AGENDA ESCAMBIA COUNTY BOARD OF ADJUSTMENT December 19, 2018–8:30 a.m. Escambia County Central Office Complex 3363 West Park Place, Room 104

- 1. Call to Order.
- 2. Swearing in of Staff and acceptance of staff as expert witness
- 3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
- 4. Proof of Publication and waive the reading of the legal advertisement.
- 5. Approval of Resume Minutes.
 - A. Approval of Resume Meeting Minutes from the November 14, 2018 Board of Adjustment Meeting.

6. **Consideration of the following cases:**

0. Case No.:

Address: 9100 W Highway 98
Request: Requesting a drive-through service / pickup window on a new constructed building within 200 feet of MDR zoning district
Requested
by: 98 Tampico, LLC., Don Neal & Jeff May

- 7. Discussion Items.
- 8. Old/New Business.
- 9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, January 16, 2019 at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Meeting Date: 12/19/2018

Attachments Draft November 14, 2018 Board of Adjustment Meeting Minutes

DRAFT

RESUMÉ OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD November 14, 2018

CENTRAL OFFICE COMPLEX 3363 WEST PARK PLACE, BOARD CHAMBERS PENSACOLA, FLORIDA (8:32 A.M. – 10:40 A.M.) (10:48 A.M. - 12:13 P.M.)

Present:	Auby Smith
	Bill Stromquist
	Judy Gund
	Jennifer Rigby
	Michael Godwin
	Walker Wilson
Absent:	VACANT
Staff Present:	Andrew Holmer, Division Manager, Planning & Zoning
	Horace Jones, Director, Development Services
	Kayla Meador, Sr Office Assistant
	Kristin Hual, Assistant County Attorney
Attendees:	Tim Day

REGULAR BOA AGENDA

1.		Call to Order.
2.		Swearing in of Staff and acceptance of staff as expert witness
3.		Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.
		Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund Motion was made to accept the meeting package as presented
		Vote: 6 - 0 Approved
4.		Proof of Publication and waive the reading of the legal advertisement.
		Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund Motion was made to waive the reading of the advertisement
		Vote: 6 - 0 Approved
5.		Approval of Resume Minutes.
	Α.	Approval of Resume Meeting Minutes from the October 17, 2018 Board of Adjustment Meeting.
		Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund Motion was made to approve the minutes from the October 17, 2018 meeting
		Vote: 6 - 0 Approved
6.		Consideration of the following cases:
	Α.	Case No.: CU-2018-18
		Address: 16400 Blk Perdido Key Drive
		Request: Escambia County is seeking to construct a public beach access point on the subject parcel
		Requested by: Escambia County
		Motion by Board Member Michael Godwin, Seconded by Vice Chairman Bill Stromquist

Motion was made to accept the email between Tim Day and Kristi Yanchis, from US Fish and Wildlife Service, into evidence.

Vote: 6 - 0 Approved

Motion by Board Member Michael Godwin, Seconded by Vice Chairman Bill Stromquist

Motion was made to accept the PowerPoint presentation from the October 9, 2018 Committee of the Whole into evidence. **Vote:** 6 - 0 Approved

Motion by Board Member Judy Gund, Seconded by Board Member Walker Wilson

Motion was made to accept the BCC Backup into evidence.

Vote: 6 - 0 Approved

Motion by Board Member Michael Godwin, Seconded by Vice Chairman Bill Stromquist

Motion was made adopt Staff's Findings of Fact and approved the Conditional Use, as requested. **Vote:** 6 - 0 Approved

B. Case No.: CU-2018-19

Address: 3130 Barrancas Avenue

 Request:
 The Applicant is seeking conditional use approval to operate a microwinery in a commercially zoned parcel

 Requested by:
 Derek Frazier, Agent for Willie Sam Nored, Owner

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Judy Gund

Motion was made to agree with staff findings of fact and approve the conditional use case. **Vote:** 6 - 0 Approved

C. CASE NO.: AP-2017-02

ADDRESS: 11400 Blk. Gulf Beach Hwy.

REQUESTED APPEAL: An appeal of a compatibility decision by the Planning Official **REQUESTED BY:** David Theriaque, Agent for Teramore Development, LLC and Shu Shurett and Leo Huang, Owners

Motion by Vice Chairman Bill Stromquist, Seconded by Board Member Michael Godwin

Motion was made to continue the case to a date to be determined Vote: 6 - 0 Approved

- 7. Discussion Items.
- 8. Old/New Business.
- 9. Announcement.

The next Board of Adjustment Meeting is scheduled for Wednesday, December 19, 2018, at 8:30 a.m., at the Escambia County Central Office Complex, Room 104, 3363 West Park Place.

10. Adjournment.

Board of Adjustment		6. 0.
Meeting Date:	12/19/2018	
CASE:	CU-2018-20	
APPLICANT:	98 Tampico, LLC., Don Neal & Jeff May	
ADDRESS:	9100 W Highway 98	
PROPERTY REFERENCE NO.:	18-2S-31-4101-000-002	
ZONING DISTRICT:	COM, Commercial	
FUTURE LAND USE:	C, Commercial	
OVERLAY DISTRICT:	N/A	

SUBMISSION DATA:

REQUESTED CONDITIONAL USE:

The applicant is requesting a drive-through service / pickup window on a new constructed building that is within 200 feet of MDR Zoning.

RELEVANT AUTHORITY:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section:3-2.10(c)(3)a. (3) Retail services. a. Restaurants not among the permitted uses of the district.

Chapter 6 Definitions

Drive-in or drive-through service. A form of customer service that by design, physical facilities, or operations of the providing establishment encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles. Such service may be in conjunction with or exclusive of any other form of service.

CRITERIA:

Land Development Code of Escambia County, Florida (Ordinance 96-3 as amended), Section 2-6.4

CRITERION (a)

General compatibility. The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area.

FINDINGS-OF-FACT

Staff's review of the surrounding zoning, land uses and intensities reveals a predominant existing low to medium density residential subdivision is adjoining to the north while a major arterial road Highway 98 adjoins to the south. To the East and West there is commercial zoning with a local road Tampico Boulevard splitting between the

commercial properties on the west side. The use would be compatible only as pickup window, meaning no ordering at the window, no drive-thru menu board or signs, and no loud speakers.

CRITERION (b)

Facilities and services. Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements.

FINDINGS-OF-FACT

Based on the applicant's documentation, all public utilities are available for the proposed building site and have the necessary capacity to support the development. All proposed facilities and services have been approved with an Development Order (project number PSP170600102) that was issued on December 13, 2017.

CRITERION (c)

On-site circulation. Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access.

FINDINGS-OF-FACT

The applicant is wanting to add pick up windows to the building that was not on the approved site plan. The applicant has already been approved from access management and the traffic division to allow for a pick-up window.

CRITERION (d)

Nuisances and hazards. The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

FINDINGS-OF-FACT

It is not expected that the proposed use will have a negative impact on the surrounding area, once constructed. During the Site Plan Review process, short and long term nuisances and hazards were reviewed for LDC regulations and approved.

CRITERION (e)

Solid waste. All on site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts.

FINDINGS-OF-FACT

The location, design, use and odor control requirements for solid waste collection and disposal were reviewed during the Site Plan Review process. The approved site plan was approved with for the storage, location and screening of on-site solid waste will adhere to current LDC regulations.

CRITERION (f)

Screening and buffering. Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site.

FINDINGS OF FACT:

Screening and buffering requirements were reviewed and implemented for the project during the Site Plan Review process, based on the current LDC regulations and approved with the current development order.

CRITERION (g)

Signs and lighting. All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.

FINDINGS OF FACT:

Any signs for the proposed development will need to be reviewed and permitted thru the normal process. All exterior lights will adhere to the LDC.

CRITERION (h)

Site characteristics. The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

FINDINGS OF FACT:

Based on the site plan, the 1.51± acre parcel for the proposed 4,800 square foot restaurant/general retail building development will adequately accommodate the proposed use and all of the necessary infrastructure. All of the development requirements were reviewed against the current LDC regulations.

CRITERION (i)

Use requirements. The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC.

FINDINGS OF FACT:

The request is to allow for a pickup window not a drive-through window. The request to allow for the pickup window should not allow any loud speakers, drive up menu boards or anything associated with or like a fast-food restaurant.

STAFF FINDINGS

Staff recommends approval of the Conditional Use **only for pickup windows** on the commercial zoned property that is within 200 feet of MDR zoning. Staff recommends to add a special condition not to allow any drive-through associated items such as menu boards or loud speakers. The applicant has an approved site plan that will allow for a pickup windows that was reviewed and approved by access management.

BOA DECISION BOARD OF ADJUSTMENT FINDINGS

Attachments

CU-2018-20











Notice of Public Hearing Sign



Looking Northeast

Boyetts





1st Bank[®] NAME IS OUR MISSION 56.9100

ing Provided By

Looking North



Escambia County Planning and Zoning Development Services Department 3363 West Park Place Pensacola, FL 32505 Phone: (850) 595-3475 • Fax: (850) 595-3481 <u>http://myescambia.com/business/ds</u>

Board of Adjustment Application

FOR OFFI	CE USE ONLY - Case Number: Accepted by: BOA Meeting:
Conditi	onal Use Request for:
Varianc	e Request for: <u>N/A</u>
	Contact Information: A. Property Owner/Applicant: 98 TAMPICO, LLC., DON NEAL & JEFF MAY Mailing Address: PO BOX 517, GULF BREEZE FL 32562
	Business Phone: <u>850-444-9994</u> Email: NEAL@NEALCOMMERCIAL.COM
E	Authorized Agent (if applicable): N/A Mailing Address:
	Business Phone: Cell: Cell:
	Note: Owner must complete the attached Agent Affidavit. If there is more than one owner, each owner must complete an Agent Affidavit. Application will be voided if changes to this application are found. Property Information: QOOO BLK HIGHWAY 208 MEST
A	A. Existing Street Address: 9000 BLK HIGHWAY 298 WEST Parcel ID (s): 18-2S-31-4101-000-002
B	. Total acreage of the subject property: 1.51 ACRES
	FLU Category: C
0	Is the subject property developed (if yes, explain): YES, COMMERCIAL BUILDING IS UNDER CONSTRUCTION NOW.
E	. Sanitary Sewer: X Septic:

3. Amendment Request

A. Please provide a general description of the proposed request, explaining why it is necessary and/or appropriate.

WE ARE PUTTING IN A PICKUP WINDOW. IT IS NECESSARYAND APPROPRIATE FOR SAFETY, ACCESS FOR HANDICAPED, ELDERLY AND FOR CONVIENENCE TO OTHERS WITH CHILDREN OR OTHER REASONS TO CAUSE OUR CUSTOMERS TO REMAIN IN THEIR VEHICLE.

- B. For <u>Variance Request</u> Please address *ALL* the following approval conditions for your Variance request. (use supplement sheets as needed)
- 1. Special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures or buildings in the same zoning district.

 The special conditions and circumstances do not result from the actions of the applicant.

- C. For <u>Conditional Use</u> Request Please address *ALL* the following approval conditions for your Conditional Use request. (use supplement sheets as needed)
- General compatibility. The proposed use can be conducted and operated in a manner that is compatible with adjacent properties and other properties in the immediate area. If this is for the sale of alcohol within a 1000 ft of a place of worship or child care facility; please explain a-e below: a.) The existing times of use of the places of worship or child care facilities coincide with the hours of operation of the subject business b.) The 1000foot minimum distance is not achieved. c.) The conflicting uses are visible to each other. d.) Any on-premises consumption is outdoors. e.) Any conditions or circumstances mitigate any incompatibility.

THERE WILL BE NO ALCOHOL SALES. OUR EASTERLY NEIGHBOR IS A BANK WITH MANY DRIVE THROUGH WINDOWS. OUR PROPOSED WINDOW IS FOR PICKUP ONLY. CUSTOMERS WILL ORDER FROM THEIR CELL PHONE. OUTSIDE SPEAKERS WILL NOT BE USED. THE GENERAL AREA ALONG HWY 98 IS HEAVILY DEVELOPED AS COMMERCIAL USE WITH SEVERAL OTHER ESTABLISHMENTS OFFERING DRIVE THROUGH SERVICE. OUR SERVICE IS FOR PICKUP ONLY.

2. Facilities and services. Public facilities and services, especially those with adopted levels of service, will be available, will provide adequate capacity to serve the proposed use consistent with capacity requirements. THIS PROJECT HAS BEEN RECENTLY REVEIWED BY THE COUNTY DEVELOPMENT REVIEW COMMITTEE AND MEETS REQUIREMENTS

SET FORTH IN THE COUNTY LAND DEVELOPMENT.

- 3. On-site circulation. Ingress to and egress from the site and its structures will be sufficient, particularly regarding vehicle and pedestrian safety and convenience, efficient traffic flow and control, on-site parking and loading, and emergency vehicle access. THE PICKUP WINDOW HAS BEEN LOCATED SO AS TO OFFER AMPLE QUE FOR CUSTOMERS WITHOUT CREATING PARKING LOT CIRCULATION ISSUES. THE COUNTY TRAFFIC DIVISION HAS REVIEWED OUR SITE PLAN AND APPROVED IN THIS REGARD.
- 4. Nuisances and hazards. The scale, intensity, and operation of the use will not generate unreasonable noise, glare, dust, smoke, odor, vibration, electrical interference, or other nuisances or hazards for adjoining properties and other properties in the immediate area.

THERE IS A 23' WIDE NATURAL VEGETATIVE BUFFER TO REMAIN IN PLACE BETWEEN THE NORTH PARKING LOT EDGE AND PROPERTY LINE. ON THE PROPERTY LINE IS A PRIVACY FENCE. THEREFORE THE ABOVE STATEMENT IS TRUE.

- 5. Solid waste. All on-site solid waste containers will be appropriately located for functional access, limited off-site visibility and minimal odor and other nuisance impacts. ALL SOLID WASTE WILL BE CONTAINED WITHIN A FENCED DUMPSTER CONTAINMENT AREA AS REQUIRED BY THE ESCAMBIA COUNTY LAND DEVELOPMENT CODE.
- 6. Screening and buffering. Where not otherwise required by the LDC, screening and buffering will be provided if appropriate to the proposed use and site. YES AS DESCRIBED IN ITEM 4 ABOVE ALL REQUIRED SCREENING WILL BE IN PLACE PLUS THE SCREENING PROVIDED BY THE EXTRA LARGE NATURAL AREA LEFT ON OUR NORTH AND EAST SIDE.

- Signs and lighting. All exterior signs and lights, whether attached or freestanding, will be compatible with adjoining properties and other properties in the immediate area, especially regarding glare and traffic safety.
 ALL SIGNAGE AND LIGHTING WILL BE PERMITTED AND INSTALLED
 IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE. IT IS
 OUR INTENT TO BE RESPECTFUL OF OUR NEIGHBORS WITH OUTSIDE
 LIGHTING
- 8. Site characteristics. The size, shape, location and topography of the site appear adequate to accommodate the proposed use, including setbacks, intensity, bulk, height, open space and aesthetic considerations.

THE SITE PLAN WAS APPROVED RECENTLY BY ESCAMBIA COUNTY WHICH DETERMINED THE SITE IS ADEQUATE FOR OUR PROPOSED USE.

9. Use requirements. The proposed use complies with any additional conditional use requirements of the applicable zoning district, use, or other provisions of the LDC. YES THE PROPOSED USE COMPLIES WITH ANY USE REQUIREMENTS PRESCRIBED IN THE COM ZONING DISTRICT.

7

5. Submittal Requirements

- Completed application: All applicable areas of the application shall be filled in Α. and submitted to the Planning and Zoning Department, 3363 West Park Place, Pensacola, FL 32505.
- Application Fees: To view fees visit the website: Β. http://myescambia.com/business/board-adjustment or contact us at 595-3475.

Note: Fees include all notices and advertisements required for the public hearing and a \$5 technical fee. Payments must be submitted prior to 3 pm of the closing date of acceptance of application. Please make checks payable to Escambia County. MasterCard and Visa are also accepted.

- Legal Proof of Ownership (ex: copy of Tax Notice or Warranty Deed) AND a C. Certified Boundary Survey (Include Corporation/LLC documentation if applicable.)
- Signed and Notarized Affidavit of Owner/Limited Power of Attorney AND D. Concurrency Determination Acknowledgement (pages 4 and 5).

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to place a public notice sign(s) on the property referenced herein.; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the **Development Services Department.**

Signature of Owner/Agent

Printed Name of Owner/Agent

COUNTY OF EScendia STATE OF Florida The foregoing instrument was acknowledged before me this 31 day October of

2018 by Donald C. Neal

Personally Known IN Produced Identification . Type of Identification Produced: FL DI

Signature of Notary

Sharow Fincher

Printed Name of Notary

(Notary Seal)



ESCPA - 9000 BLK HIGHWAY 298 WEST 32506

Source: Escambia County Property Appraiser

🔶 Naviga	te Mode 🛛 🖲 Account 🔍 Reference	Restore Full Pag	ge Version
**			
General Info		Assessments Year Land Imprv Total Ca	an Val
Reference: Account:	182S314101000002 093982400	· · · · · · · · · · · · · · · · · · ·	<u>ap Val</u> \$129,960
Owners:	ROBERTSDALE LLC		\$129,960
Mail:	C/O DONALD C NEAL	and the second	\$129,960
	105 E GARDEN ST	2010 \$125,500 \$0 \$125,500	<i>4123,500</i>
	PENSACOLA, FL 32502	Disclaimer	
Situs:	9000 BLK HIGHWAY 298 WEST 32506		
Use Code:	VACANT COMMERCIAL	Tax Estimator	
Taxing Authority:	COUNTY MSTU	> File for New Homestead Exem	<u>ption</u>
Tax Inquiry:	Open Tax Inquiry Window	Online	
Tax Inquiry li	nk courtesy of Scott Lunsford		
Escambia Co	unty Tax Collector		
Sales Data	Officia Record		
11/23/2016 06/1998 08/1997 03/1996	Book Page Value Type (New Window 7632 597 \$50,000 WD View In 4275 357 \$64,900 WD View In 4275 353 \$100 QC View In 3963 545 \$100 WD View In	Legal Description beg AT SW COR OF PERDIDO PARK PB 8 P 50 S 0 DEG min 36 SEC W 204 41/100 FT TO N R/W LI OF US HW tr (ST RD 30 200	
Official Recor	3910 36 \$39,800 WD <u>View In</u> ds Inquiry courtesy of Pam Childers unty Clerk of the Circuit Court and	Extra Features None	
Parcel		Launch Intera	ctive Map
Information Section Map Id: 18-2S-31 Approx. Acreage: 1.5200 Zoned: Com Evacuation & Flood Information Open Report	206.45 1 + TAMPICO BLVD 206.13	112 20 19	<u>156.</u>
27	View Florida Department o	Environmental Protection(DEP) Data	

Detail by Entity Name



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity Name Florida Limited Liability Company 98 TAMPICO, LLC **Filing Information Document Number** L16000152988 **FEI/EIN Number** 81-4029706 **Date Filed** 08/16/2016 < FROM ROBERTSDALE, LLC TO 98 TAMPICO, LLC Effective Date 08/16/2016 State FL ACTIVE Status LC NAME CHANGE Last Event Event Date Filed 02/13/2017 **Event Effective Date** NONE **Principal Address** 105 E GARDEN ST PENSACOLA, FL 32502 Changed: 02/20/2018 Mailing Address 105 E GARDEN ST PENSACOLA, FL 32502 Changed: 02/20/2018 **Registered Agent Name & Address** NEAL, DONALD C 105 E. GARDEN ST PENSACOLA, FL 32502 Authorized Person(s) Detail Name & Address **Title MGR** NEAL, DONALD C 105 E GARDEN ST PENSACOLA, FL 32502 Title MGR

10/31/2018

Detail by Entity Name

MAY, ROY J PO BOX 517 GULF BREEZE, FL 32562

Annual Reports

Report Year	Filed Date
2017	02/22/2017
2018	02/20/2018

Document Images

02/20/2018 ANNUAL REPORT	View image in PDF format
02/22/2017 ANNUAL REPORT	View image in PDF format
02/13/2017 LC Name Change	View image in PDF format
08/16/2016 Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations

Plan Reviewer Evaluation Comments

Site Plan	Reviewer	Comments
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DRC Meeting Date: July 5th, 2017 Project #: PSP170600102 Project Name: Tampico Commercial Project Address: 9100 W Highway 98

Christina Smith Digitally signed by Christina Smith DN: cn=Christina Smith, o, ou=DRC, email=Christina_Smith@myescamb ia.com, c=US Date: 2017.07.06 09:24:31 -05'00'

Please Address the Following Comments

Addressing

9100 W Highway 98

Shannon Pugh@co.escambia.fl.us

Reviewer: Shannon Pugh @ 850-595-3034

Access Management

Reviewer: Jason Walters @ 850-595-3422

Jason_Walters@co.escambia.fl.us

- 1) One driveway is sufficient to serve this site. Show a single driveway connection to Tampico Boulevard at least 125' from the travel way of Highway 98. Did the FDOT deny a driveway connection to Highway 98?
- 2) Provide written notification to the FDOT of the nature of the proposed business. Provide a copy of said notification to Escambia County.

Stormwater

Reviewer: Roza I. Sestnov @ 850-595-3411

Roza_Sestnov@co.escambia.fl.us

- 1. Suggest more durable siltation fence installed at the wetlands line, or any other additional sediment control measures.
- 2. Please note on the drawings that disturbed R/W shall be sodded.
- 3. Culvert in the Right of Way should be RCP. Please revise.
- 4. Geotechnical Report recommends a wet pond. But it appears that a dry pond is proposed. Please clarify.
- 5. Please provide a treatment volume recovery time.
- 6. Please ensure that the owner is provided with a stormwater maintenance plan.
- 7. Provide a skimmer at overflow discharge structure.
- 8. It appears this project may require permitting through ERP and FDOT. It is Engineer/Developer's responsibility to obtain all state required permits.
- 9. Drainage fees shall be paid at the time of the final comparison submittal. Drainage fees will be determined at the time of route sheet sign off.

Planning

Reviewer: John Fisher @ 850-595-4651 John_Fisher@myescambia.com

3. DSM 2-1.3

(d) Sight triangle requirements At a minimum, a site triangle shall be provided 35' from edge of pavement to 35' edge of proposed road or driveway.

Article 9 Sec 5-9.2(e) Solid waste. Refuse and waste removal areas shall be buffered and/or screened from adjacent properties and public ways by appropriate fences, wall or hedges. In cases where dumpsters must be located in areas highly visible from any public right-of-way, the Planning Official shall be authorized to require appropriate vegetative or structural screen to shield an unsightly condition.

2-2.3 Buffers. Based on broad land use categories, where a proposed new use or expanding existing use is likely to adversely impact an adjoining use, a landscape buffer is required to minimize or eliminate those impacts. The buffer shall protect the lower intensity use from the higher intensity use and provide an aesthetically attractive barrier between the uses. It shall function to reduce or eliminate incompatibility between uses such that the long-term continuation of either use is not threatened by impacts from the other. Buffers shall be provided according to the following standards:

(a) Required by use. The character of adjoining land uses primarily determines the type of buffering required.

David W. Fitzpatrick, P.E., P.A.

10250 North Palafox Street Pensacola, FL 32534 Phone (850) 476-8677 Fax (850) 476-7708 <u>fitzpatrick@fitzeng.com</u> Board of Professional Engineers Certification # 00008423

December 6, 2017

Escambia County Development Services Bureau RE: Tampico Commercial

The following are the responses to the comments made on the above mentioned project:

Jason Walters

- Per our emails and conversations, the south entrance on Tampico Blvd will be entrance only. The entrance on Hwy 98 will be right-in only.
- 2. See attached FDOT Driveway Notice of Intent to Approve.

Roza Sestnov

- 1. I have changed the silt fence to a double row of silt fence along the wetland boundaries.
- General note #4 has been revised to state this.
- 3. Culvert in the R/W has been changed to RCP.
- It also states "a shallow detention pond may be feasible.". Since we have such a large pond area, the shallow pond works well.
- 5. The recovery time sheet of the PONDS simulation is attached. The pond will fully recover the volume below the weir in less than 30 hours. This has been added to the narrative.
- 6. The maintenance plan is shown on sheet #3. The owner will be provided a copy.
- 7. Wood skimmer has been added to outfall details on sheet #3.
- 8. Acknowledged.
- 9. Acknowledged.

John Fisher

- 1. Site triangles have been added.
- 2. The dumpster pad is called out to be surrounded by a 6' opaque fence.
- 3. There are wetlands along the north boundary where a buffer would be required. The existing vegetation in the wetlands should make for a nice buffer.
- 4. No sign is proposed with this submittal. If needed, a sign permit will be attained at a later time.
- 5. Exterior lighting will be designed in accordance with Escambia County standards.

Brad Bane

- 1. See attached Site Specific with Exhibits.
- 2. Impacts to protected natural resources have been avoided to the maximum extent practicable. We should be receiving permits from ACOE & NWFWMD any day now.
- Wetland boundary label has been revised with date. Wetland table is shown on sheet C2. Secondary impacts (buffers) have been accounted for in the ACOE & NWFWMD permits.
- 4. See attached NWFWMD ERP Permit.
- 5. We have verified with surveyor that no protected trees are onsite.
- 6. Easement has been labeled on the plans.
- 7. Acknowledged.

Juan Lemos

1. Flood Statement has been revised.

Joe Quinn

- 1. The nearest fire hydrant is located at the northeast corner of the intersection of Tampico Blvd and Tampico Circle. This hydrant is shown on sheet #1 of the plans.
- The hydrant was tested and the hydant should be capable of flowing approximately 1,600 gpm. The test results are attached.

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Charles Wiley
1. All proposed handicap spaces are shown to be 12' wide.

Tampico Commercial

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DRC Number: PSP170600102

9100 W Highway 98

Date of Comments: July 5, 2017

Attached to this form are written comments based upon staff review of the above referenced project. It is the applicant's responsibility to address ALL comments. The applicant shall schedule a meeting with each reviewer. If the disposition is "recommend Approval" or "ready for final Comparison" it doesn't require a sign off

Review:	Performed by	Disposition	Sign & Date
Access	Jason Walters	Comments Given	W 10.11.17
Environmental Review	Bradley Bane	Comments Given	\mathcal{O}
Fire & Safety Review	Joe Quinn	Comments Given	
Floodplain Management Review	Juan Lemos	Comments Given	
Planning & Zoning	John Fisher	Comments Given	
Handicap Access	Charles Wiley	Comments Given	
Stormwater Review	Roza Sestnov	Comments Given	

I acknowledge that I have not obtained all signatures needed. I have elected to proceed at my own risk and that my project may be denied by the Development Review Committee creating a need to file a new application with fees.

Applicant/Agent Signature:

Date:

Tampico Commercial 9100 W Highway 98

DRC Number: PSP170600102

Contract and a contract of the state of the states

Date of Comments: July 5, 2017

Attached to this form are written comments based upon staff review of the above referenced project. It is the applicant's responsibility to address ALL comments. The applicant shall schedule a meeting with each reviewer. If the disposition is "recommend Approval" or "ready for final Comparison" it doesn't require a sign off

Review:	Performed by	Disposition	Sign & Date	
Access	Jason Walters	Comments Given		Digitally signed by Brad Bane
Environmental Review	Bradley Bane	Comments Given	Bane	DN: cn=Brad Bane, p=Exambla County Development Services Dept, ou=DRC/ Environmental, email=bdbane@myescambla.cov c=US Date: 2017.12.06 14.45:22-06/00
Fire & Safety Review	Joe Quinn	Comments Given		
Floodplain Management Review	Juan Lemos	Comments Given		
Planning & Zoning	John Fisher	Comments Given		
Handicap Access	Charles Wiley	Comments Given		
Stormwater Review	Roza Sestnov	Comments Given		
		gnatures needed. I have elected to proce Review Committee creating a need to fi		

Applicant/Agent Signature:

Date:

Tampico Commercial

DRC Number: PSP170600102

9100 W Highway 98

Date of Comments: July 5, 2017

Attached to this form are written comments based upon staff review of the above referenced project. It is the applicant's responsibility to address ALL comments. The applicant shall schedule a meeting with each reviewer. If the disposition is "recommend Approval" or "ready for final Comparison" it doesn't require a sign off

Review:	Performed by	Disposition	Sign & Date
Access	Jason Walters	Comments Given	
Environmental Review	Bradley Bane	Comments Given	An
Fire & Safety Review	Joe Quinn	Comments Given	ACO digit
Floodplain Management Review	Juan Lemos	Comments Given	
Planning & Zoning	John Fisher	Comments Given	
Handicap Access	Charles Wiley	Comments Given	
Stormwater Review	Roza Sestnov	Comments Given	

I acknowledge that I have not obtained all signatures needed. I have elected to proceed at my own risk and that my project may be denied by the Development Review Committee creating a need to file a new application with fees.

Applicant/Agent Signature:

Date:

Tampico Commercial 9100 W Highway 98

DRC Number: PSP170600102

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Environmental Review	Bradley Bane	Comments Given		
Fire & Safety Review	Joe Quinn	Comments Given		Digitally upned by JC LEMOS
Floodplain Management Review	Juan Lemos	Comments Given	JC LEMOS	DR.com/X ELBOS, on ESCAMBA COUNTY FL, our-DRVELORMENT SV (FLOODPLAN REVEW), email-polemosiamyextambia.com, c=US Date; 2017.07.06 15:12:07-02:00
Planning & Zoning	John Fisher	Comments Given		
Handicap Access	Charles Wiley	Comments Given		
Stormwater Review	Roza Sestnov	Comments Given		

Applicant/Agent Signature:

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Planning & Zoning	John Fisher	Comments Given	John C Fisher Discussion C Fisher Discussion C Fisher Services, ourFlanning & Zoong. emailed/integrinyes.ambla.com.cc/US Date: 2017.09.29 11:45:21 - 05:00'
Handicap Access	Charles Wiley	Comments Given	
Stormwater Review	Roza Sestnov	Comments Given	

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Applicant/Agent Signature:

Tampico Commercial

Date:

Comments/ Conditions

DRC Workflow Disposition Status Detail Report

DRC Number: PSP170600102

Tampico Commercial 9100 W Highway 98

DRC Number: PSP170600102

Date of Comments: July 5, 2017

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Planning & Zoning	John Fisher	Comments Given		
Handicap Access	Charles Wiley	Comments Given	* Roza	Digitally signed by Roza Sestnov DN: cn=Roza Sestnov, o=Escambi
Stormwater Review	Roza Sestnov	Comments Given	Sestnov	County, ou=DRC, email=risestnov@myescambia.co c=US Date:2017.09.29 12:28:36 05 '00'

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Applicant/Agent Signature:

Date:

Comments/ Conditions

* Drainage Impact Fee: \$835.16



SITE PLAN DEVELOPMENT ORDER with Concurrency Certification

Project: Tampico Commercial Location: 9100 W Highway 98 Development Review #: PSP170600102 Property Reference #: 18-2S-31-4101-000-002 Future Land Use: C Zoning District: Com Flood Zone: X CRA: N/A

PROJECT DESCRIPTION

To construct a new 4,800-square foot restaurant/general retail building on a 1.51± acre parcel. Access will be utilized from Highway 98 and Tampico Boulevard.

Total Parking Spaces: 30

Potable Water: ECUA

Trees to be removed: 0

Handicap Parking Spaces: 2 Sanitary Sewer/Septic: Sewer Mitigation Trees: 0

STANDARD PROJECT CONDITIONS

- 1. This Development Order with concurrency certification shall be effective for a period of 18 months from the date of approval. Site plan approval and concurrency shall expire and become null and void if a permit for the approved development has not been obtained from the Building Inspections Department (BID) within the effective period and no extension has been applied for. After issuance of such permit, site plan approval and concurrency shall only terminate upon permit expiration or revocation by the BID. The Board of Adjustment may grant one extension for a maximum of 12 months to the original effective period of the Development Order, but application for such extension must be submitted before termination of the initial 18-month period. If the Development Order expires or is revoked, allocated capacity will be withdrawn and made available to other applicants. If the applicant chooses to proceed with development of the project site, a new site plan application must be submitted for review, approval, and capacity allocations subject to Code provisions and Level of Service conditions at the time of the new application.
- 2. This Development Order alone does not authorize site development to commence. A valid Escambia County Building Permit must be obtained prior to any building construction. Site development as described on the approved site plan, including protected tree removal and grading, may occur under the authorization of the Building Permit. However, commencement of such activity prior to issuance of a Building Permit will require a separate **Pre-construction Site Work Permit**, or if no Building Permit is applicable will require a separate **Parking Lot Permit**, obtained from the Building Inspections Department, with erosion control, tree protection, and all other provisions of the approved site plan fully applicable and enforced.

- 3. All specifications and requirements, expressed or implied by note or drawing, in the site development plans approved with this Development Order must be fulfilled.
- 4. No development activities may commence in areas regulated by state or federal agencies unless all required state and federal permits, or proof of exemption, have been obtained and a copy provided to the County.
- 5. Proof of application from the Emerald Coast Utilities Authority (ECUA) for connection to the sewage system, or from the Escambia County Health Department for an Onsite Sewage Treatment and Disposal System (OSTD), must be obtained prior to issuance of an Escambia County Building Permit.
- 6. After issuance of this Development Order, it shall be unlawful to modify, amend, or otherwise deviate from the terms and conditions without first obtaining written authorization through the Development Review Committee (DRC) departments. Approval of such modifications shall be requested in writing and obtained prior to initiating construction of any requested change. The applicable review process for the proposed modifications. Escambia County may require submittal of a new or revised plan and impose additional requirements and/or conditions depending upon the extent of any proposed modifications. The applicant has a continuing obligation to abide by the approved plan. Initiating construction of plan modifications without written County approval shall automatically terminate and render null and void this Development Order, and shall be subject to penalties and/or increased fees specified by the BCC.
- 7. A copy of this Development Order and the approved site development plans must be maintained and readily available on site once any construction activity has begun, including clearing and grading. The approved building construction plans must also be on site once any building construction has begun.

Development Review Committee (DRC) Final Determination

Having completed development review of the **Tampico Commercial**, **9100 W Highway 98**, site plan application referenced herein, in accordance with requirements of applicable Escambia County regulations and ordinances, the DRC makes the following final determination:

- Approve The development plan is approved. The applicant may proceed with the development subject to the project description and project conditions noted herein. Use other than that described, or conditions not satisfied, constitute a violation of this Development Order and render it void. Further, this approval does not constitute approval by any other agency.
- Deny The development plan is denied for the reasons noted below. The applicant may appeal the decision within 15 days from the date below to the Board of Adjustment (BOA) under the provisions of Section 2.04.00 of the Escambia County Land Development Code, and/or submit a new or revised site plan application for review.

1

12-1

Date

Director, Development Services Department



SET NAIL & DISK ELEVATION=27.37'



TABLE		
ND AREA	65,893 SF	1.51 ACRES
	22,278 SF	0.51 ACRES
	43,615 SF	1.00 ACRES
IMPACT	21,579 SF	0.49 ACRES
TO REMAIN	22,036 SF	0.51 ACRES

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