



June 1, 1998

ORDER #98-17

Final Development Order:

**PELICAN BEACH RESORT - CELLULAR ANTENNAS:
A MAJOR DEVELOPMENT**

Based upon the City's approval of this Development Order on May 18, 1998, this document will serve as your 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 Destin City Council:

BACKGROUND / ISSUE:

Applicant: Bell South Mobility, Inc., Agent, SBA, Inc., Agent.
Owner: Pelican Beach Resort Owners Association, Woodrow Rossbach, President; Tommy Casey, Vice President.
Property Location: 1002 Highway 98 East, Pelican Beach Resort.
Request: A request for approval of a Major Development identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and a un-manned electrical equipment unit. All antennas will be mounted to the outside of the existing parapet wall or penthouse. None of the antennas will extend above the existing height of the parapet wall or penthouse upon which they are attached. The un-manned electrical equipment unit will be approximately nine (9) inches taller than the parapet wall.
Parcel Size: 10.91 acres, more or less.
Land Use Designation: MU (Mixed Use)
Zoning District: BT (Business Tourism) DWUI property.
Density: N/A
Intensity: N/A
Application Date: March 3, 1998
TRC Date: March 19, 1998
Planning Commission Date: April 16, 1998
City Council: May 18, 1998

DETERMINATIONS:

1. A hearing was held by the Destin City Council on May 18, 1998; and
2. The Planning Commission considered the proposal on April 16, 1998; and
3. All the findings of the City Council Report are incorporated herein; and
4. All the findings of the Technical Review Committee report dated March 19, 1998, are incorporated herein.
5. This project does not effect, in any way, the existing development order or existing DRI status of the subject property. Nor does this project or approval extend any approvals or vested rights or any other action upon the existing development orders, which exist on the subject site.

CONDITIONS OF APPROVAL FOR PELICAN BEACH RESORT CELLULAR ANTENNAS, A MAJOR DEVELOPMENT:

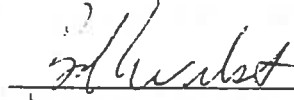
Pursuant to the City of Destin Land Development Regulations and the City of Destin Code of Ordinances:

1. Development and/or construction must commence within twelve months of approval of the Development Order on June 1, 1998, 1998 (no later than June 1, 1999) and must be completed as shown on plans approved by the City Council.
2. The concurrency status of Pelican Beach Resort - Cellular Antennas is identified in the attached TRC Report dated March 19, 1998 and is protected (for five years) through June 1, 2003, IF Pelican Beach Resort Cellular Antennas commences development within the twelve month period following approval of the Development Order on June 1, 1998. Construction permits must be attained in accordance to Section 2.09.00 of the Land Development Code to maintain concurrency.
3. City of Destin permits are required for the following activities on and off site:
 - a. disturbance to the city's rights of way;
 - b. pavement cuts
 - c. construction of any kind
 - d. clearing and grubbing
 - e. construction trailers
 - f. signage
4. The six (6) antennas shall be the same color (ie. painted) as the predominant color of the exterior of the top of the Pelican Beach Resort Condominium building.
5. The BTS equipment unit shall be the same color (ie. painted) as the predominant color of the exterior of the top of the Pelican Beach Resort Condominium building.

6. Requirements identified by the Technical Review Committee.



Robert P. Franke, AICP 6/2/98 Date
Community Development Director



Pelican Beach Resort 6/3/98 Date
Homeowners Association,
General Mgr
(Title)

cc: Permit Division
City Engineer
City Clerk

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REPORT AND RECOMMENDATION

DATE: MAY 18, 1998

TO: HONORABLE MAYOR AND CITY COUNCIL

THRU: CITY MANAGER, ROBERT MEARNES

FROM: COMMUNITY DEVELOPMENT DIRECTOR, ROBERT P. FRANKE

SUBJECT: A request for approval of a Major Development identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and a un-manned electrical equipment unit.

I. BACKGROUND

Bellsouth Mobility Inc., Agent, SBA, Inc., Agent and Pelican Beach Resort Homeowners Association, owner, Woodrow Rossbach, President, Tommy Caset, Vice President, request approval of Pelican Beach Resort Cellular Antennas, a Major Development, consisting of six (6) antennas which will be mounted to the penthouse and parapet wall on the roof of the existing Pelican Beach Resort Condominium building.

The project is classified as a major development per Ordinance #279, Section Five - Applicability, which stipulates that commercial communication towers are considered Major Developments. The Ordinance defines a transmission tower as the structure on which transmitting and or receiving antennas are located. (See enclosed Ordinance #279)

Staff supports the co-location of the antennas upon an existing structure (the penthouse concrete walls and the concrete parapet) which have been certified by the applicants' engineer as capable of securing the proposed antennas and equipment box (3000 lbs. being bolted to a concrete roof slab)and which have been found compatible.

II. DISCUSSION

Four (4) of the six (6) antennas will be mounted to the exterior side of the penthouse (elevator equipment room): two (2) on the north side and two (2) on the east side. The remaining two (2) of the six (6) antennas will be mounted to the northwestern side of the parapet wall surrounding the roof. The antennas, which have the dimensions of 2 inches x 6 inches x 6.25 feet (approximately three (3) square feet), will transmit and receive Personal Communication Services (PCS) radio signals and will not extend above the existing parapet wall or the roof line of the penthouse upon which they are attached. A BTS cabinet (equipment box) will be located on the roof of the building, behind an existing six (6) ft. high parapet wall, and will extend nine (9) inches above the parapet wall.

The uses surrounding this project are the following: North - BT Zoning, Shoreline Towers Condominium Complex, Shoreline Village Mall, South - Shoreline Towers Condominium buildings #1 & #2, Gulf of Mexico, West - BT Zoning, Shoreline Towers West, Shoreline Gardens Townhomes, East - BT Zoning, South by the Bay Condominiums.

Staff has reviewed the proposed request and compatibility analysis and found them compatible to the surrounding area, (**provided the equipment box is painted the same color as the antennas**). The proposed equipment will not generate any additional trips for the site. The proposed equipment will be located on the existing building (Phase I of the Pelican Beach Resort, a Development of Regional Impact). Phase II of Pelican Beach Resort, the Terrace at Pelican Beach, will be north of the existing building and proposed antennas.

III. FINANCIAL IMPACT

Effect on Budget: There is no anticipated negative effect on budget by this project.

Level of Service: There is no negative effect on the LOS by this project.

IV. RECOMMENDATION

Staff recommends that the City Council **approve** the proposed request for a Major Development, identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and an electrical equipment unit. *Provided that both the antennas and the BTS equipment unit be painted to match the exterior portion of the structure of which they are attached.*

The Planning Commission/Local Planning Agency's recommendation to City Council is for **approval per staff's recommendation** of the proposed request of a Major Development identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and an electrical equipment unit, by a vote of 5-0 on April 16, 1998.

V. RECOMMENDED MOTION

Motion to **approve per staff's recommendation** for the request of a Major Development, identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and an electrical equipment unit- as presented by staff and documented within the Report and Recommendation.

REPORT AND RECOMMENDATION

TO: PLANNING COMMISSION

FROM: ACTING COMMUNITY DEVELOPMENT DIRECTOR, ROBERT FRANKE

SUBJECT: A REQUEST FOR APPROVAL OF A MAJOR DEVELOPMENT IDENTIFIED AS "PELICAN BEACH RESORT CELLULAR ANTENNAS", CONSISTING OF SIX (6) CELLULAR ANTENNAS AND AN ELECTRICAL EQUIPMENT UNIT.

DATE: APRIL 6, 1998

MEETING DATE: APRIL 16, 1998

ISSUE/BACKGROUND:

Applicant: Bell South Mobility, Inc., Agent, SBA, Inc., Agent.
Owner: Pelican Beach Resort Owners Association, Woodrow Rossbach, President; Tommy Casey, Vice President.
Property Location: 1002 Highway 98 East, Pelican Beach Resort.
Request: A request for approval of a Major Development identified as "Pelican Beach Resort Cellular Antennas", consisting of six (6) cellular antennas and a un-manned electrical equipment unit. All antennas will be mounted to the outside of the existing parapet wall or penthouse. None of the antennas will extend above the existing height of the parapet wall or penthouse upon which they are attached. The un-manned electrical equipment unit will be approximately nine (9) inches taller than the parapet wall.
Parcel Size: 10.91 acres, more or less.
Land Use Designation: MU (Mixed Use)
Zoning District: BT (Business Tourism) DWUI property.
Density: N/A
Intensity: N/A
Application Date: March 3, 1998
TRC Date: March 19, 1998
Planning Commission Date: April 16, 1998

DISCUSSION/FINDINGS:

Bellsouth Mobility Inc., Agent, SBA, Inc., Agent and Pelican Beach Resort Homeowners Association, owner, Woodrow Rossbach, President, Tommy Caset, Vice President, request approval of Pelican Beach Resort Cellular Antennas, a Major Development, consisting of six (6) antennas which will be mounted to the penthouse and parapet wall on the roof of the existing Pelican Beach Resort Condominium building.

The project is classified as a major development due to the fact that Ordinance #279, Section five, stipulates that commercial communication towers are considered Major Developments. The Ordinance

defines a transmission tower as the structure on which transmitting and or receiving antennas are located. (See enclosed Ordinance #279)

Four (4) of the six (6) antennas will be mounted to the exterior side of the penthouse (elevator equipment room), two (2) on the north side and two (2) on the east side. The remaining two (2) of the six (6) antennas will be mounted to the northwestern side of the parapet wall surrounding the roof. The antennas, which have the dimensions of 2" x 6" x 6.25' (approximately three (3) square feet), will transmit and receive Personal Communication Services (PCS) radio signals and will not extend above the existing parapet wall or the roof line of the penthouse upon which they are attached. A BTS cabinet (equipment box) will be located on the roof of the building, behind an existing six (6) ft. high parapet wall, and will extend nine (9) inches above the parapet wall.

The uses surrounding this project are the following: North - BT Zoning, Shoreline Towers Condominium Complex, Shoreline Village Mall, South - Shoreline Towers Condominium buildings #1 & #2, Gulf of Mexico, West - BT Zoning, Shoreline Towers West, Shoreline Gardens Townhomes, East - BT Zoning, South by the Bay Condominiums.

Staff has reviewed the proposed request and compatibility analysis and found them compatible to the surrounding area, **(provided the equipment box is painted the same color as the antennas)**. The proposed equipment will not generate any additional trips for the site. The proposed equipment will be located on the existing building (Phase I of the Pelican Beach Resort, a Development of Regional Impact). Phase II of Pelican Beach Resort, the Terrace at Pelican Beach, will be north of the existing building and proposed antennas.

Furthermore, staff supports the co-location of the antennas upon an existing structure (the 10" penthouse concrete walls and the 8" concrete parapet) which have been certified by the applicants' engineer as capable to secure the proposed antennas and equipment box (3000 lbs. being bolted to a concrete roof slab) and which have been found as compatible.

FINANCIAL IMPACT:

There is no anticipated negative effect upon the City services by the proposed cellular antennas.

RECOMMENDATION:

The Community Development Department recommends **approval with conditions** of this project, a Major Development. (A condition that the equipment box be painted the same color as the antennas.)

RECOMMENDED MOTION:

Motion to approve the project as presented by staff and documented in the Technical Review Committee Report.

**TECHNICAL REVIEW COMMITTEE REPORT
COMMUNITY DEVELOPMENT DEPARTMENT
PELICAN BEACH RESORT CELLULAR ANTENNAS**

**A MAJOR DEVELOPMENT
1002 HIGHWAY 98 EAST
MARCH 19, 1998**

BACKGROUND / ISSUE:

Applicant: Pelican Beach Resort Owners Association, owner, Woodrow Rossbach, President, Tommy Casey, Vice President; Bell South Mobility, Inc., Agent, SBA, Inc., Agent.

Property Location: 1002 Highway 98 East, Pelican Beach Resort.

Request: Approval of Pelican Beach Resort Cellular Antennas; a Major Development containing six (6) antennas to be mounted to a parapet wall on the roof of Pelican Beach Resort Condominium.

Land Use Designation: MU (Mixed Use)

Zoning District: BT (Business Tourism)

Density: Not applicable

Intensity: Not applicable

Application Date: March 3, 1998

ISSUE

Bellsouth Mobility, Inc, Agent, SBA, Inc., Agent and Pelican Beach Resort Homeowners Association, owner, Woodrow Rossbach, President, Tommy Caset, Vice President, requests approval of Pelican Beach Resort Cellular Antennas, a Major Development, consisting of six (6) antennas which will be mounted to a penthouse and parapet wall on the roof of the existing Pelican Beach Resort Condominium building, located at 1002 Highway 98 East. Four (4) antennas will be mounted the exterior side of the penthouse (elevator equipment room), two (2) on the north side and two (2) on the east side. The other two (2) antennas will be mounted to the northwestern side of the parapet wall surrounding the roof. The antennas, which have the dimensions of 2" x 6" x 6.25' (approximately 3 square feet), will transmit and receive Personal Communication Services (PCS) radio signals and will not extend above the existing parapet wall or the roof line of the penthouse upon which they are attached. A BTS cabinet (equipment box) will located on the roof of the building, behind a six (6) ft. high parapet wall, and will extend nine (9) inches above the parapet wall. The uses surrounding this project are the following: North - BT Zoning, Shoreline Towers Condominium Complex, Shoreline Village Mall, South - Shoreline Towers Condominium buildings #1 & #2, Gulf of Mexico, West - BT Zoning, Shoreline Towers West, Shoreline Gardens Townhomes, East - BT Zoning, South by the Bay Condominiums.

ZONING/COMPREHENSIVE PLAN

The property is zoned BT (Business Tourism) and the Land Use Category is MU (Mixed Use). The proposed project complies with these land use regulations.

COMPATIBILITY

North: BT Zoning, MU and C Land Use, Terrace at Pelican Beach (under construction), Highway 98 East, 98 Palms future development and Big Kahuna's Waterpark

South: Gulf of Mexico

West: BT Zoning, MU Land Use, Regency Towers Condominium, Dunes of Destin Single Family Subdivision
East: BT Zoning, MU Land Use, Holiday Beach Resort, Wings, Amoco Gas Station, St. Martin Beachwalk Villas

This project is required to undergo a compatibility review. Staff has determined that the project meets the minimum code requirements and the compatibility analysis confirms the project will be compatible with adjacent and surrounding land uses. Staff reviewed the General Compatibility Checklist from the application package and analyzed the proposed development in relationship to surrounding development in the immediate area for the following compatibility criteria:

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

The proposed use and activity of an "antenna" is permitted in the BT zoning district and in the MU future land use category. The proposed antennas will be mounted to the exterior side of an existing penthouse and parapet wall on top of Pelican Beach Resort Condominium. The antennas will not extend above the roof line of the penthouse or above the top of the parapet wall upon which they are affixed.

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

The antennas, located on the northern portion of the Pelican Beach Resort Condominium, will be attached to the exterior side of an existing penthouse (elevator equipment room) and a parapet wall. Four (4) antennas will be attached to the penthouse and two (2) will be attached to the parapet wall. Ordinance #279 allows for antennas to be side mounted to a building or placed on top of an existing building provided they do not extend more than 20' above the roof-line.

The top of the penthouse has a height of 175' as measured to the roof line. The top of the four (4) antennas attached to the penthouse will be flush with the roof line of the penthouse and will not extend above the roof line. These four (4) antennas will have a maximum height of 175'. The height to the top of the parapet wall is 168' 2". The top of the two (2) antennas attached to the parapet wall will be flush with the top of the parapet wall and will not extend above the top of the parapet wall. These two (2) antennas will have a maximum height of 168' 2".

A 3,000 pound BTS electrical equipment unit will be placed on the roof of the condominium. This equipment unit stores the electrical components used in conjunction with the antennas. The BTS unit will be 6' 9" high x 5' wide x 3' 6" deep. The BTS unit will extend nine (9) inches above the parapet wall. The height to the top of the parapet wall is 168' 2". The height to the top of the BTS unit is 168' 11".

The dimensions of the antennas are: 2" x 6" x 6.25' (approximately three (3) square feet). The antennas are long and thin and spaced approximately eight (8) or more feet apart. The size of the antennas along with the spacing between them should minimize their visual impact on the surrounding area. Floor area ratio is not applicable to this project.

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

The proposed project does not generate or create any additional parking demand. The property has existing access drives and services areas.

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

This project does not generate or create any additional traffic. No outdoor lighting is proposed or required for this project. The addition of the antennas will not alter the hours of operation for the existing use on the site. No information has been provided which would indicate that the proposed development will alter existing noise levels for the subject property.

E) Alteration of light and air;

The proposed antennas being approximately three (3) square feet, should not materially alter light or the flow of air around the existing development or the surrounding properties.

F) Setbacks and buffers.

The project meets all setbacks for the BT zoning district and Ordinance 279 which regulates communication towers. The existing parapet wall should serve as a screen to visually block the view of the BTS electronics equipment package and the cables connecting the antennas. Additionally the antennas are required to be painted the same color as the exterior of the Pelican Beach Resort Condominium building. Staff recommends this same painting requirement be applied to the BTS unit. The "painting" requirement and the fact that the antennas are flush with the top of the parapet wall and penthouse should provide additional visual buffering.

RIGHT OF WAY DEDICATION

No new right of ways are being proposed.

MYLAR - SUBDIVISION OR PUD

Not applicable

AIRPORT PROTECTION

The maximum height of the proposed antennas is approximately 175'. The Pelican Beach Resort condominium received a variance to extend 3' above the maximum allowable height of 172' AMSL as required under the Horizontal Zone height restrictions required by the projects proximity to the Destin Airport. None of the antennas will extend above the approved height allowed for in the variance for Pelican Beach Resort. None of the antennas will extend above the parapet wall or the roof line of the penthouse upon which they are attached.

SETBACKS

The six (6) antennas will be mounted to the exterior side of an existing elevator equipment room and a parapet wall located on the roof of Pelican Beach Resort Condominium. The location of the proposed antennas comply with all applicable setback requirements. Ordinance 279 allows for antennas to be side mounted to a building or placed on top of an existing building provided they do not extend more than 20' above the roof-line.

FLOOR AREA RATIO (FAR)

Not applicable. The project is not adding any additional floor area.

DENSITY

Not applicable

BUILDING HEIGHT

Six (6) antennas will be attached to the exterior side of a parapet wall and penthouse (elevator equipment

room) located on the roof of the Pelican Beach Resort Condominium. The height to the top of the penthouse is 175'. The height to the top of the four (4) antennas attached to the penthouse is 175'. The height to the top of the parapet wall is 168' 2". The height to the top of the two (2) antennas attached to the parapet wall is 168' 2". No portion of any of the six (6) antennas will extend above the top of the parapet wall or the roof line of the penthouse upon which they are attached. All of the antennas will be flush with the top of the parapet wall or the roof line of the penthouse upon which they are attached. The BTS electronic equipment unit will extend nine (9) inches above the top of the parapet wall. The top of the BTS unit is 168' 11". The Pelican Beach Resort condominium received a variance to extend above the maximum allowable height of 172' (AMSL) as required under the Horizontal Zone height restrictions required by the projects proximity to the Destin Airport. None of the antennas or the BTS unit will extend above the approved height allowed for in the variance for Pelican Beach Resort. The proposed height is an allowable height in the BT zoning district and complies with the requirements of Ordinance 279 which regulates communication towers.

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Potable Water N/A Roadways N/A Solid Waste N/A
Recreation N/A Sewer N/A Drainage N/A

Traffic Analysis

The proposed project does not generate or create any new or additional trips.

INGRESS/EGRESS

Access to the property is provided from the existing entrance off of Highway 98.

PARKING

The project does not generate or create any additional parking demands.

SIDEWALKS

Sidewalks currently exist along Highway 98 East.

REFUSE COLLECTION

Refuse collection is provide by existing dumpster service.

WHITE SANDS ZONE

This project lies within White Sands Zone 1. All fill material must comply with the White Sands Ordinance. No Red Clay is allowed. Any red clay or other unacceptable sediment uncovered during construction must be removed from the property.

STORMWATER

The City Engineer approved the project in a memo dated March 4, 1998.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project in a letter dated March 19, 1998.

WATER/SEWER

Destin Water Users approved the project in a letter dated March 19, 1998.

GULF POWER

Gulf Power approved the project at the March 19, 1998, TRC meeting.

OKALOOSA GAS

Okaloosa Gas approved the project at the March 19, 1998, TRC meeting

UTILITIES

Underground utilities are required if applicable.

LANDSCAPE

The project does not create or generate any additional Landscape requirements.

SIGNS

No signs are shown on the site plan. Any signage must be permitted by the City of Destin and must comply with the City of Destin Sign Ordinance 245.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

NONE

OUTSTANDING REQUIREMENTS

NONE

COMMENTS

Staff recommends that the following condition be placed on the project for approval:

1. The six (6) antennas and the BTS electrical equipment unit shall be painted the same color as the exterior of the Pelican Beach Resort Building.