



City of Destin

January 24, 2002

Order No. 02-02

2nd Amended Final Development Order:

**“THE SHOPPES AT PARADISE ISLE, 2ND AMENDMENT:”
A MINOR DEVIATION TO A
PREVIOUSLY APPROVED MAJOR DEVELOPMENT
(SP-02-02)**

Based upon the City approval of this Development Order, on January 18, 2002, this document will serve as your Second 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 Technical Review Committee:

BACKGROUND / ISSUE:

- Applicant:** Choctaw Engineering, Inc., on behalf of Gateway of Destin, Ltd.
- Location:** The proposed project is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Property Appraiser's parcel I. D. 00-2S-22-1223-0000-0020 / 0030 / 0040 and 00-2S-22-0000-0001-0590 and 00-2S-22-0000-0001-A180 / A18B.
- Request:** Approval of a Minor Deviation to a previously approved Major Development identified as “Shoppes at Paradise Isle, 2nd Amendment.” The proposed project consists of a revision to the parking layout on Lot 1 and a revision to the building footprint and associate parking on Lot 3.
- Parcel Size:** The property contains 22.43 acres more or less.
- Future Land Use:** Commercial (C) and Low Intensity Urban (LIU)
- Zoning District:** Business Tourism (BT)
- Density:** Not applicable
- Intensity:** Allowed for commercial development: 1.07 Floor Area Ratio
Proposed Lot 1: 0.10 Floor Area Ratio
Proposed Lot 2: 0.10 Floor Area Ratio
Proposed Lot 3: 0.09 Floor Area Ratio
Proposed Lot 4: 0.00 Floor Area Ratio
Proposed Overall: 0.02 Floor Area Ratio
- 2nd Amendment Application Date:** January 8, 2002
- 2nd Amendment Approved Site Plan Date:** January 18, 2002

DETERMINATIONS:

1. All of the findings of the Final Development Order No. 01-42 and 1st Amended Final Development Order No. 01-44 are incorporated herein; and
2. This 2nd Amended Development Order does not extend the overall concurrency status determined by the Original Development Order (No. 01-42); and

3. All the findings of the Technical Review Committee report dated September 7, 2001, amended on October 31, 2001, and amended on January 18, 2002, are incorporated herein.

CONDITIONS OF APPROVAL FOR "THE SHOPPES AT PARADISE ISLE, 2nd AMENDMENT," A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-02-02):

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

Construction must commence within twelve (12) months of approval of the Second Amended Final Development Order on January 18, 2002 (no later than January 18, 2002), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated January 18, 2002).

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 "The Shoppes at Paradise Isle" is protected through October 15, 2006. 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 Amended 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.

TECHNICAL REVIEW COMMITTEE REPORT

**“THE SHOPPES AT PARADISE ISLE, 2ND AMENDMENT:”
A MINOR DEVIATION TO A
PREVIOUSLY APPROVED MAJOR DEVELOPMENT
(SP-02-02)**

**TRC Report: September 7, 2001,
amended on October 31, 2001, and
amended on January 18, 2002**

ISSUE:

- Applicant:** Choctaw Engineering, Inc., on behalf of Gateway of Destin, Ltd.
Location: The proposed project is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Property Appraiser’s parcel I. D. 00-2S-22-1223-0000-0020 / 0030 / 0040 and 00-2S-22-0000-0001-0590 and 00-2S-22-0000-0001-A180 / A18B.
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Parcel Size: The property contains 22.43 acres more or less.
Future Land Use: Commercial (C) and Low Intensity Urban (LIU)
Zoning District: Business Tourism (BT)
Density: Not applicable
Intensity: Allowed for commercial development: 1.07 Floor Area Ratio
Proposed Lot 1: 0.10 Floor Area Ratio
Proposed Lot 2: 0.10 Floor Area Ratio
Proposed Lot 3: 0.09 Floor Area Ratio
Proposed Lot 4: 0.00 Floor Area Ratio
Proposed Overall: 0.02 Floor Area Ratio
2nd Amendment Application Date: January 8, 2002
2nd Amendment Approved Site Plan Date: January 18, 2002

DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of Gateway of Destin, Ltd., is requesting approval of a Minor Deviation to a previously approved Major Development identified as “Shoppes at Paradise Isle, 2nd Amendment.” The proposed project consists of a revision to the parking layout on Lot 1 and a revision to the building footprint and associate parking on Lot 3. The proposed project is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Property Appraiser’s parcel I. D. 00-2S-22-1223-0000-0020 / 0030 / 0040 and 00-2S-22-0000-0001-0590 and 00-2S-22-0000-0001-A180 / A18B. The property contains 22.43 acres more or less.

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to Exhibit “E” for the complete Compatibility Analysis from the City’s Compatibility Consultant, Mr. Les Solin, dated August 7, 2001, finding the proposed project compatible with the surrounding area.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include Compatibility review, Concurrency Management review, and Level of Service review. This project is not located within the Community Redevelopment Area.

COMPREHENSIVE PLAN/ZONING:

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

COMPATIBILITY:

No change to this section of the previously approved development order by this amendment with the following exceptions: 1) the height of the building for lot 3 decreasing from 25.0 feet to 23.0 feet; 2) the east setback distance for lot 1 increased from 220.95' to 221.12'; and 3) the setback distances for lot 3 changed for the north from 93.90' to 91.67', south from 80.88' to 67.12', east 64.35' to 55.30', and west 136.65' to 140.05'. The changes to the setback distances do not have a detrimental effect on the surrounding properties, which happen to all be commercial or vacant in nature.

DENSITY:

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

HEIGHT:

The BT Zoning district does not have a maximum building height. Building height in this district is determined by a compatibility analysis. The building height for lot 3 decreases from 25.0 feet to 23.0 feet with the approval of this amendment. The building heights for lots 1 and 2 are not affected 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 change to this section of the previously approved development order by this amendment.

CONCURRENCY MANAGEMENT:

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

TRAFFIC ANALYSIS:

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

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:

The proposed buildings meet and exceed all of the required setbacks for the Business Tourism (BT) Zoning districts. The BT Zoning district requires the following setbacks for one-story buildings: front - 10 feet, side - 0 feet, and rear - 0 feet.

Lot 1 (Restaurant):

	Required	Buffers	Provided
Front (north):	10'	10' FPLA	86.85' including 10' FPLA
Side (east):	0'	5' CB	221.12' including 5' CB
Side (west):	0'	5' CB	57.64' including 5' CB
Rear (south):	0'	5' CB	61.16' including 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 ten (10) foot Front Perimeter Landscape Area is required along the northern property line. A five (5) foot Common Boundary Landscape Area is required along the southern, eastern, and western property lines.

Lot 2 (Restaurant):

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

Lot 3 (Restaurant):

	Required	Buffers	Provided
Front (north):	10'	10' FPLA	91.67' including 10' FPLA
Side (east):	0'	5' CB	55.30' including 5' CB
Side (west):	0'	5' CB	140.05' including 5' CB
Rear (south):	0'	5' CB	67.12' including 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 ten (10) foot Front Perimeter Landscape Area is required along the eastern property line. A five (5) foot Common Boundary Landscape Area is required along the northern, southern, and western property lines.

Lot 4 (Vacant):

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

NOTE: All setback dimensions listed are from the closest point of the proposed buildings to the closest property line.

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 COMMUNICATIONS:

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 approved the stormwater plan in a memorandum dated January 18, 2002, and had the following conditions:

1. Prior to obtaining a Certificate of Occupancy, the Stormwater Operation and Maintenance Plan must be acknowledged and signed by the owner.
2. Comment: If groundwater is observed standing in the stormwater structures, the stormwater management plan shall be void and a revised stormwater management plan shall be resubmitted for review and approval.

INGRESS/EGRESS:

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

REFUSE COLLECTION:

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

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 proposed plans and as follows:

Open Space Requirement:

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

Lot 1 (Restaurant):

95,961 sq. ft. of property x 18%	= 17,272 sq. ft. required
Site plan provides <u>18.3%</u>	= <u>17,535</u> sq. ft. provided

Lot 2 (Restaurant):

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

Lot 3 (Restaurant):

79,093 sq. ft. of property x 18%	= 14,237 sq. ft. required
Site plan provides <u>19.2%</u>	= <u>15,218</u> sq. ft. provided

Lot 4 (Vacant):

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

Tree Requirements:

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

PARKING:

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

Per code:

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

Per site plan:

Restaurant (lots 1, 2, and 3):

Lot 1 – 9,984 sq. ft. restaurant building / 1 space per 75 sq. ft. = 133 parking spaces (including 5 handicap spaces). *The applicant is providing 154, including 6 handicap spaces*

Lot 2 – 3,300 sq. ft. restaurant building / 1 space per 75 sq. ft. = 44 parking spaces (including 2 handicap spaces).

Lot 3 – 7,000 sq. ft. restaurant building / 1 space per 75 sq. ft. = 93 parking spaces (including 4 handicap spaces). *The applicant is providing 116, including 5 handicap spaces.*

Vacant (lot 4):

None at this time, since no use has been proposed for this lot.

TOTAL REQUIRED: 270 parking spaces (including 11 handicap spaces)

TOTAL PROVIDED: 314 parking spaces (including 13 handicap spaces)

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:

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

OTHER FEES:

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

COMMENTS:

Public Input:

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

Per Community Development Department:

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

Per Engineering Department:

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

