Universal Com approved the project at the October 20, 1999, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users Inc. approved the project in a letter dated November 17, 1999.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated December 30, 1999, and had the following comments:

If groundwater is observed in the stormwater structures, the stormwater management plan shall be void and require re-submittal and approval.

One final reminder that the FDEP stormwater permit is required before any building permits can be issued by the City of Destin.

INGRESS/EGRESS:

The ingress/egress point (24 feet in width) for the proposed project is provided off of Industrial Park Road and meets the requirements of the Destin Land Development Code.

SIDEWALKS:

A five (5) foot wide concrete sidewalk is required along the southern side of the right-of-way of Industrial Park Road that is adjacent to the subject property.

REFUSE COLLECTION:

Refuse collection is provided by dumpster service. The dumpster location is indicated on the site plan and is enclosed by a six (6) foot wood fence.

LANDSCAPE:

The project meets or exceeds the landscape requirements as follows:

OPEN SPACE:

<u>69,269.4</u> sq. ft. of property x 18%	= 12,467 sq. ft. required
Site plan provides <u>26%</u>	= <u>17,973</u> sq. ft. provided

TREES REQUIRED:

Reforestation: 16 Perimeter: 6 Parking Lot: 8 Vegetative Buffer: N/A
(10 per acre) (1 per 25') (1 per 25')

Replacement: 5
(removal of trees
over 12" d.b.h.)

Existing Trees on Site (7" to 12" diameter):	<u>0</u>
Protected Trees on Site (12" to 23" diameter):	<u>5*</u>
Preserved Trees on Site (24" or more diameter):	<u>0</u>
Credits for Existing, Protected or Preserved Trees:	<u>0</u>
TOTAL TREES REQUIRED:	<u>35</u>
TOTAL TREES PROVIDED:	<u>35</u>

* See condition number 6 on page 3 of 12.

A 5 foot Common Boundary Landscape Buffer is required along the eastern, western, and southern property lines. A 10 foot Front Perimeter Landscape Buffer is required along the northern property line. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty 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 years of planting. All required trees shall have a minimum height of six (6) feet at time of planting and reach a crown of 20 feet at maturity. Trees having an average mature spread of crown less than 20 feet may be arranged in groupings so as to create the equivalent of 20 foot crown spread. If shrubs are used in the required buffer areas, they must be a minimum of 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:

Parking for the project is based on the following calculations:

Per code:

Warehouse:

1 per 1,000 sq. ft. for the first 20,000 sq. ft. and 1 per 2,000 sq. ft. for the second 20,000 sq. ft.

Per site plan:

Warehouse:

1 per 1,000 sq. ft. for the first 20,000 sq. ft. = 20
1 per 2,000 sq. ft. for the second 20,000 sq. ft. = 04
total required parking spaces (including 1 handicap space) 24

TOTAL REQUIRED: 24 parking spaces (including 1 handicap spaces)
TOTAL PROVIDED: 55 parking spaces (including 3 handicap spaces)

LOADING SPACE (ZONE):

Loading space for the project is based on the following calculations:

Per code:

Industrial (Warehouse):

Shall provide one (1) space for every 10,000 sq. ft. of gross floor area.

Per site plan:

Industrial (Warehouse):

27,675 sq. ft. / 10,000 sq. ft. = 3

TOTAL REQUIRED: 3 loading spaces
TOTAL PROVIDED: 3 loading spaces

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater) is required.

COMMENTS:

There have been no comments of support or opposition filed with Staff regarding this project.

CONDITIONS:

Per Community Development:

1. Prior to the issuance of a Clearing/Demolition Permit, a clearing/demolition plan must be reviewed and approved by the Community Development Department.
2. Prior to the issuance of a Building Permit, the plat will have to be recorded and the following will have to be provided to the City: 1) One (1) copy of the recorded mylar plat & recorded condominium documents, 2) Three (3) blueprints of the recorded plat, and 3) Two (2) 11" x 17" reduced copies of the recorded plat.

3. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
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Per City Engineer:

1. Prior to the issuance of a Building Permit and recording of the Declaration of Covenants, Conditions and Restrictions, the following modifications must be made:

Article VI, Section 6.1, Page 3 shall read as follows: "6.1. Commercial Only. Units shall only be used for those commercial purposes depicted on the site plan and shall not be used for residential purposes. Units shall not be occupied or used for accommodations by transient persons."

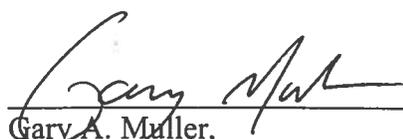
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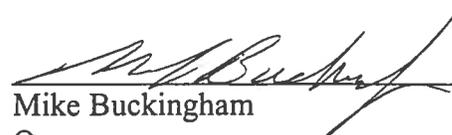
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2. Prior to the issuance of a Building Permit, a FDEP stormwater permit is required.

UNRESOLVED ISSUES:

None, other than the conditions of approval found on page 2 and 3 of this Development Order.


 Gary A. Muller, 1-24-00
 Acting Community Development Director Date


 Mike Buckingham 2-24-2000
 Owner Date