



THE COUNTY OF ESCAMBIA
PENSACOLA, FLORIDA

SITE PLAN DEVELOPMENT ORDER
with Concurrency Certification

Project: Shellco Drainage Improvements

Location: 115 E. Nine Mile Road

Property Reference #: 11-1S-30-1101-001-080

Exhibit A: Mitigation Plan

Future Land Use: MU-1

Zoning District: C-2

Development Review #: 08030162

PROJECT DESCRIPTION

This development is for the construction of a retention pond located on a 13.05-acre parcel to accommodate the proposed build out of an existing commercial and industrial complex. The stormwater pond is designed to satisfy the treatment and attenuation of the site if built to the maximum extent allowed by the LDC (85% impervious cover). The impact associated with the expansion of the stormwater pond will be comprised of filling and excavating .56-acres of County wetlands. Mitigation of this lost function will be provided per the attached Mitigation Plan.

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 If the Development Order expires or is revoked, allocated capacity will be withdrawn and made available to other applicants.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 modification shall be determined based on the applicant's written description of such 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 **Shellco Drainage Improvements** site plan application referenced herein, in accordance with requirements of applicable Escambia County regulations and ordinances, the DRC makes the following final determination:

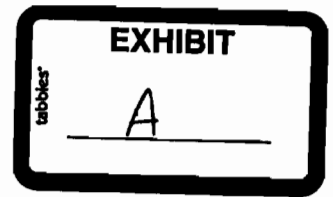
- Approve The development plan is approved. The applicant may proceed with the development subject to the project description and project conditions noted herein. Use other than that described, or conditions not satisfied, constitute a violation of this Development Order and render it void. Further, 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.



Chief, Development Services Bureau



Date



MITIGATION PLAN
FOR
Mr. Mike O'Neill
Shellco of Pensacola

Prepared for:
Mr. Mike O'Neill
8500 Fowler Avenue
Pensacola, Florida 32534

Prepared by:
Edmisten & Associates
111-A South DeVilliers Street
Pensacola, Florida 32502



INTRODUCTION

The applicant, Shellco of Pensacola (Mike O'Neill), proposes to expand the commercial and industrial complex on the existing commercial property. The impact associated with the expansion of the facility will be comprised of filling and excavating .56-acres of County only wetlands to facilitate the construction of a stormwater treatment pond. The wetlands are exempt from regulation by both the U.S. Army Corps of Engineers (COE) and the Florida Department of Environmental Protection (FDEP). The subject property is located in Section 11, Township 1 South, Range 30 West, Escambia County, Florida, and is on the south side of Highway 90 and Holsberry Lane. The following plan outlines the applicant's proposal to compensate for the wetland impacts associated with the proposed development. Please find enclosed copies of the COE and FDEP letters on non-jurisdiction for this project.

PROJECTED DESCRIPTION

The proposed project was designed to avoid direct and secondary impacts to County wetlands. The applicant is seeking to impact .56 acres of County only wetlands for the purpose of constructing a stormwater retention pond. The wetlands are not within the 100 year flood plain and are of nominal value to water quality or habitat value. The functions that will be lost to the proposed fill will be improved through the creation of a well designed stormwater pond. A site condition survey has been performed on the site and it was determined that there were no listed species within the vicinity of the site.

The wetlands on site can be described as a Dome Swamp and is characterized as a shallow forested, circular depression with the larger trees in the central portion of the wetland and the smaller trees at the outer edge. The vegetation consists of sweetbay (*Magnolia virginiana*), black titi (*Cliftonia monophylla*), red maple (*Rubrum acer*), blackgum (*Nyssa sylvatica*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), netted chainfern (*Woodwardia areolata*), laurel greenbrier (*Smilax laurifolia*) and Chinese privet (*Ligustrum sinense*). The primary hydric soil unit underlying the subject property is Croatan muck (12).

This project is an expansion of an existing commercial development and will accommodate additional commercial and industrial businesses. The new stormwater pond will outfall to the wetlands on the site at a rate less than the existing rate. The stormwater will ultimately outfall to the inlet in the Carmike Cinema easement located south of the project and be routed to the Kaylyn Pond via the County drainage system along Camden Road, which is the current path. The pond has been designed to insure that the pre-project runoff as well as the new stormwater will be treated and maintained and will not result in an increased post project discharge.

MITIGATION

The applicant proposes to mitigate the lost wetland functions through an in lieu of fee. The wetland area to be impacted has been determined to be of marginal quality by Mr. Tim Day of Escambia Counties Neighborhood Environmental Services Department (NESD). The fee for the impact to .56-acres was determined to be \$30,000.00 per acre. The fee for .56-acres would amount to \$18,600.00. This fee would be paid by the applicant upon approval of the project through the County.