



# CITY of DESTIN

4200 Two Trees Road • Destin, Florida 32541



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**December 12, 2008**

**Order No. 09-08**

## Final Development Order:

### **"RED DOOR SALOON"** A MINOR DEVELOPMENT (SP-08-07)

Based upon the City's approval and issuance of this Development Order, on December 12, 2008, 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:** Red Door Saloon of Destin, LLC (Applicant/Lessee), on behalf of Claude Perry Enterprises, LLC (Owner/Lessor) is requesting approval of "Red Door Saloon", a Minor Development.

**Request:** The proposed redevelopment consists of changing the use of an existing single-family dwelling into a 1,380 sq. ft. cocktail lounge/bar, construct a 1,250 sq. ft. covered deck with walkway, and construct/locate an outside cooler and converted "airstream" kitchen.

**Location:** The proposed development is located at 240A Harbor Boulevard in the City of Destin of Okaloosa County, Florida, more specifically identified with the following Tax Parcel I.D. Number: 00-2S-22-0630-0000-07E2.

**Parcel Size:** The current overall parcel area is 1.25 acres, more or less. The overall proposed redevelopment site area (Lease Area) is 0.546 acres, more or less.

**Future Land Use:** South Harbor Mixed Use (SHMU)

**Zoning District:** South Harbor Mixed Use (SHMU)

**Density:** Allowed: N/A  
Proposed: N/A

**Intensity:** Allowed: .60 Floor Area Ratio (FAR)  
Proposed: 0.058 FAR (For Lease Area)

**Application Date:** March 26, 2008

**TRC Date:** April 16, 2008

**Approved Site Plan Date:** November 26, 2008

## DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated November 26, 2008 are incorporated herein.

**CONDITIONS OF APPROVAL FOR "RED DOOR SALOON" A MINOR DEVELOPMENT (SP-08-07):**

1. Pursuant to the City of Destin Land Development Code:

Construction of infrastructure must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on November 26, 2008 (no later than November 26, 2009), and must be completed as shown on plans approved by the Technical Review Committee.

**WARNING: If the applicant/owner has not obtained a building permit(s) for either the construction of infrastructure or construction of the entire project and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated. (Article 2, Section 2.21.00)**

**NOTE: Construction of infrastructure shall be defined as site work, grading, or other construction activity (not including clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations. (Article 2, Section 2.21.00)**

**NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline for either the construction of infrastructure or construction of the entire project must submit a written 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 commence construction of infrastructure or construction of the entire project. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, of the Destin Land Development Code for further explanation of the Development Order extension process.**

2. If the applicant fully complies with the requirements of Condition No. 1 above, the concurrency capacity allocation status for "Red Door Saloon" will be protected. However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:
  - A. Construction permit(s) in association with construction of infrastructure or construction of the entire project are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or
  - B. Construction activity ceases for a period of one (1) year after a building permit for construction of infrastructure or construction of the entire project has been issued so that concurrency is not maintained under Article 6 of the Destin Land Development Code.

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 (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the City Engineer.)
  - 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. **Conditions Per Community Development Department:** Refer to pages 13 through 16 of the attached TRC Report dated November 26, 2008.
5. **Conditions Per Public Services Department:** Refer to pages 16 through 18 of the attached TRC Report dated November 26, 2008.
6. **Conditions Per Destin Water Users, Inc.:** Refer to page 18 of the attached TRC Report dated November 26, 2008.

## TECHNICAL REVIEW COMMITTEE REPORT

### "RED DOOR SALOON" A MINOR DEVELOPMENT (SP-08-07)

TRC Report: November 26, 2008

#### ISSUE:

**Applicant:** Red Door Saloon of Destin, LLC (Applicant/Lessee), on behalf of Claude Perry Enterprises, LLC (Owner/Lessor) is requesting approval of "Red Door Saloon", a Minor Development.

**Request:** The proposed redevelopment consists of changing the use of an existing single-family dwelling into a 1,380 sq. ft. cocktail lounge/bar, construct a 1,250 sq. ft. covered deck with walkway, and construct/locate an outside cooler and an "Airstream" travel trailer converted to a kitchen.

**Location:** The proposed development is located at 240A Harbor Boulevard in the City of Destin of Okaloosa County, Florida, more specifically identified with the following Tax Parcel I.D. Number: 00-2S-22-0630-0000-07E2.

**Parcel Size:** The current overall parcel area is 1.25 acres, more or less. The overall proposed redevelopment site area (Lease Area) is 0.546 acres, more or less.

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**Density:** Allowed: N/A

Proposed: N/A

**Intensity:** Allowed: .60 Floor Area Ratio (FAR)

Proposed: 0.058 FAR (For Lease Area)

**Application Date:** March 26, 2008

**TRC Date:** April 16, 2008

**Approved Site Plan Date:** November 26, 2008

#### DISCUSSION/FINDINGS:

Red Door Saloon of Destin, LLC (Applicant/Lessee), on behalf of Claude Perry Enterprises, LLC (Owner/Lessor) is requesting approval of "Red Door Saloon", a Minor Development. The proposed redevelopment consists of changing the use of an existing single-family dwelling into a 1,380 sq. ft. cocktail lounge/bar, construct a 1,250 sq. ft. covered deck with walkway, and construct/locate an outside cooler and converted "airstream" kitchen. The proposed development is located at 240A Harbor Boulevard in the City of Destin of Okaloosa County, Florida, more specifically identified with the following Tax Parcel I.D. Number: 00-2S-22-0630-0000-07E2. The current overall parcel area is 1.25 acres, more or less. The overall proposed redevelopment site area (Lease Area) is 0.546 acres, more or less.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes a technical and concurrency Management review.

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions as stated below.

**COMPREHENSIVE PLAN/ZONING:**

The property currently has a Future Land Use designation of South Harbor Mixed Use (SHMU) and a Zoning designation of South Harbor Mixed Use (SHMU). The proposed use is consistent with the South Harbor Mixed Use (SHMU) and Future Land Use designation and is a permitted principal use within the South Harbor Mixed Use (SHMU) and Zoning Districts.

**LAND USE TRANSITION & SPECIAL DESIGN CRITERIA:**

Comprehensive Plan: 2010 Policy 1-2.1.7 requires that *“All property designated for nonresidential use on the FLUM shall be developed and designed to ensure a smooth land use transition between the said nonresidentially designated property and any directly abutting low rise residential property, either existing or identified on the FLUM.”* The LDC requirements regulating “special design criteria” are *“...to establish design criteria to preserve, protect, and enhance the economic vitality and character of the City of Destin.”* This section also states, *“These standards and regulations are intended to promote and protect the desired character of the City, including promoting multimodal transportation opportunities, and that ensure compatibility with surrounding development.”* [LDC, §7.09.00].

Criteria for consideration to ensure smooth land use transition and special design include:

- Surrounding development
- Mechanical equipment
- Outdoor storage and display
- Solid waste collection areas
- Parking, loading, or accessway areas

**Surrounding development:**

The proposed redevelopment consists of changing the use of an existing single-family dwelling into a 1,380 sq. ft. cocktail lounge/bar, construct a 1,250 sq. ft. covered deck with walkway, and construct/locate an outside cooler and converted “airstream” kitchen.

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	North Harbor Mixed Use (NHMU)	North Harbor Mixed Use (NHMU)	Commercial: Retail and Office Non-residential: Vacant church Residential: Multi-family
South	Destin Harbor	Destin Harbor	Destin Harbor
East	South Harbor Mixed Use (SHMU)	South Harbor Mixed Use (SHMU)	Commercial: Restaurants, Watersport rentals, and Offices
West	South Harbor Mixed Use (SHMU)	South Harbor Mixed Use (SHMU)	Commercial: Vacant offices/retail and charter boat slips and parking lot Residential: Multi-family

The intensity and density of development is below the maximum intensity provided for in the Land Development Code and density provided in the Comprehensive Plan. The density and Floor Area Ratio of the project is detailed below.

**Mechanical equipment:**

**Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement. *Ref. LDC Section 7.09.02(B)(1).*

**Solid waste collection areas:**

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses.

**Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. Please indicate this requirement on sheet 4 of 11 of the Site Construction Plans and state that the project will expect dumpster service. *Ref. LDC Section 7.09.02(B)(3).*

**Parking, loading, or accessway areas (abutting residential uses):**

Areas used or set aside for parking, loading, accessways or service and utility areas are separated by at least ten feet from the property line abutting single-family residential homes.

**The site plan for “Red Door Saloon” complies with the City of Destin Comprehensive Plan Policy 1-2.1.7 and the Land Development Code §7.09.00.**

Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to further analysis if required pursuant to provisions of the Comprehensive Plan [Policy 1-2.1.7] and Land Development Code [LDC, §7.09].

**MASSING (WIDTH AND DEPTH) AND HEIGHT:**

The proposed redevelopment consists of changing the use of an existing single-family dwelling into a 1,380 sq. ft. cocktail lounge/bar, construct a 1,250 sq. ft. covered deck with walkway, and construct/locate an outside cooler and converted “airstream” kitchen. The existing building measures 51.4 feet wide by 32.7 feet deep and the proposed covered deck is 50 feet wide by 25 feet deep. All buildings are one story with a proposed building height of approximately 10.0 feet measured to the cornice line.

**DENSITY:** Not applicable.

**INTENSITY:** The FAR calculation methodology results in an FAR of 0.058, which is also below .60 and is calculated as follows:

**Total sq. ft. of existing and proposed buildings / sq. ft. of subject parcel = FAR**

**1380 sq. ft. /23,788 sq. ft. = 0.058 FAR**

**SETBACKS AND BUFFERS:**

The proposed development meets all of the required setbacks for the SHMU Zoning Districts.

	<b><u>Required</u></b>	<b><u>Buffers</u></b>	<b><u>Provided</u></b>
Front (North):	5' -15'	N/A	approx. 169.0'
Side (East):	0'	N/A	approx. 15.0'
Side (West):	0'	N/A	approx. 0.0'
Rear (South):	0'	N/A	approx. 70.0'
Between Bldgs.:	10'	N/A	approx. 29.0' Bldg. to Covered Deck

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Zone and 5' CB = 5' Common Boundary Landscaped Area. This development is exempt from the buffer requirement.

**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 transportation/traffic concurrency review conducted by the City's Transportation Manager, currently represented by Renaissance Planning Group (RPG), Inc., and approved on November 21, 2008, the proposed development will not degrade the level of service of those major transportation modes and facilities in the City of Destin and complies with the goals, objectives, and policies of the multimodal transportation district as found in the City's Comprehensive Plan: 2010.

As a requirements of the City's multimodal transportation district, as adopted in Comprehensive Plan: 2010, the City's Transportation Manager has reviewed and approved the applicant's traffic impact analysis dated May 28, 2008.

**SUBDIVISION OR PUD - PLAT:** Not applicable.

**AIRPORT PROTECTION:**

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion Area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

**WHITE SANDS ZONE:**

The proposed project is located within White Sands Zone I. All fill material will have to comply with the White Sands Ordinance for this area.

**SIGNS:**

**No sign approval has been granted with this final development order.** 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.

**Condition:** Signage, if installed, must be approved by the Community Development Department. All signage shall require the issuance of city permit. All signage shall meet the requirements set forth in Article 16 of the City's Land Development Code.

**UTILITIES:**

All proposed utilities are required to be placed underground.

**COX COMMUNICATIONS:**

Cox Communications approved the project in a letter dated April 14, 2008.

**DESTIN FIRE CONTROL DISTRICT:**

The Destin Fire Control District approved the project in a letter dated April 16, 2008.

**GULF POWER:**

Gulf Power did not provide a response at TRC. By default, the project is approved.

**OKALOOSA GAS:**

Okaloosa Gas approved the project in a letter dated April 20, 2008.

**EMBARQ:**

Embarq Corporation approved the project in a letter dated April 10, 2008.



**WATER/SEWER PROVIDER:**

Destin Water Users, Inc. approved the project in a letter dated May 27, 2008.

**PUBLIC SERVICES: ENGINEERING:**

The Engineering Division approved the project with conditions in a memo dated November 19, 2008; please refer to the conditions sections below.

**STORMWATER:**

The City approved with conditions the stormwater management plan on May 27, 2008; please refer to the conditions sections below.

**INGRESS/EGRESS:**

Ingress and egress to the proposed project is provided by an existing accessway with a full flare extent of 46 feet. This accessway is non-conforming. Based on the "Traffic Access Management Analysis", dated October 27, 2008, the applicant has satisfactorily provided data and concluded that the existing accessway should and can remain. However, additional pavement markings and signage are required.

**Condition: Prior to a Certificate of Occupancy:** The existing landscaping and site conditions limit the ability to increase the width of the one-way access aisles to the required 20' minimum width. Staff is agreeable to allow the width to remain non-conforming, however, the access aisle shall be free of potholes, broken concrete, broken asphalt, and be properly maintained to provide the most safe and convenient method of traversing the property from Harbor Boulevard to the harbor front uses and vice versa.

**PARKING:**

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

*Per code:*

Drinking places, alcoholic beverages (cocktail lounges): 1 space per 75 (85) square feet of gross floor area.

A minimum of 5% of required parking spaces for bicycle parking

*Per site plan:*

Total Maximum Parking **Required:** 18 (16) parking spaces

Total Minimum Parking **Required** (80% of maximum): 14 (13) parking spaces

Bicycle Parking required: 5% of parking spaces provided

Automobile and Bicycle Parking **Provided:** 18 automobile parking spaces including 1 handicap space, approximately 20 bicycle spaces, approximately 20 motorcycle spaces

**LOADING SPACE (ZONE):**

The project meets or exceeds the loading space requirements of the Land Development Code.

**REFUSE COLLECTION:**

All non-construction related dumpsters, trashcans, and recycling bins are to be placed in solid waste collection areas or inside a building. Solid waste collection areas are to be set back a minimum of ten feet from any property line that abuts single-family, duplex or townhome uses.

Refuse collection is to be provided by dumpster service. The proposed dumpster must be screened by a gated opaque enclosure at least six feet tall. The gates shall remain closed at all times except for when waste management services are collecting refuse from the site. If necessary, please post a sign on the gates requesting that these gates remain closed.

**Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. Please indicate this requirement on sheet 4 of 11 of the Site Construction Plans and state that the project will expect dumpster service. *Ref. LDC Section 7.09.02(B)(3).*

**SIDEWALKS/BOARDWALKS:**

A 6' wide concrete sidewalk is required along Harbor Boulevard as indicated on the approved site plan. In addition, a 6' wide concrete sidewalk shall be constructed, per the approved site plan, from the sidewalk along Harbor Boulevard southward within the development.

The Harbor Boardwalk is required based on the following condition n:

**Condition:** HARBOR BOARDWALK: On or before April 1, 2010, Owner will construct, out of concrete, wood, Trex, pavers, stamped asphalt, or other materials acceptable to the City, an east-west pedestrian facility in the location shown on plan sheet CP-45, dated October 14, 2008, to provide east west pedestrian access connectivity (the "Pedestrian Facility"). Nothing herein shall be construed as a dedication to the City or general public of a right-of-way or easement. Notwithstanding the foregoing, the Pedestrian Facility shall remain open during the Term and shall not be unreasonably closed, blocked or modified so as to discourage use by pedestrians. The "Term" of the obligation shall commence on the earlier of April 1, 2010 or the completion of the construction of the Pedestrian Facility, and shall expire upon the cessation of the uses authorized by this development order for the premises located at 240-A East Highway 98 (a/k/a Harbor Boulevard), and 302-B East Highway 98 (a/k/a Harbor Boulevard) and the demolition and removal of the following: (1) the elevated covered deck (#1) and covered walkway leading to the deck (#2) to be constructed at 240-A East Highway 98 (Red Door); (2) the covered seating area (#3) and the covered deck (#4) to be constructed at 302-B East Highway 98 (Freshy's); (3) the existing bandstand (#5), the covered awnings to be erected over the sand pit and upland concrete deck (#6) and (with the approval of Florida DEP and the Destin Harbor Board) the concrete dock (#7), and the additions to existing bathrooms (#8) at 302-C East Highway 98 (Woody's); (4) the elevated covered decks to be constructed on the north (#9) and west (#10) sides of Dockside located at 288E East Highway 98 ; and (5) the covered seating area to be constructed on the east side of Boathouse Oyster Bar at 288-C East Highway 98 (#11) and the existing covered area on the west side of the Boathouse (#12).

**OPEN SPACE/LANDSCAPE:**

**Open Space Requirements:**

Development Area (Total Area): 23,788 sq. ft. (.55 acres, more or less)  
Required 25% Open Space: 5947 sq. ft.  
Provided Open Space: 12,052 sq. ft (50.7%)

**Landscape Requirements:**

**Tree Requirements:**

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	0
Credits for Existing Trees (7" to 12" diameter) on Site (1 trees x 3 credits per tree):	3
Credits for Existing Trees (13" to 19" diameter) on Site (6 trees x 4 credits per tree):	24
Credits for Existing Trees (20" or 24" diameter) on Site (12 tree x 5 credits per tree):	60
<b>Total Reforestation Credits for Existing, Protected, or Preserved Trees:</b>	<b>87</b>
Reforestation Trees (1 per every .10 of an acre: $1.61 \times 10 = 16.1$ ) Required on Site:	17
Total Reforestation Credits:	87
<b>Total Reforestation Trees Required on Site:</b>	<b>0</b>
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
Front Perimeter Trees (1 per 25') Required on Site:	NA
Parking Lot Trees (1 per end row and landscape island) Required on Site:	9
Vegetative Buffer Trees	NA
<b>TOTAL TREES REQUIRED:</b>	<b>9</b>
<b>TOTAL TREES PROVIDED:</b>	<b>9</b>

Trees shall be a minimum of ten (10) feet in height and have a two and one-half (2½) caliper at the time of planting. Trees having an average mature spread of crown less than 20 feet shall be arranged in groupings so as to create the equivalent of a 20-foot crown spread. Shrubs must be a minimum of twelve (12) inches in height when measured immediately after planting. **WARNING: A Certificate of Occupancy will not be issued until the required landscape material per the approved landscape plan has been inspected and approved by the Community Development Department.**

**IMPACT FEES:**

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the actual building square footage. Final impact fee amounts will also be determinant whether exemption or credits are applicable and reevaluated at the time a C.O. or C.C. is requested. Any claims for exemption or credits must be made no later than the time a C.O. or C.C. is requested.

The land uses identified below are from the “Fee Schedule” tables found in Article 19 of the Land Development Code and are those deemed most closely related to the land uses proposed in this development. The fee payer has the option of paying the fees identified below for the identified land use or they shall prepare and submit to the City Manager an independent fee calculation study for the land development activity for which a C.O. or C.C. is sought. The determination made by the City Manager may be appealed to the City Council by filing a written request with the City Manager within 10 days of the City Manager’s determination. We advise the applicant to submit any independent fee calculation study as soon as possible for a determination. 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 C.O. or C.C.:

Police Protection: The police protection impact fees were calculated using the “Retail/Commercial” use per 1000 square feet = \$31.00.” The “Retail/Commercial” uses are the most closely attributable uses to the proposed use for calculating the Police Protection projected impact fee. The police protection impact fees were calculated using the following rates and fees.

Retail/Commercial:

Impact Fee Rate = \$31.00 per 1,000 square feet

Business Area = 1380 square feet

Impact Fee for Retail/Commercial = 1,380 sq. ft. x \$31.00 per 1,000 sq. ft. = **\$42.78**

Total Police Protection Impact Fees to be paid for by “Red Door Saloon:” **\$42.78**

Transportation: The transportation impact fees were calculated using the “Fast Food Restaurant use per 1000 square feet = \$4638.00.” The “Fast Food Restaurant” use is the most closely attributable uses to the proposed uses for calculating the projected transportation impact fee. The transportation impact fees were calculated using the following rates and fees.

Impact Fee Rate = \$4638.00 per 1000 square feet

Business Area= 1,380 square feet

Impact Fee for Business Area = \$4638.00 x 1,380 = **\$6400.44**

Total Roads Impact Fees to be paid for by “Red Door Saloon:” **\$6,400.44**

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$42.78
Roads:	=	\$6,400.44
<b>TOTAL IMPACT FEES</b>	=	<b><u>\$6,443.22</u></b>

**OTHER FEES:**

The fees listed below are subject to change and are based on the most recent information available (December 11, 2008). The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

City Compatibility Consultant:	N/A
City Surveyor:	N/A
City Traffic Consultant:	\$113.53
Re-Review Fees (Community Dev.)	<b>Paid</b>
Re-Review Fees (Engineering)	<b>Paid</b>
<b>TOTAL (as of December 11, 2008) =</b>	<b>\$113.53</b>

**COMMENTS/CONDITIONS:**

Public Input:

No public comments have been presented to staff at the time of this report.

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 any City permit**, a copy of the FDEP stormwater and a NPDES Stormwater Construction Generic Permit (if applicable) approval shall be forwarded to the City Engineer's office.
3. **Condition: Prior to a Certificate of Occupancy:** The existing landscaping and site conditions limit the ability to increase the width of the one-way access aisles to the required 20' minimum width. Staff is agreeable to allow the width to remain non-conforming, however, the access aisle shall be free of potholes, broken concrete, broken asphalt, and be properly maintained to provide the most safe and convenient method of traversing the property from Harbor Boulevard to the harbor front uses and vice versa.
4. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
5. **Prior to the issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
6. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting, if installed, must be approved and inspected by the Community Development Department. The lighting plan which shall be submitted prior to the issuance of any city permit must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.

7. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Community Development Department.
8. **Prior to the issuance of a Certificate of Occupancy**, the Stormwater Operation/Maintenance Plan (SWOMP) shall be acknowledged and signed by the Owner.
9. **Condition: HARBOR BOARDWALK**: On or before April 1, 2010, Owner will construct, out of concrete, wood, Trex, pavers, stamped asphalt, or other materials acceptable to the City, an east-west pedestrian facility in the location shown on plan sheet CP-45, dated October 14, 2008, to provide east west pedestrian access connectivity (the "Pedestrian Facility"). Nothing herein shall be construed as a dedication to the City or general public of a right-of-way or easement. Notwithstanding the foregoing, the Pedestrian Facility shall remain open during the Term and shall not be unreasonably closed, blocked or modified so as to discourage use by pedestrians. The "Term" of the obligation shall commence on the earlier of April 1, 2010 or the completion of the construction of the Pedestrian Facility, and shall expire upon the cessation of the uses authorized by this development order for the premises located at 240-A East Highway 98 (a/k/a Harbor Boulevard), and 302-B East Highway 98 (a/k/a Harbor Boulevard) and the demolition and removal of the following: (1) the elevated covered deck (#1) and covered walkway leading to the deck (#2) to be constructed at 240-A East Highway 98 (Red Door); (2) the covered seating area (#3) and the covered deck (#4) to be constructed at 302-B East Highway 98 (Freshy's); (3) the existing bandstand (#5), the covered awnings to be erected over the sand pit and upland concrete deck (#6) and (with the approval of Florida DEP and the Destin Harbor Board) the concrete dock (#7), and the additions to existing bathrooms (#8) at 302-C East Highway 98 (Woody's); (4) the elevated covered decks to be constructed on the north (#9) and west (#10) sides of Dockside located at 288E East Highway 98 ; and (5) the covered seating area to be constructed on the east side of Boathouse Oyster Bar at 288-C East Highway 98 (#11) and the existing covered area on the west side of the Boathouse (#12).
10. **Condition:** Signage, if installed, must be approved by the Community Development Department. All signage shall require the issuance of city permit. All signage shall meet the requirements set forth in Article 16 of the City's Land Development Code.
11. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement. *Ref. LDC Section 7.09.02(B)(1).*

12. **Condition:** No storage or display of merchandise or new or used motor vehicles, boats, recreational vehicles, mobile homes, and other such vehicles shall be permitted outside of approved storage or display areas as designated for such use on the approved site plan. Storage or display areas cannot be located in areas designated for landscaping or open swales or open retention areas used for stormwater management purposed. *Ref. LDC Section 7.09.02.B.2.d.*
13. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. Please indicate this requirement on sheet 4 of 11 of the Site Construction Plans and state that the project will expect dumpster service. *Ref. LDC Section 7.09.02(B)(3).*
14. **Condition:** All wheel stops adjacent to sidewalks and walls shall be installed at least 30 inches from the adjacent sidewalk. *Ref. LDC Section 8.06.11.B.*
15. **Condition:** Curb ramps shall be provided at locations where a sidewalk intersects a curb.
16. **Condition:** Curb ramps shall be provided at all locations where an ADA-accessible route or access aisle intersects a curb.
17. **Condition:** Each handicap accessible parking space must be posted with a permanent above-grade sign bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." Such sign must also indicate the penalty for illegal use of the space. **This penalty shall be a minimum \$250 fine.**
18. **Condition:** If applicable, the slab for all structures shall be constructed a minimum of 12 inches above the crown of the nearest street, except where topography will provide adequate drainage as certified by a professional engineer registered in the State of Florida. *Ref. LDC Section 10.03.02.A.5.*
19. **Condition:** All new development projects that include erecting a new building and/or structure shall be required to place all existing and proposed utility lines located on the subject property, regardless of who the utilities serve, underground. *Ref. LDC Section 20.12.00.*
20. **Note:** The Engineer of Record is cautioned to review the construction documents as submitted to assure thorough information is provided to allow proper construction. All stormwater management facilities shall be required to be constructed per the Codes of the City of Destin.
21. **Condition:** If groundwater is observed standing in the storm structures, the SWMP shall be considered in non-compliance and a revised stormwater plan shall be resubmitted for review and approval.
22. **Condition:** Please abide by the general guidelines set forth in the FDEP's "Florida Development Manual: A Guide to Sound Land and Water Management," particularly those guidelines set forth for the construction and maintenance of exfiltration trenches.

23. **Condition:** If applicable, all perforated piping and exfiltration beds shall be inspected and approved by the Engineer of Record and the City of Destin prior to backfilling. Prior to inspection by the City, the Engineer of Record shall submit an inspection report that certifies the compliance of the perforated pipe and exfiltration beds.
24. **Condition:** Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members.

Per City of Destin Public Services - Engineering Division:

1. **Condition:** Prior to obtaining any City permits, obtain a City of Destin Right-of-Way Construction Permit from the City Community Development Department.
2. **Condition:** Prior to obtaining a City of Destin Right-of-Way Construction Permit permits, obtain a FDOT Connection permit and submit copy to the Public Services Dept.
3. **Condition:** Refer to LDC Article 8.03.06. *Clear visibility triangle*. In order to provide a clear view of intersecting streets to motorists, there shall be a triangular area of clear visibility formed by two intersecting streets. The following standards shall be met:
  - a. Nothing shall be erected, placed, parked, planted or allowed to grow in such a manner as to materially impede vision between a height of two feet and ten feet above the grade, measured at the centerline of the intersection, except those signs or devices approved pursuant to section 16.01.00 of this Code. Note: The applicant is reminded that building setbacks must be observed so as to preserve clear visibility at intersections.
  - b. The clear visibility triangle shall be formed by connecting a point on each street centerline with such point to be located at a distance determined by the building setback requirements associated with the property and the zoning district within which the property is located. That is, the visibility distances shall be those established by the setback requirements within the city's zoning ordinance. Note: The visibility triangle shall be in accordance with the "Technical Construction Standards Manual," included in this Code, and the Florida Department of Transportation Standards Index.
4. **Condition:** Refer to LDC Article 8.01.00.B.2. Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection.




5. **Condition:** Refer to LDC Article 8.01.00.C. Sidewalks, recreational trails, and bicycle ways shall be permissible in ROWs:
  - a. Landscaping located on abutting properties to sidewalks, recreational trails, and bicycle ways shall not create a safety hazard, and shall be trimmed or pruned to allow full width plus one foot on each side of the sidewalks, recreational trails, and bicycle ways, and the minimum vertical height of ten feet above grade, is clear.
  - b. Trees or shrubs shall not be planted within five feet from all streets or sidewalks, recreational trails, and bicycle ways.
6. **Condition:** Contractor shall not be allowed to utilize ANY public right-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. Failure to comply with this requirement may void your city right-of-way construction permit until the violation is corrected. Voided permits must be reapplied for and application fees shall be assessed
7. **Condition:** Provide 24" wide white stop bar & stop sign placed at the egress to Harbor Blvd.
8. **Condition:** The vehicle access and the pedestrian access to the public transportation facilities shall not be combined. This is a significant safety issue.
9. **Condition:** Provide crosswalk striping & stop bar (thermoplastic).
10. **Condition:** Any off-site catch basins, curb inlets or swale that required protection shall be cleaned prior to obtaining a C.O.
11. **Condition:** Landscaping adjacent to the right-of-way (ROW) shall conform to the location requirements outlined in the Land Development Code, Article 8.
12. **Condition:** Refer to LDC Article 8.01.00.B.2. Screening vegetation shall not be placed within five feet and maintain a minimum foliage clearance of three feet from any utility structure(s) including but not limited to water meters, valves, electrical/communication panels or poles, and shall not be placed around any water hydrant that could be used for fire protection.
13. **Condition:** Provide a 24 hour contact person's phone number; that person shall have demonstrated ability in maintenance of erosion control measures.
14. **Condition:** Areas not being worked for 30 days or more shall be vegetated.
15. **Condition:** The proposed silt fence shall encompass the entire perimeter of the construction area and shall be shown on the grading plan.
16. **Condition:** The proposed silt fence is an inadequate erosion and sediment control measure for the south side of the proposed construction site. Provide better erosion and sediment control measures to effectively control all soil and stormwater runoff.

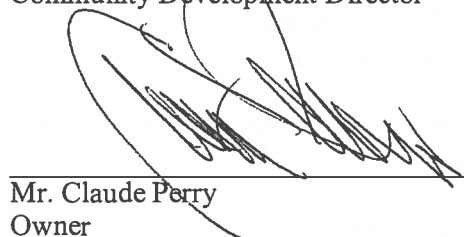
17. **Condition:** A turbidity curtain is required to surround the construction of the new docks, piers & boat slips. Provide the location of turbidity curtains on the grading & drainage plan.
18. **Condition:** Any sediment that is tracked onto road pavement shall be removed immediately (prior to the end of the work day) by sweeping. The sediment collected by sweeping shall be removed from the roadway and stabilized on-site.
19. **Condition:** Dust control is required on all areas of development or redevelopment activities.
20. **Condition:** A copy of all Federal, State and city permits (as applicable) shall be posted in a clearly visible location on the project site.

Per Destin Water Users, Inc.:

1. **Condition:** All revisions to the water and/or sewer utilities of any previously approved project must be re-approved by Destin Water Users, Inc. in writing at least 24 hours prior to implementation.
2. **Condition:** Field verified and scaled "as-built" plans including all utility infrastructures must be submitted to the City of Destin and forwarded to Destin Water Users, Inc. for final inspection by Destin Water Users, Inc. A written approval shall then be submitted to the City of Destin prior to issuance of Certificate of Occupancy by the City of Destin if there are no outstanding issues.

  
\_\_\_\_\_  
Ken Gallander, AICP  
Community Development Director

12/12/08  
Date

  
\_\_\_\_\_  
Mr. Claude Perry  
Owner

12/18/08  
Date



# CITY of DESTIN

4200 Indian Bayou Trail • Destin, Florida 32541

**COMMUNITY DEVELOPMENT**

Voice 850.837.4242

Fax 850.650.0693



www.cityofdestin.com

kgallander@cityofdestin.com

April 19, 2010

Mr. Claude Perry  
732 Harbor Boulevard  
Destin, Florida 32541

**Subject: SP-08-07, Red Door Saloon, Final Development Order No. 09-08  
Condition Amendment for Harbor Boardwalk**

Dear Mr. Perry:

A request has been made for the City to approve a revision to the previously approved Development Order (D.O. No. 09-08) condition specifically related to the Harbor Boardwalk. The amended language shall read as follows:

The Harbor Boardwalk is required based on the following condition:

**Condition: HARBOR BOARDWALK:** On or before ~~April 1, 2010~~ November 1, 2010, Owner will construct, out of concrete, wood, Trex, pavers, stamped asphalt, or other materials acceptable to the City, an east-west pedestrian facility in the location shown on plan sheet CP-45, dated October 14, 2008, to provide east west pedestrian access connectivity (the "Pedestrian Facility"). Nothing herein shall be construed as a dedication to the City or general public of a right-of-way or easement. Notwithstanding the foregoing, the Pedestrian Facility shall remain open during the Term and shall not be unreasonably closed, blocked or modified so as to discourage use by pedestrians. The "Term" of the obligation shall commence on the earlier of April 1, 2010 or the completion of the construction of the Pedestrian Facility, and shall expire upon the cessation of the uses authorized by this development order for the premises located at 240-A East Highway 98 (a/k/a Harbor Boulevard), and 302-B East Highway 98 (a/k/a Harbor Boulevard) and the demolition and removal of the following: (1) the elevated covered deck (#1) and covered walkway leading to the deck (#2) to be constructed at 240-A East Highway 98 (Red Door); (2) the covered seating area (#3) and the covered deck (#4) to be constructed at 302-B East Highway 98 (Freshy's); (3) the existing bandstand (#5), the covered awnings to be erected over the sand pit and upland concrete deck (#6) and (with the approval of Florida DEP and the Destin Harbor Board) the concrete dock (#7), and the additions to existing bathrooms (#8) at 302-C East Highway 98 (Woody's); (4) the elevated covered decks to be constructed on the north (#9) and west (#10) sides of Dockside located at 288E East Highway 98 ; and (5) the covered seating area to be constructed on the east side of Boathouse Oyster Bar at 288-C East Highway 98 (#11) and the existing covered area on the west side of the Boathouse (#12).

Page 2 of 2

April 19, 2010

SP-08-07, Red Door Saloon, DO-09-08, Condition Amendment for Harbor Boardwalk

Staff has granted approval of the amendment with the following notes/conditions:

1. All previous conditions and requirements of the existing final development order (D.O. 09-08) remain in effect and still apply except that which has been amended per this letter.

**Please keep a copy of this letter with the original Final Development Order and any subsequent amended development orders.**

If I can be of any further assistance, please contact me at 837-4242.

Sincerely,



Kenrick S. Gallander, AICP  
Community Development Director

KSG/

cc: City Clerk  
Building Division  
Public Services Department  
File: SP-08-07  
File: SP-09-06  
File: DO Log, DO-09-08  
File: Letter Log



# CITY of DESTIN

4200 Indian Bayou Trail • Destin, Florida 32541

**COMMUNITY DEVELOPMENT**

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[www.cityofdestin.com](http://www.cityofdestin.com)

[kgallander@cityofdestin.com](mailto:kgallander@cityofdestin.com)

April 28, 2010

Mr. Claude Perry  
732 Harbor Boulevard  
Destin, Florida 32541

**Subject: SP-08-07, Red Door Saloon, Final Development Order No. 09-08  
Condition Amendment for Harbor Boardwalk**

Dear Mr. Perry:

A request has been made for the City to approve a revision to the previously approved Development Order (D.O. No. 09-08) condition specifically related to the Harbor Boardwalk. The amended language shall read as follows:

The Harbor Boardwalk is required based on the following condition:

**Condition: HARBOR BOARDWALK:** On or before ~~April 1, 2010~~ November 1, 2011, Owner will construct, out of concrete, wood, Trex, pavers, stamped asphalt, or other materials acceptable to the City, an east-west pedestrian facility in the location shown on plan sheet CP-45, dated October 14, 2008, to provide east west pedestrian access connectivity (the "Pedestrian Facility"). Nothing herein shall be construed as a dedication to the City or general public of a right-of-way or easement. Notwithstanding the foregoing, the Pedestrian Facility shall remain open during the Term and shall not be unreasonably closed, blocked or modified so as to discourage use by pedestrians. The "Term" of the obligation shall commence on the earlier of April 1, 2010 or the completion of the construction of the Pedestrian Facility, and shall expire upon the cessation of the uses authorized by this development order for the premises located at 240-A East Highway 98 (a/k/a Harbor Boulevard), and 302-B East Highway 98 (a/k/a Harbor Boulevard) and the demolition and removal of the following: (1) the elevated covered deck (#1) and covered walkway leading to the deck (#2) to be constructed at 240-A East Highway 98 (Red Door); (2) the covered seating area (#3) and the covered deck (#4) to be constructed at 302-B East Highway 98 (Freshy's); (3) the existing bandstand (#5), the covered awnings to be erected over the sand pit and upland concrete deck (#6) and (with the approval of Florida DEP and the Destin Harbor Board) the concrete dock (#7), and the additions to existing bathrooms (#8) at 302-C East Highway 98 (Woody's); (4) the elevated covered decks to be constructed on the north (#9) and west (#10) sides of Dockside located at 288E East Highway 98 ; and (5) the covered seating area to be constructed on the east side of Boathouse Oyster Bar at 288-C East Highway 98 (#11) and the existing covered area on the west side of the Boathouse (#12).

Page 2 of 2

April 28, 2010

SP-08-07, Red Door Saloon, DO-09-08, Condition Amendment for Harbor Boardwalk

Staff has granted approval of the amendment with the following notes/conditions:

1. All previous conditions and requirements of the existing final development order (D.O. 09-08) remain in effect and still apply except that which has been amended per this letter.

**Please keep a copy of this letter with the original Final Development Order and any subsequent amended development orders.**

If I can be of any further assistance, please contact me at 837-4242.

Sincerely,



Kenrick S. Gallander, AICP  
Community Development Director

KSG/

cc: City Clerk  
Building Division  
Public Services Department  
File: SP-08-07  
File: SP-09-06  
File: DO-09-08  
File: Letter Log