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September 17, 1999

ORDER #99-25-A

(CORRECTED) Final Development Order:

**“RESTAURANT ROW REDEVELOPMENT-
A MIXED USE PLANNED UNIT DEVELOPMENT”:
A MAJOR DEVELOPMENT
(SP #98-64)**

Based upon the City Council’s approval of this Development Order, on April 26, 1999, this document will serve as the 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 City Council:

BACKGROUND / ISSUE:

- Applicant:** Hall & Runnels, as agent
Owner: Sterling Shores Partnership and Restaurant Row Partnership - Owners.
Property Location: Southwest corner of Restaurant Row and Emerald Coast Parkway south to the Mean High Water line of the Gulf of Mexico.
Request: Approval of a Major Development identified as “Restaurant Row Redevelopment, Mixed Use Planned Unit Development”. The Planned Unit Development consists of redeveloping approximately 15.28 acres, which includes 33,500 s.f. of existing commercial development. The re-development consists of: 1) Demolition of approximately 12,000 square foot of existing retail uses and 7,500 square foot of existing restaurant use, along with related pervious and impervious parking areas; 2) Development of Phase I consisting of 160 condominium units (containing 385 lodging units) in one (1) eleven (11) story building. Phase I also includes the beach club accessory building and pool, the consolidation of parking areas currently used by Back Porch and Gratzl restaurants, and development of a unified streetscape and pedestrian/bicycle access network along Old Highway 98; 3) Phase II consists of one (1) three (3) story mixed use condominium building, which will include 10 residential units and 15,000 square feet of retail and office uses in “live over work” format with the retail/office uses occupying the first two stories and residential units on the third story.
Parcel Size: 15.28 acres, more or less (not including ROW easement areas along Old Highway 98, Emerald Coast Parkway and Restaurant Row).
Future Land Use: MU (Mixed Use)
Zoning District: BT (Business Tourism)

Density: Allowed: 30 lodging units per acre
Project: 15.28 acres x 30 = 458 lodging units
Phase I-385 lodging units; Phase II- 10 lodging units
Total site proposes 395 lodging units, which is 63 lodging units less than maximum allowed.

Intensity: FAR for commercial lots will be less than 1.07

Timing on Phasing: Phase I - Begin as soon as possible after regulatory approval. Construction is proposed to be completed in 18 months after initiation.
Phase II - Begin within 6 months of completion of Phase I. Construction is proposed to be completed in 12 months after initiation.

Total Completion: The applicant has stated that all development and redevelopment activity will be completed within five years.

Application Date: December 6, 1998

TRC Date: December 22, 1998

Approved Site Plan Date: February 16, 1999 (with comments), and April 20, 1999 (per comments)

Planning Commission Date: February 18, 1999

City Council Date: March 8, 1999, April 12, 1999, and April 26, 1999

DETERMINATIONS:

1. On February 18, 1999, the Planning Commission recommended the City Council to approve the proposed project as presented by staff. The motion passed by a 3-2 vote. Mr. Link and Ms. Drown voted against the motion; and Mr. Clauson and Mr. Breithaupt were not present.
2. A hearing was held by the Destin City Council on April 26, 1999, whom approved the development with conditions; and
3. All the findings of the Technical Review Committee (TRC) report dated February 16, 1999, as amended on April 23, 1999, are incorporated herein.
4. **This corrected D.O. only changed a typographical error within the TRC section of this Development Order and added a condition prior to issuance of a building permit, based on the typographical error. No other changes or amendments are made or approved by this "corrected final development order"**

CONDITIONS OF APPROVAL FOR "RESTAURANT ROW REDEVELOPMENT- A MIXED USE PLANNED UNIT DEVELOPMENT": A MAJOR DEVELOPMENT (SP #98-64) :

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

1. Construction must commence within twelve (12) months of approval of the Final Development Order on May 24, 1999 (no later than May 24, 2004) and must be completed as shown on plans approved with conditions by the City Council (stamp dated 4-26-99).

WARNING: If the applicant/owner has not obtained a construction permit(s) within 365 days of issuance of the final development order, the final development order is void and the application for plan approval must be re-initiated.

2. If "Restaurant Row Redevelopment – Mixed Use PUD" fully complies with the requirements of Condition Number 1 above, the concurrency status "Restaurant Row Redevelopment – Mixed Use PUD" is protected (for five years) through May 24, 2004. **The protected concurrency status, however, will be lost if:**
 - A. **Construction activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order; or**
 - B. **Construction permit(s) are not obtained in accordance with Section 2.09.00 of the Land Development Code to maintain concurrency.**
3. "Restaurant Row Redevelopment – Mixed Use PUD" must obtain City of Destin permits for the following activities on and off site (These may require appropriate bonding):
 - a. disturbance to the city's rights of way.
 - b. pavement cuts.
 - c. construction of any kind.
 - d. clearing and grubbing.
 - e. paving, grading, drainage, sidewalks.
 - f. signage.
 - g. installation of utilities.
 - h. construction trailers.
4. **City Council conditional approval for Phase II**, is for square footage, use, concurrency, and general location only. A formal Major Development site plan review will be required prior to permits being issued for any development or construction within this phase.
5. **Before the issuance of a building permit**, a clearing plan must be presented to, and approved by the Community Development Director prior to issuance of a clearing permit. This must include the names and addresses of the surrounding property owners within 300' of the project.
6. **Before the issuance of a building permit**, a copy of the FDEP permit must be submitted to the City Engineer for acceptance.
7. **Before the issuance of a building permit**, the plat must be recorded and copies provided to the City.
8. **Before the issuance of a building permit, an FAA "No Hazard Determination" is required for the residential condominium component of the PUD,**
9. **Before the issuance of a certificate of occupancy**, the existing billboard shall be removed.

10. **Before the issuance of a certificate of occupancy for the 160 unit condominium,** the streetscape improvements shall be provided from Emerald Coast Parkway to Restaurant Row along both sides of Scenic Hwy 98.
11. **Before the issuance of a certificate of occupancy for the 160 unit condominium and before construction of the roadway improvements,** a cross-section of the speed humps shall be submitted to the City Engineer for approval.
12. **Before the issuance of a certificate of occupancy,** the applicant's landscaper shall coordinate with the City Engineer for location of exfiltration to ensure plant types and root systems will not damage exfiltration.
13. **As a condition by the City Engineer,** Phase 1-B stormwater retention appears low; revisit calculations.
14. **As a condition by the City Engineer,** all re-review fees must be received prior to building permit issuance.
15. **Before the issuance of a certificate of occupancy,** the landscape material shall be inspected by the Community Development Department to ensure compliance with the Development Order.
16. **Before the issuance of a certificate of occupancy,** any damages to the existing and/or required five (5) foot sidewalk, adjacent to the right-of-way lines of Emerald Coast Parkway, Restaurant Row, or Scenic Hwy 98 must be "bonded, replaced, or installed".
17. Requirements identified by the Technical Review Committee:

**TECHNICAL REVIEW COMMITTEE REPORT
COMMUNITY DEVELOPMENT DEPARTMENT**

**RESTAURANT ROW REDEVELOPMENT
A MIXED USE PLANNED UNIT DEVELOPMENT
A MAJOR DEVELOPMENT**

December 22, 1998, Amended February 16, 1999 and April 23, 1999

ISSUE

Applicant: Hall & Runnels, as agent
Owner: Sterling Shores Partnership and Restaurant Row Partnership - Owners.
Property Location: Southwest corner of Restaurant Row and Emerald Coast Parkway south to the Mean High Water line of the Gulf of Mexico.
Request: Approval of a Major Development identified as "Restaurant Row Redevelopment, Mixed Use Planned Unit Development". The Planned Unit Development consists of redeveloping approximately 15.28 acres, which includes 33,500 s.f. of existing commercial development. The re-

development consists of: 1) Demolition of approximately 12,000 square foot of existing retail uses and 7,500 square foot of existing restaurant use, along with related pervious and impervious parking areas; 2) Development of Phase I consisting of 160 condominium units (containing 385 lodging units) in one (1) eleven (11) story building. Phase I also includes the beach club accessory building and pool, the consolidation of parking areas currently used by Back Porch and Gratzi restaurants, and development of a unified streetscape and pedestrian/bicycle access network along Old Highway 98; 3) Phase II consists of one (1) three (3) story mixed use condominium building, which will include 10 residential units and 15,000 square feet of retail and office uses in "live over work" format with the retail/office uses occupying the first two stories and residential units on the third story.

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City Council Date: March 8, 1999, April 12, 1999, and April 26, 1999

DISCUSSION:

Hall & Runnels, as agent for Sterling Shores Partnership and Restaurant Row Partnership, owner, submitted an application requesting approval of a Major Development identified as "Restaurant Row Redevelopment, Mixed Use Planned Unit Development". The Planned Unit Development consists of redeveloping approximately 15.28 acres, which includes 33,500 s.f. of existing commercial development. The re-development consists of: 1) Demolition of approximately 12,000 square foot of existing retail uses and 7,500 square foot of existing restaurant use, along with related pervious and impervious parking areas; 2) Development of Phase I consisting of 160 condominium units (containing 385 lodging units) in one (1) eleven (11) story building. Phase I also includes the beach club accessory building and pool, the consolidation of parking areas currently used by Back Porch

and Gratz restaurants, and development of a unified streetscape and pedestrian/bicycle access network along Old Highway 98; 3) Phase II consists of one (1) three (3) story mixed use condominium building, which will include 10 residential units and 15,000 square feet of retail and office uses in “live over work” format with the retail/office uses occupying the first two stories and residential units on the third story.

The project is classified as a Major Development per the Land Development Code, Article 2, Sections 2.05.01. A.1,2,3,6,8,9,10,&11.

Staff has determined that the proposed request is compatible with the surrounding area (see the compatibility analysis below). The proposed site will also reduce the total trips generated by four (4) PM Peak Hour trips from current permitted traffic impact to Segments “B” and “C” of Highway 98 (from the existing development). The report has been reviewed and approved for traffic concurrency purposes by the City’s traffic consultant on January 21, 1998.

The proposed request is consistent with the Comprehensive Plan, Land Development Code, including Compatibility Review (Comprehensive Plan and Land Development Code), Concurrency Management review, and Level of Service review.

ZONING/COMPREHENSIVE PLAN

The property within the PUD boundaries is designated as MU (Mixed Use) on the City of Destin Future Land Use Map and BT (Business Tourism) on the City of Destin Zoning Map. As a Mixed Use PUD, the proposed use is expressly authorized under the Land Development Code.

The approval of a Mixed Use Planned Unit Development will promote compact urban development and not encourage urban sprawl. The proposed project complies with the City’s Land Use Requirements and Comprehensive Plan.

COMPATIBILITY

The uses surrounding this project are the following:

- North: BT and BG Zoning, Existing Commercial Land Uses including; Landry’s Seafood Restaurant, Shark Tooth Grill
- South: Gulf of Mexico
- East: BT Zoning and MU Land Use. Existing Residential/Resort Land Uses: Silver Shells Resort, Public Beach Access, Public Parking Areas, Multi-family gulf front development (Oceanside Townhomes, Halls Duplex)
- West: BT Zoning, MU Land Use. Hampton Inn Motel, Destin Gulfgate Condominium.

Compatibility means the way individual uses and activities fit together. Compatibility, in other words, means harmony of the pieces. The Destin Comprehensive Plan and Land Development Code use the same compatibility definition as found in the Florida Administrative Code’s Rule 9J-5.

The purpose and intent of the City's compatibility review is to: 1) preserve the character of stable mostly homogeneous residential neighborhoods which will require the maximum application of compatibility controls; and 2) avoid compatibility conflicts within other developed and developing areas of the City. (City of Destin Comprehensive Plan, Policy 7.A.4.6.p.)

Areas which are substantially built-out may absorb a wider variety of land use types, densities, or intensities. In addition, areas which exhibit a greater heterogeneity may absorb a greater mix of uses without compatibility conflicts. Height alone does not determine whether a project is compatible – how a project fits or transitions between the pieces to create a whole is also a key factor.

Staff has not only reviewed the compatibility analysis presented by the applicant, but has also reviewed the analyses prepared by the City's compatibility expert for the "Silver Shells" project. In both instances, acceptable "planning practices and principles" were used to determine compatibility. Both analyses characterize the area as one of variation – a mix of townhouses, shops, restaurants, motels, and medium to high-rise development. Both also note that the area consists of building lots of irregular shapes and sizes, all containing a mix of uses. This variation characterizes an unstable area – a heterogeneous pattern.

It is clear that the area contains a variation of uses and has remained unstable. A result of instability is the opportunity for land assembly. The applicant has assembled several parcels and, through demolition and redevelopment, will provide a consolidated development project.

It is staff's opinion, that the project's compatibility, as presented in this document, the previous compatibility report presented as part of the City's Silver Shells staff analysis, and the applicant's compatibility analysis, allows us to conclude that the project is compatible.

DENSITY

The residential component of this PUD is a condominium that requires its classification as a "lodging" use under the provisions of Policy 7.A.4.6 of the Future Land Use Element, of the City of Destin Comprehensive Plan. Specifically, Subsection (h) defines lodging use and specifies up to a maximum of 30 lodging units per acre in the MU category.

The allowable gross acreage within the PUD boundary, for purposes of determining maximum density, is 15.28 acres. Accordingly, the maximum number of lodging units allowable within the PUD boundary is $15.28 \times 30 = 458$ lodging units.

Phase I - 385 lodging units; Phase II - 10 lodging units, which is 63 lodging units less than maximum allowed.

The proposed master plan for the redevelopment project includes a total of 395 lodging units. Therefore, the proposed density is $395/458$ or **86% of allowable maximum residential density for the site.**

FLOOR AREA RATIO (FAR)

Maximum Base FAR allowed is 1.07. The proposed FAR for the entire PUD area is 0.60.

Calculations: 15.28 acres x 43,560 SF = 665,596 total SF for project area.

Gross SF for Condominium = 362,781 SF

Gross SF for Commercial = 39,202 SF

Total developed SF = 401,983 SF

$401,983 / 665,596 = 0.603$ FAR

Accordingly, the proposed FAR is .60/1.07 or 56% of maximum allowable FAR for the project site.

USE MIX/RATIO

This PUD will integrate three (3) types of land uses: residential, retail, and restaurant. The Comprehensive Plan and Land Development Code suggest that the mix of uses within the PUD should be in the range of 70% residential and 30% commercial. The following use mix is established for the overall project:

- The base number for the determination of the use ratio is the number of buildable acres within the PUD (690,090 s.f.) minus the 18% required for open space landscape (119,807 s.f.) = 545,789 s.f.
- The commercial component of the ratio has a total commercial area of 215,622 s.f. - 18%(38,812 s.f.) = 176,810 s.f. Therefore, 176,810 divided by 545,789 = 32.4%
- The residential component of the ratio has a total residential area of 449,975 s.f. - 18%(80,995 s.f.) = 368,980 s.f. Therefore, 368,980 divided by 545,789 = 67.6%
- **The overall use mix ratio is 32.4% commercial and 67.6% residential.**

HEIGHT

The BT Zoning District has no specified height limitation.

1. **Residential Condominium Building** - Building height details for this building are covered in the Airport Protection Section of this narrative.
2. **Beach Club Amenity** – This new structure will be elevated with a base floor elevation at 12 feet and a maximum root top height of 25 feet AGL.
3. **Back Porch** - The existing building elevation will not be changed in redevelopment plan.
4. **Gratzi** - The existing building elevation will not be changed in redevelopment plan.
5. **Phase II: Mixed Use Building** - This new structure will be three (3) stories with a maximum height of 50 feet AGL.

RIGHT-OF-WAY DEDICATION

No new rights-of-way are proposed for this project. However, the project does propose to improve existing shell and sand right-of-way along Scenic Highway 98 for public parking space, sidewalk/bike paths and streetscaping as designated on the PUD Master Site Plan. Although the applicant proposed to upgrade the streetscape adjacent to the project boundaries; staff recommends that the streetscape be extended, by the applicant, to cover from Emerald Coast Parkway to Restaurant Row (both sides of Scenic Hwy 98).

CONCURRENCY MANAGEMENT

Concurrency requirements met:

Potable Water X Roadways X Solid Waste X
Recreation X Sewer X Drainage X

TRAFFIC ANALYSIS

The PUD boundary encloses several existing permitted commercial uses. Some will be discontinued and some will become part of the PUD approval. The PUD will utilize only existing approved and vested traffic capacity for uses already located within the PUD boundary to serve the redeveloped use mix.

The existing vested traffic impact of the permitted uses within the PUD boundary is indicated on Tables 1 and 2 of the traffic impact analysis prepared by Hall Planning and Engineering. The total amount of traffic impact to the same roadway segments, by the project after redevelopment, is shown on Tables 3 and 4 of the same report.

The traffic analysis, dated December 4, 1998, was reviewed and approved by the City's traffic consultant. Furthermore, the City's traffic consultant determined that the redevelopment will reduce traffic by four (4) PM/PK hour trips that affect Segment "B" & "C" after capturing the trips that were previously reserved for this project. The report has been reviewed and approved for concurrency purposes by the City's traffic consultant on January 21, 1998. (see attached memorandum).

On April 21, 1999, the applicant submitted an amended traffic analysis, removing the previously included restaurant east of "Junes Dune" restaurant. The analysis was faxed to the City's traffic consultant the same day. Due to the fact that the analysis is removing a use and sq.ft. from the site, there is no negative impact, rather if any, there will be an increase on the number of trips being placed back on the Segment(s).

SUBDIVISION OR PUD - PLAT

A condominium plat will be submitted prior to the final issuance of a construction permit for the condominium components in each Phase of the PUD master plan. A commercial subdivision plat is required and part of this review for approval along with the PUD development order.

AIRPORT PROTECTION

An FAA "NO HAZARD DETERMINATION" will be required for the residential condominium component of the PUD, **at the proposed height**. An application has been submitted to the FAA for review.

The proposed project is located within the Airport Horizontal Zone, Conical Zone and Approach Zone as delineated in Subsections 7.15.01A(2), (3) and (4) respectively. The proposed building height is **121 above ground level and 137 feet AMSL**. It is located 4092.5 linear feet from the runway end of the runway at the Destin - Fort Walton Beach Airport. The elevation at the end of that runway is 21.06 feet AMSL.

Accordingly, the following height restriction criteria are met by the project:

1. Horizontal Zone - Height limitation at project site is 150 feet AMSL + 21.06 feet elevation at airport height = **171.06 feet AMSL minus 16 feet** (the difference between runway elevation and the lower elevation at the project site) = **155.06 AMSL**.
2. Conical Zone - This zone includes a circular area around the airport with a uniform 177 foot height limitation. This project is within that area so the resulting height limitation is **higher than** the one for the Horizontal Zone.
3. Approach Zone - Height limitation at project site is 21.06 feet + (4092/34 X 1 foot elevation =120.4) = **141.46 feet AMSL. This project is within that area so the resulting height limitation is higher than the one for the Horizontal Zone.**

Construction of the residential condo component will require the temporary use of a crane. If the crane height must exceed 200 feet above ground level at any point, applicant will obtain a temporary variance for encroachment and file a completed FAA form 7460 with the City of Destin before the crane will be permitted to operate at that height.

SETBACKS

Note: The PUD has right-of-way on three (3) of its boundaries(North, East, and South); therefore has three fronts, and one side (west).

A. PHASE I

1. RESIDENTIAL CONDOMINIUM

| | <u>Required</u> | <u>Provided</u> | <u>Buffers</u> |
|--------------|-----------------|-----------------|--------------------|
| Front: North | 10' | 171.58' | 10' FPLA |
| Front: South | 10' | 198.75' | 10' FPLA |
| Front: East | 10' | 28.66' | 10' FPLA |
| Side: West | 26' | 50' | 5' common boundary |

2. BACK PORCH

| | <u>Required</u> | <u>Provided</u> | <u>Buffers</u> |
|------------|-----------------|-----------------|--------------------|
| Front | 10' | 17.4' | 10' FPLA |
| Side: East | 5' | 11' | 5' common boundary |
| Side: West | 5' | 10' | 5' common boundary |
| Rear | 100' | 100'+ | Gulf Buffer |

3. GRATZI

| | <u>Required</u> | <u>Provided</u> | <u>Buffers</u> |
|--------------|-----------------|-----------------|--------------------|
| Front: East | 10' | 19.75' | 10' FPLA |
| Front: South | 10' | 14' | 10' FPLA |
| Side: West | 5' | 168' | 5' common boundary |
| Side: North | 5' | 482' | 5' common boundary |

4. BEACH CLUB AMENITY

| | <u>Required</u> | <u>Provided</u> | <u>Buffers</u> |
|------------|-----------------|-----------------|--------------------|
| Front | 10' | 10' | 10' FPLA |
| Side: East | 5' | 5' | 5' common boundary |
| Side: West | 5' | 5' | 5' common boundary |
| Rear | 100' | 100'+ | Gulf Buffer |

B. PHASE II

MIXED USE CONDOMINIUM BUILDING

| | <u>Required</u> | <u>Provided</u> | <u>Buffers</u> |
|--------------|-----------------|-----------------|--------------------|
| Front: North | 10 | 40 | 10' FPLA |
| Front: East | 10 | 40 | 10' FPLA |
| Side: South | 5 | 30 | 5' common boundary |
| Side: West | 5 | 30 | 5' common boundary |

NOTE: The 5' common boundary, 10' vegetative buffer, 10' front perimeter landscape boundary, and reforestation requirements must meet Code.

WHITE SANDS ZONE

This project lies within White Sands Zones #1 and #2 pursuant to the City of Destin White Sands Ordinance (Number 029-1). All fill material and material moved or altered must meet the White Sand Zone Ordinance.

SIGNS

The signage for the residential condominium will be located on both Emerald Coast Parkway and Old Highway 98, as shown on the Site Geometry Plan (Sheet C-3). These signs will be monument style signs as shown on Sheet L-8. The signage for each of the existing restaurants to be retained, will remain the same. **The project involves the demolition and removal of one existing billboard size off-premises advertising sign, now located on the west central portion of the site.**

Note: The Community Development Director is requiring the existing billboard to be removed prior to the issuance of a Certificate of Occupancy, as a condition of this Development Order approval.

WATER/SEWER

Destin Water User's Inc. approved the project in a letter dated December 22, 1998.

FIRE DEPARTMENT REVIEW

The Fire Department approved the project in a letter dated December 22, 1998.

OKALOOSA GAS

Okaloosa Gas approved the project at the December 22, 1998, TRC meeting.

UNIVERSAL COM

Universal Com approved the project at the December 22, 1998, TRC meeting.

SPRINT

Sprint approved the project at the December 22, 1998, TRC meeting.

UTILITIES

Underground utilities are required. The redevelopment of existing commercial areas will include the demolition of all existing above ground power lines and poles and replacement with unified underground utility conduit meeting Gulf Power and DWU minimum specifications.

STORMWATER

Stormwater Management and Drainage Plan for the PUD prepared by Gustin, Cothorn and Tucker indicates that all required retention, management and treatment standards required by the City and/or FDEP will be met. Copies of final FDEP stormwater management permits for the proposed development will be provided prior to issuance of a building permit for Phase I.

The City Engineer has provided comments in a memorandum dated February 3, 1999, with five (5) comments. This memo is on file with the Community Development Department. The applicant will be required to meet all conditions of the City Engineer.

INGRESS/EGRESS

The entire PUD will access Restaurant Row at only three (3) locations; and Old Highway 98 at three (3) locations. The following are narrative descriptions of each access point shown on the PUD Master Plan Site.

1. Restaurant Row North Entrance – Two-lane, 20 foot wide entrance drive, one lane inbound and one lane outbound. (Phase II)
2. Restaurant Row Main Entrance – Two-lane, divided, 45 foot wide entrance drive into condominium internal main gate and parking areas and into parking bay for restaurant parking areas. One separate lane each for inbound and outbound.
3. Restaurant Row South Entrance - Two-lane 20 foot wide entrance drive into restaurant parking areas, one land inbound and one lane outbound.
4. Old Highway 98 East Entrance - Two-lane 20 foot wide entrance into restaurant parking areas north of 98, one land inbound and one lane outbound.
5. Old Highway 98 West Entrance - Two-lane 20 foot wide entrance into parking areas north of 98, one land inbound and one lane outbound.

SIDEWALKS

The PUD Master Site Plan includes an external sidewalk network on the northern and eastern perimeter of the PUD boundary, along Emerald Coast Parkway and Restaurant Row, respectively. In addition, an internal sidewalk\bike path network is provided to connect adjacent uses, as shown on the PUD Master Site Plan.

The project will provide over 1,600 feet of sidewalk and bike paths within the right-of-way of Old Highway 98 from the intersection with Emerald Coast Parkway to the intersection with Restaurant Row. The project will also provide 2,195 feet of sidewalk along the southern right-of-way of Emerald Coast Parkway from the northwest corner of the site to the western boundary of Restaurant Row.

REFUSE COLLECTION

BFI, Inc., will handle solid waste pickup and disposal for the project as the City's contract commercial and residential franchisee. Separate screened dumpster bays will be developed for each restaurant and two internal dumpsters with roll out tracks will be utilized at each end of the residential condominium building.

LANDSCAPE

The project meets and exceeds the landscaping requirements provided in Section 7.10.02 of the Code. The following is a description of the landscaped open space areas provided within the PUD boundaries as shown on the PUD Master Site Plan:

1. **Condominium Parcel** - 317593 total s.f. X .18 = 57,168 s.f. minimum required. 159,077 s.f. provided.
2. **Gratzi** - 162,557 total s.f. X .18 = 29,260 s.f. minimum. 46,998 s.f. provided.

3. **Beach Club** - 43,458 total s.f. X .18 = 7,822 s.f. minimum. **8182 s.f. landscaped and 28,068 s.f. open space in dry sand area of beach.**
4. **Back Porch** - 44,988 s.f. total X .18 = 8,097 s.f. minimum. **4,500 landscaped and 27,564 open space in dry sand area of beach.**
5. **Phase II- Mixed Use Condominium** - 97,256 s.f. total X .18= 17,506 s.f. minimum. **55,580 s.f. provided.**

The total required landscape open space for the project within the PUD boundaries is 124,215 s.f.
The total landscape open space provided in the PUD Master Site Plan is 329,969 s.f.

B. TREES REQUIRED/PROVIDED

1. **Perimeter:** One tree for each 25 feet of lot frontage.
 Emerald Coast Parkway - 1100 l.f. of frontage X.25 = 44 /49
 Restaurant Row - 1100 l.f. of frontage X.25 = 44/66
 Old Highway 98 - 750 l.f. of frontage X.25 = 30/57
 Total perimeter trees Required = 118
Total perimeter trees provided = 172

2. **Reforestation:** One tree for each 1/10 acre of developed area within the PUD boundary.
 15.28 acres total within the PUD boundary X 10 = 153 trees
Total reforestation trees provided = 432

3. **Parking Lots:** One tree required at the end of each parking row X 83 ends = 83
 One tree on every parking island X 19 islands = 19

 Total Parking Lot Tree Requirement = 102
Total parking lot trees provided = 102

4. **Vegetative Landscape Buffers:** One vegetative buffer is required between the Phase II restaurant and the adjacent residential use to the east. The project will include a fence meeting the requirements of Code along with a total of 5 trees located on twenty five-foot centers from the northern boundary of the parcel south to the old CCCL boundary.

 Total Buffer Tree Requirement = 5
Total buffer trees provided = 5

5. **Streetscape Trees:** The project includes at least 86 trees which will be planted in the public right of way of Old Highway 98 in connection with the public access parking areas and seating area which are provided by the applicant. These trees are provided in excess of what would be required if developer were not providing the additional public benefit of the street-side parking and streetscape.

Streetscape Trees Provided = 86

6. Total Required Trees

TOTAL TREES REQUIRED = 373
TOTAL TREES PROVIDED = 792 or 212% more than the required minimum

Replacement of protected trees: should any of the protected or preserve trees be removed or destroyed by any means, other than those located within the footprint of a building or within the road rights-of-ways, shall be replaced by a rate of one tree for each inch over 11".

PARKING

A. PARKING SPACES. Per 8.05.03(L) of the Code, the following minimum number of off-street parking spaces are required for the separate components of the PUD:

1. **Residential Condominium:** 1.75 spaces per dwelling unit per subsection (1)a.(4) X 160 lodging units = 280 minimum required spaces.

Total spaces required = 280

Total spaces provided = 274 as agreed by Community Development Director.

2. **Commercial Uses:**

- a. **Gratzi:** 1 space for every 75 s.f. gross floor area per Subsection (1)a.(29) X 9932 s.f. = 132 spaces minimum.
- b. **Back Porch:** 1 space for every 75 s.f. gross floor area per Subsection (1)a.(29) X 14270 s.f. = 190 spaces minimum.

Total spaces required for commercial Uses in Phases I and II = 322 spaces

Total spaces provided for commercial uses in Phase I = 296 spaces, because of the mix of uses, and an opportunity for parking needs to occur at different times, the Community Development Director concurs with a reduction in the number of parking spaces.

3. **Phase II Mixed Use Condominium:**

- a. **Residential component** - 1.75 spaces per dwelling unit per subsection (1)a.(4) X 10 lodging units = 17.5 minimum required spaces.
- b. **Commercial Component** - 1 space for every 200 feet of gross floor area per subsection (1)a.(26) and (30) of the Code X 15,000 Square feet = 75 minimum required spaces.

Total spaces required for Phase II = 84 spaces

Total spaces provided for Phase II = 67 spaces because of the mix of uses, and an opportunity for parking needs to occur at different times, the Community Development Director concurs with a reduction in the number of parking spaces.

B. LOADING SPACES

1. **High Rise Residential** - Subsection 8.05.06(B)1. requires 1 loading space per 100,000 s.f. of gross floor area. This component of the PUD contains 273,000 SF gross floor area. $273000/100,000=3$ spaces.

Total spaces required = 3 Total spaces provided = 3

2. **Restaurants** - Subsection 8.05.06(B)4. requires 1 loading space per initial 10,000 s.f. of gross floor area and 1 for every additional 20,000 s.f. Gratzi and Back Porch have a combined gross square footage of 24,202 SF.

Total spaces required = 2 Total spaces provided = 2

C. HANDICAPPED SPACES

The PUD Master Site Plan includes a total of 21 handicapped spaces as required by the Code and indicated on the PUD Master Site Plan (Sheet C-2).

D. PUBLIC PARKING SPACES

The PUD Master Site Plan provides **61** improved parking spaces for use of the general public for access to the palisades and the gulf beach through the Restaurant Row public beach access. These spaces are provided along both the north and south edges of Old Highway 98.

These spaces are provided in satisfaction of the public benefit component of the proposed mixed use PUD for the City of Destin. These spaces will significantly increase the number of available free public parking spaces for this section of the gulf beach within 500 feet of a public beach accessway.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

1. A DEP Stormwater Permit is required and must be submitted prior to the issuance of a building permit.

COMMENTS

There have been no comments of support or opposition filed with Staff regarding this project.

CONDITIONS:

Per Community Development:

1. Prior to the issuance of a Certificate of Occupancy, the billboard must be removed.
2. Approval of Phase II is for sq.ft., use, concurrency, and general location only. A formal site plan review will be required prior to permits for this phase.
3. Streetscape shall be provided from Emerald Coast Parkway to Restaurant Row along both sides of Scenic Hwy 98.
4. The plat must be amended to reflect the amended site plan.


5. Prior to the issuance of a building permit, the City Surveyor must approve the plat.

Engineering Department:


1. Provide cross section of speed humps. Some areas of exfiltration system will conflict with landscapers choice of plantings.
2. Coordinate with landscaper location of exfiltration; ensure root system will not damage exfiltration.
3. Phase 1-B stormwater retention appears low; revisit calculations.
4. Major re-review fees were not received for this review. All re-review fees must be received prior to building permit issuance.
5. Submit copy of FDEP permit.

City Council Conditions:

1. Applicant must provide a parking agreement, approved by the City Attorney, which stipulates that; 1) the parking area to the north and west of Gratzis' will not be gated, and 2) no "non-patron" towing policy will be imposed by the owner on that same lot, without prior City Council approval.
2. The public beach access on the west side of pool area be extended to 8 feet wide.
3. A beach/dune walkover be constructed by the applicants within the 8 feet wide public beach access.
4. The applicant will coordinate use of the development; e.g., lodging units, restaurants, retail, and office, with future public transportation.



Gary Muller Date 9-30-99
Acting Community Development Director



Sterling Shores Partnership and Date 9/30/99
Restaurant Row Partnership - Owners, AGENT