



City of Destin

October 20, 2003

Order No. 03-38

Final Development Order:

**“HARBOR IMPORTS”:
A MINOR DEVELOPMENT
(SP-03-18)**

Based upon the City's approval of this Development Order, on October 20, 2003, 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: Mike Petrucci, Agent, on behalf of James Richardson, Owner
Location: The proposed project will be located at 643 US Highway 98, Destin, Florida. The Tax Parcel Identification number for the property is No 00-2S-22-0700-000B-0060.
Request: Approval of a Minor Development identified as “Harbor Imports.” The proposed project consists the conversion of a former gas station to an automobile sales enterprise.
Parcel Size: 0.69-acres (29,951 square feet)
Future Land Use: Commercial (C)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Maximum Floor Area Ratio (FAR) allowed: 1.07
Proposed FAR: 0.10
Application Date: June 2, 2003
TRC Date: June 18, 2003
TRC Approval Date: October 7, 2003

DETERMINATIONS:

1. All the findings and requirements of the Technical Review Committee Report October 7, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR THE “HARBOR IMPORTS”: A MINOR DEVELOPMENT (SP-03-18):

1. 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 of the Final Development Order on October 20, 2003 (no later than October 20, 2004), and must be completed as shown on plans approved by the Technical Review Committee (October 7, 2003).

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 commenced construction. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.15.00, of the Destin Land Development Code and City Ordinance 02-06-LC 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 capacity allocation status for "Harbor Imports" will be protected. **The protected concurrency status, however, will be lost if:**
 - A. **Building permit(s) are not obtained in accordance with Article 6, Section 6.01.00 of the Land Development Code to maintain concurrency capacity allocation.**
 - B. **Construction activity ceases for a period exceeding one (1) year after a building permit for construction of the infrastructure or construction of the entire project has been issued, the development order will be considered null and void and capacity assigned to the development will be returned to the pool of available capacity.**
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 a Certificate of Occupancy/Completion, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.**

6. **Prior to the issuance of a Certificate of Occupancy/Completion, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention area as required to maintain approved design cross-section(s), line(s), and grade(s). Provide schedule of maintenance and provide for annual city inspections and 30-day schedule for correcting deficiencies after notification by the City Engineer.**

TECHNICAL REVIEW COMMITTEE REPORT

"HARBOR IMPORTS" A MINOR DEVELOPMENT (SP-03-18)

TRC Report: October 7, 2003

ISSUE:

Applicant: Mike Petrucci, Agent, on behalf of James Richardson, Owner
Location: The proposed project will be located at 643 US Highway 98, Destin, Florida. The Tax Parcel Identification number for the property is No 00-2S-22-0700-000B-0060.
Request: Approval of a Minor Development identified as "Harbor Imports." The proposed project consists the conversion of a former gas station to an automobile sales enterprise.
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Proposed FAR: 0.10
Application Date: June 2, 2003
TRC Date: June 18, 2003
TRC Approval Date: October 7, 2003

DISCUSSION/FINDINGS:

Mike Petrucci, Agent, on behalf of James Richardson, Owner, is requesting approval of a Minor Development identified as "Harbor Imports." The proposed project consists the conversion of a former gas station to an automobile sales enterprise. The demolition plans include removal of selected auto service structures, including fuel dispensers, a steel storage container, vacuum manifold system, overhead utilities, miscellaneous concrete sections, and handicapped ramps. The site plan improvements include construction of new concrete sidewalks and handicapped ramps as well as the underground placement of new and renovated utilities. There are three existing buildings on site. No new structures will be constructed. The proposed project will be located at 643 US Highway 98, Destin, Florida. The Tax Parcel Identification number for this property is No 00-2S-22-0700-000B-0060.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use Designation of Commercial (C) and a Zoning Designation of Business Tourism (BT). 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. This compatibility review is incorporated into the report language below.

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

The proposed construction is a permitted use in both the Commercial (C) Future Land Use Category and the Business Tourism (BT) Zoning District.

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

The proposed development includes no new structures. The existing structures meet setback and height requirements. The floor area ratio (FAR) of the proposed development is 0.10. This is below the maximum floor area ratio of 1.07 permitted on property designated C on the FLUM.

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

According to the regulations in the City of Destin's Land Development Code, 8 parking spaces are required for this project. Eight (8) parking spaces have been provided, including one handicapped space.

The property meets the requirements for access by providing one 24-foot two-way driveway and a second 50-foot two-way driveway off of US Highway 98.

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

According to the traffic review conducted by the City's Transportation Manager, and approved on August 11, 2003, the proposed development will return 20 PM Peak Hour directional trips on Segment "A," 6 PM Peak Hour directional trips on Segment "B," and 4 PM Peak Hour directional trips on Segment "C" of US Highway 98 due to the change of use from a gas station to an automobile sales facility. Currently all segments of US Highway have the capacity to absorb the additional trips that this development will generate. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

No additional lighting is proposed for this development. If it is determined that additional lighting is necessary, a photometrics plan must be submitted and approved by the City prior to the installation of additional lighting.

E) Alteration of light and air;

This development will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

No new structures are proposed with this project. The existing buildings on this lot meet all of the required setbacks for the BT Zoning District.

The following buffers are required: the standard ten (10) foot front perimeter landscape buffer on the southern property lines, and a ten (10) foot vegetative buffer along the northern property line.

DENSITY:

Not applicable.

HEIGHT:

This section is not applicable, since there are no new structures proposed with this development.

FLOOR AREA RATIO:

The Floor Area Ratio (FAR) for the proposed project is 0.10. The Future Land Use Designation for this property is Commercial (C), which has an allowable FAR of 1.07. Therefore, the proposed development meets the FAR requirements.

RIGHT-OF-WAY DEDICATION:

Not applicable.

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 August 11, 2003, the proposed development will return 20 PM Peak Hour directional trips on Segment "A," 6 PM Peak Hour directional trips on Segment "B," and 4 PM Peak Hour directional trips on Segment "C" of US Highway 98 due to the change of use from a gas station to an automobile sales facility. Currently all segments of US Highway have the capacity to absorb the additional trips that this development will generate. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's Transportation Manager.

SUBDIVISION OR PUD - PLAT:

No applicable.

AIRPORT PROTECTION:

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

WHITE SANDS ZONE:

The proposed project is located in White Sands Zone II. All fill used on site will have to meet the requirements of the White Sands Zone ordinance.

SIGNS:

No sign approval is part of this application. All future signs must comply with the applicable 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 June 6, 2003.

DESTIN FIRE CONTROL DISTRICT:

Destin Fire Control District approved the project in a letter dated June 17, 2003.

GULF POWER:

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

OKALOOSA GAS:

Okaloosa Gas approved the project in a letter dated June 17, 2003.

SPRINT:

Sprint approved the project in a letter dated June 9, 2003.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated June 17, 2003

UTILITIES:

Underground utilities/service (existing and proposed) are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated October 7, 2003.

INGRESS/EGRESS:

The property meets the requirements for access by providing one 24-foot two-way driveway and a second 50-foot two-way driveway off of US Highway 98.

SIDEWALKS:

There is an existing sidewalk on the south side of the property adjacent to US Highway 98. New sidewalks and handicap ramps will be constructed within the interior of the lot in the east and south portion of the lot.

REFUSE COLLECTION:

A 10' x 10' screened and gated dumpster enclosure is proposed on the north side of the property.

OPEN SPACE/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:

Required 18% Open Space: 5,391 sq. ft.
Provided 24.8% Open Space: 7,430 sq.ft.

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (3 trees x 2 credits per tree):	6
Credits for Existing Trees (7" to 12" diameter) on Site (5 trees x 3 credits per tree):	15
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):	<u>0</u>
Total Reforestation Credits for Existing, Protected, or Preserved Trees:	<u><u>21</u></u>
 Reforestation Trees (1 per every .10 of an acre: .69 x .10 = 7) Required on Site:	 <u>7</u>
 Total Reforestation Credits:	 <u>21</u>
Total Reforestation Trees Required on Site:	<u><u>0</u></u>
 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:	6
Parking Lot Trees (1 per end row and landscape island) Required on Site:	4
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
TOTAL TREES REQUIRED:	<u><u>10</u></u>
TOTAL TREES PROVIDED:	<u><u>* 9</u></u>

***NOTE: There are eight (8) additional trees already planted on the site. Therefore, the tree requirements have been satisfied.**

A 10' Front Perimeter Landscape Area is required along the southern property line, and a 10' Vegetative Buffer is required along the northern property line. 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. The 10' Vegetative Buffer must meet the criteria of maintaining an opaque screen of vegetation or use of a wall or fence. The applicant must install Leyland cypress bushes (or equivalent evergreen vegetation) that fill the two 10-15 feet gaps in existing vegetative buffer along the north property line of the site, south of the abutting single family homes. Commercial development locating adjacent to a residential development is required to provide "buffer zone landscaping" [cross reference Section 7.10.02 (D), LDC]. The proposed Leyland cypress trees (or equivalent) must should be a minimum of 10-12 feet in height and provide at least a 95% opaque screen at time of planting. If additional vegetation is required to achieve this standard, the applicant must plant *Myrica cerifera* (Wax Myrtle) or equivalent lower story trees as needed to achieve a 95% opaque screen at least ten (10') tall at 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:

Not applicable.

PARKING:

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

Per code:

Auto Sales: 1 space per every 400 sq. ft. of gross floor area

Per site plan:

3,003 square feet of building area for Auto.Sales / 400 = 8 spaces

TOTAL REQUIRED: 8 parking spaces

TOTAL PROVIDED: 8 parking spaces (including 1 handicap space)

LOADING SPACE (ZONE):

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

TOTAL REQUIRED: 1 loading space

TOTAL PROVIDED: 1 loading space

IMPACT FEES:

(The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the gross floor area of the development and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. **Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees.** The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Police Protection: The police protection impact fees were calculated using the "U.S. Corridor 98 Retail per 1,000 square feet" fee = \$47.59

$$(3,003 \text{ sq. ft.}) \times (\$47.59) = 142,912.77 / 1,000 = \$142.91$$

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

Total Police Protection Impact Fees to be paid for "Harbor Imports": *\$142.91*

Roads: No road impact fees are associated with the proposed project, due to the redevelopment characteristics of the property from an existing gas station (more intense use) to a automobile sales enterprise (less intense use). More specifically and as stated previously, the proposed project is not negatively impacting the transportation system and in fact will return 20 PM Peak Hour directional trips on Segment "A," 6 PM Peak Hour directional trips on Segment "B," and 4 PM Peak Hour directional trips on Segment "C" of US Highway 98.

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$142.91
Roads:	=	\$0.00
TOTAL:	=	<u>\$142.91</u>

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available (July 25, 2003). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Traffic Consultant:	\$500.00 escrow - \$232.44 charged = \$267.56 escrow
City Compatibility Consultant:	\$267.56 escrow - \$641.25 charged = -\$373.69 (not paid)
City Surveyor:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering Dept.)	Paid
Administrative Costs:	Paid
City Council Advertising:	<u>N/A</u>
TOTAL (as of 7/25/03) =	\$373.69

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 the issuance of a Certificate of Completion**, if applicable, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.

Per Engineering Department:

1. **Prior to the issuance of a Certificate of Occupancy/Completion, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention area as required to maintain approved design cross-section(s), line(s), and grade(s). Provide schedule of maintenance and provide for annual city inspections and 30-day schedule for correcting deficiencies after notification by the City Engineer.**

UNRESOLVED ISSUES:

None, except for the conditions previously identified.

 Gerald F. Mucci, Community Development Director	<u>10/29/03</u> Date	 James Richardson Owner	<u>10/3/07</u> Date
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