



# City of Destin

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July 30, 2001

Order No. 01-23

## 3<sup>rd</sup> Amended Final Development Order:

**“RESTAURANT ROW REDEVELOPMENT PUD, PHASE II,  
3<sup>rd</sup> AMENDMENT”: A MINOR DEVIATION TO A  
PREVIOUSLY APPROVED MAJOR DEVELOPMENT  
(SP-01-28)**

Based upon the City Council’s approval of the 2<sup>nd</sup> Amended Final Development Order, on June 26, 2000, this document will serve as your 3<sup>rd</sup> 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 on June 26, 2000, and by the Community Development and Engineering Departments on July 30, 2001:

### 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 Minor Deviation to a previously approved Major Development identified as “Restaurant Row Redevelopment PUD, Phase II, 3<sup>rd</sup> Amendment.” The proposed amendment consists of a deleting two small sidewalks, modifying the location dumpster pad and associated 6 foot brick wall, adding a large air conditioning pad with a 6 foot brick wall, and adding a vestibule on the north and south ends of the building totaling 480 square feet.

**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

**3<sup>rd</sup> Amendment Application Date:** July 23, 2001

**3<sup>rd</sup> Amendment Approved Site Plan Date:** July 30, 2001

### DETERMINATIONS:

1. All of the findings of the Final Development Order No. 99-25A, the First Amended Final Development Order No. 00-13, and the Second Amended Final Development Order No. 00-37 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. The application for this Minor Deviation to the previously approved Major Development has been reviewed and approved by both the Community Development and Engineering Departments; and
4. All the findings of the Technical Review Committee report dated July 30, 2001 are incorporated herein.

**CONDITIONS OF APPROVAL FOR “RESTAURANT ROW REDEVELOPMENT PUD, PHASE II, 3<sup>rd</sup> AMENDMENT”, A MINOR DEVIATION TO A PREVIOUSLY MAJOR DEVELOPMENT (SP-01-28):**

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 July 30, 2001 (no later than July 30, 2002) and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated July 30, 2001).

**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, 3<sup>rd</sup> 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. **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.
5. **Prior to the issuance of a Certificate of Occupancy**, the landscaping must be inspected and approved by the Community Development Department.
6. **Prior to the issuance of a Certificate of Occupancy**, all required impact fees must be paid.
7. **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.
8. Findings and requirements identified by the Technical Review Committee:

## TECHNICAL REVIEW COMMITTEE REPORT

### “RESTAURANT ROW REDEVELOPMENT PUD, PHASE II, 3<sup>rd</sup> AMENDMENT”: A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-01-28)

TRC Report: July 30, 2001

#### 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 Minor Deviation to a previously approved Major Development identified as “Restaurant Row Redevelopment PUD, Phase II, 3<sup>rd</sup> Amendment.” The proposed amendment consists of a deleting two small sidewalks, modifying the location dumpster pad and associated 6 foot brick wall, adding a large air conditioning pad with a 6 foot brick wall, and adding a vestibule on the north and south ends of the building totaling 480 square feet.

**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

**3<sup>rd</sup> Amendment Application Date:** July 23, 2001

**3<sup>rd</sup> Amendment Approved Site Plan Date:** July 30, 2001

#### 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, 3<sup>rd</sup> Amendment.” The proposed amendment consists of a deleting two small sidewalks, modifying the location dumpster pad and associated 6 foot brick wall, adding a large air conditioning pad with a 6 foot brick wall, and adding a vestibule on the north and south ends of the building totaling 480 square feet. 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 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 proposed changes to the site plan have been reviewed and approved by those Technical Review Committee members that have responsibility for the affect areas.

**COMPREHENSIVE PLAN/ZONING:**

No change to this section of the previously approved development order by this amendment.

**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;**

No change to this section of the previously approved development order by this amendment.

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

No change to building location or height sections of the previously approved development order by this amendment. The footprint/square footage of the building increased slightly (by 480 sq. ft.), but the overall square footage of the building is actually less (14,769 sq. ft.) that what was originally approved (15,000 sq. ft.). However, this slight overall decrease in total square footage did not change the floor area ratio.

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

The location of the proposed dumpster pad and 6 foot tall brick wall, with wooden gates, has been change from the front to the southwest corner of the site.

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

The footprint/square footage of the building increased slightly (by 480 sq. ft.). However, the overall square footage of the building is actually less (14,769 sq. ft.) that what was originally approved (15,000 sq. ft.). The change is square footage did not decrease the number of trips generated by the project.

Outdoor lighting plan has been revised to include six (6) outdoor building mounted lights (3 on the north side and 3 on the south side) and two (2) ground mounted light directed at the front of the building (illuminating the building mounted sign). The revised lighting plan has been review and approved.

**E) Alteration of light and air;**

No change to this section of the previously approved development order by this amendment.

**F) Setbacks and buffers.**

No change to this section of the previously approved development order by this amendment.

**DENSITY:**

No change to this section of the previously approved development order by this amendment.

**HEIGHT:**

No change to this section of the previously approved development order by this amendment.

**FLOOR AREA RATIO:**

No change to this section of the previously approved development order by this amendment.

**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:**

The footprint/square footage of the building increased slightly (by 480 sq. ft.). However, the overall square footage of the building is actually less (14,769 sq. ft.) that what was originally approved (15,000 sq. ft.). The change is square footage did not decrease the number of trips generated by the project.

**SUBDIVISION OR PUD - PLAT:**

No change to this section of the previously approved development order by this amendment.

**AIRPORT PROTECTION:**

No change to this section of the previously approved development order by this amendment.

**SETBACKS:**

No change to this section of the previously approved development order by this amendment.

**WHITE SANDS ZONE:**

No change to this section of the previously approved development order by this amendment.

**SIGNS:**

No change to this section of the previously approved development order by this amendment.

**COX COMMUNICATIONS:**

No change to this section of the previously approved development order by this amendment.

**DESTIN FIRE CONTROL DISTRICT:**

No change to this section of the previously approved development order by this amendment.

**GULF POWER:**

No change to this section of the previously approved development order by this amendment.

**OKALOOSA GAS:**

No change to this section of the previously approved development order by this amendment.

**SPRINT:**

No change to this section of the previously approved development order by this amendment.

**NEWSOUTH/UNIVERSALCOM:**

No change to this section of the previously approved development order by this amendment.

**WATER/SEWER PROVIDER:**

No change to this section of the previously approved development order by this amendment.

**UTILITIES:**

No change to this section of the previously approved development order by this amendment.

**STORMWATER:**

The City Engineer’s office, in a letter dated July 30, 2001, accepts and approves the stormwater management plan and site plan as submitted.

**INGRESS/EGRESS:**

No change to this section of the previously approved development order by this amendment.

**REFUSE COLLECTION:**

Refuse collection is to be provided by dumpster service. The proposed dumpster is screened by a six (6) foot tall brick wall as indicated on the site plan (see sheet C1).

**SIDEWALKS:**

No change to this section of the previously approved development order by this amendment.

**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:**

97,256 sq. ft. of property x 18%	= 17,506 sq. ft. required
Site plan provides <u>42.07%</u>	= <u>40,918</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>0</u>
Total Reforestation Credits for Trees Required on Site:	<u>0</u>
Reforestation Trees (1 per every .10 of an acre: 1.60 x 10 = 16) Required on Site:	<u>0</u>
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:	0
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<b>TOTAL TREES REQUIRED:</b>	<b>76</b>
<b>TOTAL TREES PROVIDED:</b>	<b>171</b>

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 (3) 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:**

No change to this section of the previously approved development order by this amendment.

**LOADING SPACE (ZONE):**

No change to this section of the previously approved development order by this amendment.

**STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:**

No change to this section of the previously approved development order by this amendment.

**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.

$$(14,769 \text{ sq. ft.}) \times (\$24.56) = 362,726.64 / 1,000 = \underline{\$362.72}$$

(sq. ft. of building addition) x (Office per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Total Police Impact Fees to be paid for "Restaurant Row Redevelopment PUD, Phase II": \$362.72

**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.

$$(7,384 \text{ sq. ft.}) \times (\$6,421.00) = 47,412,664 / 1,000 = \underline{\$47,412.66}$$

(sq. ft. of building addition) x (Bank: Drive-in per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

$$(7,384 \text{ sq. ft.}) \times (\$822.00) = 6,069,648 / 1,000 = \underline{\$6,069.64}$$

(sq. ft. of building addition) x (Office per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Total Road Impact Fees to be paid for "Restaurant Row Redevelopment PUD, Phase II": \$53,482.30

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$362.72
<u>Roads:</u>	=	<u>\$53,482.30</u>
<b>TOTAL:</b>	=	<b><u>\$53,845.02</u></b>

### **COMMENTS:**

#### **Public Input:**

No change to this section of the previously approved development order by this amendment.

#### **Per Community Development Department:**

1. 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.
2. Prior to the issuance of a Certificate of Occupancy, the landscaping must be inspected and approved by the Community Development Department.
3. Prior to the issuance of a Certificate of Occupancy, all required impact fees must be paid.
4. 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.

Per Engineering Department:

None.

Gerald J. Mucci 7-30-01  
Gerald Mucci, Date  
Community Development Director

Thomas E. Kranz 7-30-01  
Cobb Investment Company, L.L.C., Date  
Owner  
Thomas E. Kranz,  
Secretary