



City of Destin

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July 3, 2000

Order No. 00-37

2nd Amended Final Development Order:

“RESTAURANT ROW REDEVELOPMENT PUD, PHASE II, 2nd AMENDMENT” A MAJOR DEVELOPMENT (SP-99-47)

Based upon the City Council’s approval of this Development Order, on June 26, 2000, this document will serve as your 2nd Amended 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: Steve Hall, on behalf of Cobb Investment Company, L.L.C.
Location: The proposed project is generally located on the southwest corner of Emerald Coast Parkway and Restaurant Row and more specifically known as Property Appraiser’s parcel I. D. number 00-2S-22-2300-000F-0010.
Request: Approval of a Major Deviation to a previously approved Major Development identified as “Restaurant Row Redevelopment PUD, Phase II, 2nd Amendment.” The proposed project consists of a three (3) story Bank (7,500 sq. ft.) and Office (7,500 sq. ft.) Building with five (5) drive-thru teller windows.
Parcel Size: The property contains 2.23 acres more or less.
Future Land Use: Mixed Use (MU)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.15 Floor Area Ratio
Application Date: November 1, 1999
TRC Date: November 17, 1999
Approved Site Plan Date: May 2, 2000
Planning Commission Date: May 18, 2000
City Council Date: June 26, 2000

Community Development ♦
(850) 837-5686
Fax: (850) 837-7949

Engineering ♦
(850) 837-5694

Building Inspections ♦
(850) 654-1119
Fax: (850) 837-7949

Public Works
(850) 837-6869

Community Center ♦
(850) 654-5184
Fax: (850) 654-8998

Library
(850) 837-8572
Fax: (850) 837-5248

DETERMINATIONS:

1. All of the findings of the Final Development Order No. 99-25A and the Amended Final Development Order No. 00-13 are incorporated herein; and
2. This Development Order does not extend the overall concurrency status determined by the Original Development Order (No. 99-25A); and
3. A hearing was held by the Destin City Council on June 26, 2000, and the City Council approved the development by a vote of 7-0 with conditions; and
4. The Planning Commission considered the proposal on May 18, 2000 and recommended the City Council approve the proposed project as presented by staff. The motion passed by a vote of 7-0; and
5. All the findings of the Technical Review Committee report dated May 2, 2000 are incorporated herein.

CONDITIONS OF APPROVAL FOR “RESTAURANT ROW REDEVELOPMENT PUD, PHASE II, 2nd AMENDMENT”, A MAJOR DEVELOPMENT (SP-99-47):

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

Construction must commence within twelve (12) months of approval of the Final Development Order on June 26, 2000 (no later than June 26, 2001) and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated May 2, 2000).

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.

NOTE: An applicant/owner who desires to extend the twelve (12) month deadline shall submit a request to the Community Development Department, no less than sixty (60) days prior to the expiration of the twelve (12) month deadline to obtain a construction permit. The applicant /owner should review Article 2, Section 2.15.00 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 Number 1 above, the concurrency status for “Restaurant Row Redevelopment PUD, Phase II, 2nd Amendment” is protected 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. 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.
 - 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. **Within two (2) working weeks from the date of City Council approval**, the applicant must provide the City with a parking agreement. This agreement must be approved by the City Attorney and must stipulate: 1) the parking area to the north and west of Gratz's 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.
- 5. **Prior to the issuance of a Building Permit**, a Hold Harmless/Perpetual Maintenance Agreement must be recorded with Okaloosa County and a copy provided to the Engineering Department.
- 6. **Prior to the issuance of a Building Permit**, all applicable prior to building permit conditions of DO-99-25A and DO-00-13 that apply to phase II, must be satisfied.
- 7. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
- 8. **Prior to the issuance of a Certificate of Occupancy**, all required impact fees must be paid.
- 9. **Prior to the issuance of a Certificate of Occupancy**, all applicable prior to certificate of occupancy conditions of DO-99-25A and DO-00-13 that apply to phase II, must be satisfied.
- 10. Findings and requirements identified by the Technical Review Committee:

TECHNICAL REVIEW COMMITTEE REPORT

“RESTAURANT ROW REDEVELOPMENT PUD, PHASE II, 2nd AMENDMENT” A MAJOR DEVELOPMENT (SP-99-47)

TRC Report: May 2, 2000

ISSUE:

Applicant: Steve Hall, on behalf of Cobb Investment Company, L.L.C.
Location: The proposed project is generally located on the southwest corner of Emerald Coast Parkway and Restaurant Row and more specifically known as Property Appraiser's parcel I. D. number 00-2S-22-2300-000F-0010.
Request: Approval of a Major Deviation to a previously approved Major Development identified as “Restaurant Row Redevelopment PUD, Phase II, 2nd Amendment.” The proposed project consists of a three (3) story Bank (7,500 sq. ft.) and Office (7,500 sq. ft.) Building with five (5) drive-thru teller windows.
Parcel Size: The property contains 2.23 acres more or less.
Future Land Use: Mixed Use (MU)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed: 1.07 Floor Area Ratio
Proposed: 0.15 Floor Area Ratio
Application Date: November 1, 1999
TRC Date: November 17, 1999
Approved Site Plan Date: May 2, 2000
Planning Commission Date: May 18, 2000
City Council Date: June 26, 2000

DISCUSSION/FINDINGS:

Steve Hall, on behalf of Cobb Investment Company, L.L.C., is requesting approval of a Major Deviation to a previously approved Major Development identified as “Restaurant Row Redevelopment PUD, Phase II, 2nd Amendment.” The proposed project consists of a three (3) story Bank (7,500 sq. ft.) and Office (7,500 sq. ft.) Building with five (5) drive-thru teller windows. The proposed project is generally located on the southwest corner of Emerald Coast Parkway and Restaurant Row and more specifically known as Property Appraiser's parcel I. D. number 00-2S-22-2300-000F-0010. The subject property consists of 2.23 acres +/-.

The existing Development Order (D. O. No. 99-25A) for Restaurant Row PUD approved Phase II for 15,000 sq. ft. of retail/office and ten (10) lodging units. The current application, Restaurant Row PUD, Phase II, 2nd Amendment, is for 15,000 sq. ft. of office/bank. Condition number 4 of the Development Order states “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.”

A revised traffic analysis was submitted by the applicant, due to the fact that the land uses and their gross square footage differed from the originally approved project. According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate seventeen (17) new PM Peak Hour directional trips on Segment "B" and will generate thirteen (13) new PM Peak Hour directional trips on Segment "C" of U. S. Highway 98. Segment "B" currently has 380 PM Peak Hour directional trips available and, with this project, there will be 363 PM Peak Hour directional trips remaining. Segment "C" currently has 80 PM Peak Hour directional trips available and, with this project, there will be 67 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibit "D").

Staff has determined that the proposed request is compatible with the surrounding area. The existing uses of the surrounding properties are as follows:

- North: Emerald Coast Parkway and Vacant
- South: Multi-Family Dwellings and Restaurants
- East: Multi-Family Dwellings
- West: Hotel

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which includes Compatibility review, Concurrency Management review, Level of Service review, and the Vision 2000 plan. This project is not located in the Community Redevelopment Area or the proposed Destin Harbor Area Master Plan.

The Technical Review Committee reviewed the project on November 17, 1999, and approved the project with specific conditions and changes. The conditions given to the applicant during the TRC meeting have been satisfied.

COMPREHENSIVE PLAN/ZONING:

The property has a Future Land Use designation of Mixed Use (MU) and a Zoning designation of Business Tourism (BT). The proposed uses are consistent with the MU Future Land Use designation and are permitted principal uses in the BT Zoning district.

COMPATIBILITY:

The surrounding properties are as follows:

	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use</u>
North:	C	BT	Emerald Coast Parkway and Vacant
South:	MU	BT	Multi-Family Dwellings and Restaurants
East:	MU	BT	Multi-Family Dwellings
West:	MU	BT	Hotel

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements.

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

The proposed uses are consistent with the MU Future Land Use designation and are permitted principal uses in the BT Zoning district.

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

The location of the proposed building is more to the northeast of the center of the subject site. The building will be 65.93 feet from the front property line (north), 10.79 feet from the front property line (east), 171 feet from the side property line (south), and 222.89 feet from the other side property line (west). The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning district.

The proposed building's dimension is substantially smaller in size or equal to the buildings located to the east of the property in the Silver Shells development and to the south in Phase I of the project. The Silver Shells development will eventually contain six (6) condominium buildings ranging from thirteen (13) to fourteen (14) stories in height. Additionally, a portion of the existing Clubhouse is two (2) stories in height. Phase I of Restaurant Row contains a two (2) story restaurant and an approved eleven (11) story condominium building.

The BT Zoning district does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The proposed height of the three (3) story bank building is fifty (50) feet. The total floor area ratio for this project is 0.15, which is below the 1.07 maximum.

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

The proposed project meets the parking requirements (75 reg. 3 h.c. / 85 reg. & 4 h.c. proposed/required). It also meets the requirements for access drives (24 feet provided) and service areas (the proposed dumpster is screened).

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

A revised traffic analysis was submitted by the applicant, due to the fact that the land uses and their gross square footage differed from the originally approved project. According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate seventeen (17) new PM Peak Hour directional trips on Segment "B" and will generate thirteen (13) new PM Peak Hour directional trips on Segment "C" of U. S. Highway 98. Segment "B" currently has 380 PM Peak Hour directional trips available and, with this project, there will be 363 PM Peak Hour directional trips remaining. Segment "C" currently has 80 PM Peak Hour directional trips available and, with this project, there will be 67 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibit "D").

A review of the traffic generated, elevation plans, and architectural floor plans, in relation to lot sizes and use, indicates that the proposed project will be compatible with the surrounding development. Outdoor lighting is proposed at this time and is indicated on the site plan. Staff recommends approval of the lighting plan given the fact that the footcandle count is less than 1.0 on average at the property lines.

E) Alteration of light and air;

The proposed three (3) story building will not alter the light or air of the surrounding properties.

F) Setbacks and buffers.

The BT Zoning district requires the following setbacks: front - 10 feet, side – 0 feet, and rear - 0 feet. The proposed buildings will be 65.93 feet from the front property line (north), 10.79 feet from the front property line (east), 171 feet from the side property line (south), and 222.89 feet from the other side property line (west). The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning district.

The overall site plan meets the open space requirement (18% required / 42% provided). The following buffers are required: the standard five (5) foot common boundary landscape area on the western and southern property lines and the standard ten (10) foot front perimeter landscape area on the northern and eastern property lines.

Vegetative buffer, parking island, and reforestation requirements have been satisfied (refer to Landscape section of this report).

DENSITY:

Not applicable.

HEIGHT:

The BT Zoning district does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The proposed height of the three (3) story bank building is fifty (50) feet.

FLOOR AREA RATIO:

The total floor area ratio for this project is 0.15, which is below the 1.07 maximum.

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

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

TRAFFIC ANALYSIS:

A revised traffic analysis was submitted by the applicant, due to the fact that the land uses and their gross square footage differed from the originally approved project. According to the traffic review conducted by the City's traffic consultant, Gay Hamilton Smith, the proposed development will generate seventeen (17) new PM Peak Hour directional trips on Segment "B" and will generate thirteen (13) new PM Peak Hour directional trips on Segment "C" of U. S. Highway 98. Segment "B" currently has 380 PM Peak Hour directional trips available and, with this project, there will be 363 PM Peak Hour directional trips remaining. Segment "C" currently has 80 PM Peak Hour directional trips available and, with this project, there will be 67 PM Peak Hour directional trips remaining. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (See Exhibit "D").

SUBDIVISION OR PUD - PLAT:

Not applicable. A plat was approved in the original Development Order (No. 99-25A). However, the plat has not been recorded. The property line shown on the site plan matches the proposed lot lines on the plat.

AIRPORT PROTECTION:

The subject site is located within the airport protection area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards, the applicant must request a variance from FAA for temporary encroachment into this restrictive area and a copy of completed FAA Form 7460, must be place on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace. Crane permits are issued by Okaloosa Airport Authority.

SETBACKS:

The proposed building meets and exceeds all of the required setbacks for the Business Tourism (BT) Zoning district. The BT Zoning district requires the following setbacks: front - 10 feet, side - 0 feet, and rear - 0 feet.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (north):	10'	10' FPLA	65.93' + 10' FPLA
Front (east):	10'	10' FPLA	10.79' + 10' FPLA
Side (south):	15'	5' CB	171' + 5' CB
Side (west):	15'	5' CB	222.89' + 5' CB
Between Bldgs.:	10'	N/A	N/A

Note: 10' FPLA = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. A 10' Front Perimeter Landscape Buffer is required along the northern and eastern property lines. A 5' Common Boundary Landscaped Area is required along the southern and eastern property lines.

WHITE SANDS ZONE:

The proposed project is not located within either of the White Sand Zones.

SIGNS:

No signs have been proposed with this project, other than the identification sign approved in the original development order. All future signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project at the November 17, 1999, TRC meeting.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated April 11, 2000.

GULF POWER:

Gulf Power approved the project in a letter dated the November 17, 1999.

OKALOOSA GAS:

Okaloosa Gas approved the project at the November 17, 1999, TRC meeting.

SPRINT:

Sprint approved the project at the November 17, 1999, TRC meeting.

UNIVERSALCOM:

Universal Com approved the project at the November 17, 1999, TRC meeting.

WATER/SEWER PROVIDER:

Destin Water Users, Inc., approved the project in a letter dated March 28, 2000.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated May 1, 2000, and had the following conditions:

1. All landscaping vision triangles shall comply with Destin LDC Chapter 8.03.06.
2. Hold Harmless/Perpetual Maintenance agreement is being executed by the City, however, must be recorded with Okaloosa County prior to obtaining a building permit.

INGRESS/EGRESS:

The ingress/egress points for the proposed bank are provided by a proposed access point off Restaurant Row to the east and an access drive off of the main entryway of Phase I to the south. Both ingress/egress points meet the requirements of the Destin Land Development Code.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The proposed dumpster is screened by a six (6) foot tall block stucco wall as indicated on the site plan.

SIDEWALKS:

A five (5) foot wide sidewalk is required along the southern right-of-way of Emerald Coast Parkway and western right-of-way of Restaurant Row. Internal sidewalks are also proposed to allow access between Phase I and Phase II.

LANDSCAPE:

The project meets or exceeds the landscape requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

Open Space Requirement:

<u>97,256</u> sq. ft. of property x 18%	= 17,506 sq. ft. required
Site plan provides <u>42.0%</u>	= <u>40,845</u> sq. ft. provided

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 (8 trees x 3 credits per tree):	0
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	0
Credits for Existing Trees (20" to 24" diameter) on Site (0 trees x 5 credits per tree):	0
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u><u>0</u></u>

Total Reforestation Credits for Trees Required on Site:	0
Reforestation Trees (1 per every .10 of an acre: 1.60 x 10 = 16) Required on Site:	0
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>0*</u>

*Note: Per the Land Development Code, credit shall be received on the reforestation requirement of this section by preserving existing trees. Trees required for reforestation are in addition to other required trees within Article 12, Section 12.04.04.C.

Total Reforestation Trees Required on Site:	22
Front Perimeter Trees (1 per 25') Required on Site:	31
Parking Lot Trees (1 per end row and landscape island) Required on Site:	23
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	0
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	<u>0</u>
TOTAL TREES REQUIRED:	<u>76</u>
TOTAL TREES PROVIDED:	<u>102</u>

A five (5) foot Common Boundary Buffer is required along the southern and western property lines, and a ten (10) foot Front Perimeter Landscape Area is required along the northern and eastern property lines. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty (50) percent opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three years of planting. All required trees must be a minimum of six (6) feet high at time of planting and reach a crown of twenty (20) feet at maturity. If the twenty (20) foot crown requirement is not met, additional trees shall be added and grouped together to meet the twenty (20) foot crown. If shrubs are used in the required buffer areas, they 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 has been inspected and approved by the Community Development Department.**

PARKING:

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

Per code:

Bank:

1 space per 200 square feet of gross floor area, plus each drive-in teller window shall have a minimum storage lane capacity of 5 motor vehicles.

Per site plan:

Bank:

15,000 sq. ft. bank building / 1 space per 200 sq. ft. = 75 parking spaces (including 3 handicap spaces).

5 storage lanes / storage lane capacity of 5 motor vehicles = storage lane capacity for 25 motor vehicles.

TOTAL REQUIRED: 75 parking spaces, plus storage lane capacity for 25 motor vehicles (including 3 handicap spaces)

TOTAL PROVIDED: 85 parking spaces, plus storage lane capacity for 25 motor vehicles (including 4 handicap spaces)

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Destin Land Development Code as indicated on the approved plans and as follows:

Per code:

Bank:

One (1) space for the first 75,000 square feet of gross floor area or fraction thereof, and one (1) space for each additional 25,000 square feet.

Per site plan:

Bank:

15,000 sq. ft. bank building / 1 space per first 75,000 sq. ft. = 1 loading space.

TOTAL REQUIRED: 1 loading space

TOTAL PROVIDED: 1 loading space

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection general notice permit (for stormwater) has been issued for this project and is on file.

IMPACT FEES:

The owner/applicant must pay the following impact fees prior to the issuance of a Certificate of Occupancy:

Police Protection: The police protection impact fees were calculated using the “Office per 1,000 sq. ft. = \$24.56” fee amounts under the “Non-residential –U.S. 98 Corridor” category.

$$(15,000 \text{ sq. ft.}) \times (\$24.56) = 373,200 / 1,000 = \underline{\$368.40}$$

$$(\text{sq. ft. of building addition}) \times (\text{Office per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Police Impact Fees to be paid for “Restaurant Row Redevelopment PUD, Phase II”: \$368.40

Road: The road impact fees were calculated using the “Bank: Drive-in (per 1,000 sq. ft.) = \$6,421.00” and using the “Office under 100,000 sq. ft. (per 1000 sq. ft.) = \$822.00.

$$(7,500 \text{ sq. ft.}) \times (\$6,421.00) = 48,157,500 / 1,000 = \underline{\$48,157.50}$$

$$(7,500 \text{ sq. ft.}) \times (\$822.00) = 6,165,000 / 1,000 = \underline{\$6,165.00}$$

$$(\text{sq. ft. of building addition}) \times (\text{Bank: Drive-in per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

$$(\text{sq. ft. of building addition}) \times (\text{Office per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$$

Total Road Impact Fees to be paid for “Restaurant Row Redevelopment PUD, Phase II”: \$54,322.50

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$368.40
<u>Roads:</u>	=	<u>\$54,322.50</u>
TOTAL:	=	<u>\$54,690.90</u>

COMMENTS:

Public Input:

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

Per Community Development Department:

1. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
2. Prior to the issuance of a Certificate of Occupancy, all required impact fees shall be paid.

Per Engineering Department:

1. All landscaping vision triangles shall comply with Destin LDC Chapter 8.03.06.
2. Hold Harmless/Perpetual Maintenance agreement is being executed by the City, however, must be recorded with Okaloosa County prior to obtaining a building permit.

ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION:

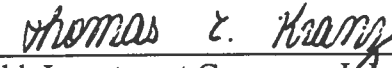
None.

CONDITIONS BY CITY COUNCIL:

1. Within two (2) working weeks from the date of City Council approval, the applicant must provide the City with a parking agreement. This agreement must be approved by the City Attorney and must stipulate: 1) the parking area to the north and west of Gratz's 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.



Gary Muller Date
Acting Community Development Director



Cobb Investment Company, L.L.C. Date
Owner
Thomas E. Kranz
Secretary