



City of Destin

July 1, 2002

Order No. 02-27

4th Amended Final Development Order:

**“GATEWAY OF DESTIN (aka SHOPPES AT PARADISE ISLE), 4th AMENDMENT (SONIC):”
A MINOR DEVIATION TO A PREVIOUSLY APPROVED
MAJOR DEVELOPMENT
(SP-02-19)**

Based upon City approval of this Development Order, on June 27, 2002, this document will serve as the 4th 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 amendment is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Lot 2 of the Gateway of Destin Commercial Subdivision.

Request: Approval of a Minor Deviation to a previously approved Major Development identified as “Gateway of Destin (aka Shoppes at Paradise Isle) 4th Amendment (Sonic).” The proposed project consists of an amendment to the proposed development for Lot 2. The previously approved development for Lot 2 was for a 3,300 square foot restaurant. The proposed amended development is for a 1,362 square foot restaurant.

Parcel Size: Lot 2 contains 0.77 acres more or less.

Future Land Use: Low Intensity Urban (LIU)

Zoning District: Business Tourism (BT)

Density: Not applicable

Intensity: Allowed for commercial development: 1.07 Floor Area Ratio
Proposed for Lot 2: 0.04 Floor Area Ratio

4th Amendment Application Date: April 1, 2002

4th Amendment Approved Site Plan Date: June 27, 2002

DETERMINATIONS:

1. All of the findings of the Final Development Order No. 01-42, 1st Amended Final Development Order No. 01-44, and 2nd Amended Final Development Order No. 02-02, are incorporated herein; and
2. This 4th 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, January 18, 2002, and June 27, 2002 are incorporated herein.

CONDITIONS OF APPROVAL FOR "GATEWAY OF DESTIN (aka SHOPPES AT PARADISE ISLE), 4th AMENDMENT (SONIC):" A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-02-19):

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 4th Amended Final Development Order on June 27, 2002 (no later than June 27, 2003), and must be completed as shown on the plans approved by the Technical Review Committee (stamp dated June 27, 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.

4. All applicable conditions previously described in Final Development Order No. 01-42, 1st Amended Final Development Order No. 01-44, and 2nd Amended Final Development Order No. 02-02 are in affect.

5. Sign locations are indicated on the current site plan and architectural elevations. Approval of the site plan does not grant approval of any ground or building sign.

6. Sign and outdoor lighting shall not interfere with the required landscaping.

7. Conditions identified within the final Compatibility Analysis, dated June 18, 2002, must be met (Outstanding outdoor lighting issues must be adequately addressed prior to Certificate of Occupancy).
8. All accessway, driveway cuts and overall stormwater facilities for entire site must be completed, inspected and accepted prior to Certificate of Occupancy.
9. All of the other conditions and comments of the previously approved Development Order remain in effect.

TECHNICAL REVIEW COMMITTEE REPORT

“GATEWAY OF DESTIN (aka SHOPPES AT PARADISE ISLE), 4th AMENDMENT (SONIC):” A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT (SP-02-19)

TRC Report: September 7, 2001,
amended on October 31, 2001,
January 18, 2002, and June 27, 2002

ISSUE:

Applicant: Choctaw Engineering, Inc., on behalf of Gateway of Destin, Ltd.

Location: The proposed project amendment is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Lot 2 of the Gateway of Destin Commercial Subdivision.

Request: Approval of a Minor Deviation to a previously approved Major Development identified as “Gateway of Destin (aka Shoppes at Paradise Isle) 4th Amendment (Sonic).” The proposed project consists of an amendment to the proposed development for Lot 2. The previously approved development for Lot 2 was for a 3,300 square foot restaurant. The proposed amended development is for a 1,362 square foot restaurant.

Parcel Size: Lot 2 contains 0.77 acres more or less.

Future Land Use: Low Intensity Urban (LIU)

Zoning District: Business Tourism (BT)

Density: Not applicable

Intensity: Allowed for commercial development: 1.07 Floor Area Ratio
Proposed for Lot 2: 0.04 Floor Area Ratio

4th Amendment Application Date: April 1, 2002

4th Amendment Approved Site Plan Date: June 27, 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 “Gateway of Destin (aka Shoppes at Paradise Isle) 4th Amendment (Sonic).” The proposed project consists of an amendment to the proposed development for Lot 2, which was for a 3,300 square foot restaurant. The proposed amended development is for a 1,362 square foot restaurant. The proposed project is generally located at the southeast corner of Emerald Coast Parkway and Hutchinson Street, more specifically known as Lot 2 of the Gateway of Destin Commercial Subdivision. The property contains 0.77 acres more or less.

The overall project and the amendment for Lot 2, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to the attachment for the complete Compatibility Analysis from the City’s Compatibility Consultant, Mr. Les Solin, dated June 18, 2002, finding, with conditions, 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:

The overall project and the amendment for Lot 2, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. Refer to the attachment for the complete Compatibility Analysis from the City’s Compatibility Consultant, Mr. Les Solin, dated June 18, 2002, finding, with conditions, the proposed project compatible with the surrounding area.

DENSITY:

No change.

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 for the building on Lot 2 is 18 feet.

FLOOR AREA RATIO:

The LIU Future Land Use designation has a maximum floor area ratio (FAR) of 1.07. The overall FAR for Lot 2 is 0.04, which is below the 1.07 allowed.

RIGHT-OF-WAY DEDICATION:

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

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

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

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Renaissance Planning Group, Inc., the proposed development will return 5 PM Peak Hour directional trips on Segment “C.” Currently Segment “C” has 2 PM Peak Hour directional trips available. There will be 7 PM Peak Hour directional trips remaining for Segment “C.” Therefore, traffic concurrency is satisfied for this project, as confirmed by the City’s traffic consultant.

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):

No change.

Lot 2 (Restaurant):

	Required	Buffers	Provided
Front (north):	10'	10' FPLA	95.52' including 10' FPLA
Side (east):	0'	5' CB	37.54' including 5' CB
Side (west):	0'	5' CB	68.57' including 5' CB
Rear (south):	0'	5' CB	102.68' 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 eastern, western, and southern property lines.

Lot 3 (Restaurant):

No change.

Lot 4 (Vacant):

No change.

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:

Sign locations are indicated on the current site plan and architectural elevations. Approval of the site plan does not grant approval of any ground or building sign. Sign and outdoor lighting shall not interfere with the required landscaping.

COX COMMUNICATIONS:

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

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated June 5, 2002.

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:

Destin Water Users, Inc., approved the project in a letter dated June 19, 2002.

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 June 6, 2002, and had the following conditions:

1. All accessway, driveway cuts and overall stormwater facilities for entire site must be completed, inspected and accepted prior to Certificate of Occupancy.
2. All of the other conditions and comments of the previously approved Development Order remain in effect.

INGRESS/EGRESS:

A southwestern entrance, off of the main accessway through the Gateway of Destin development, provides access to the Lot 2. There is also a cross access at the northeastern corner of Lot 2 joining the northwestern corner of Lot 3.

REFUSE COLLECTION:

Refuse collection and removal is provided by dumpster

SIDEWALKS:

No change.

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):

No change.

Lot 2 (Restaurant):

33,637 sq. ft. of property x 18% = 6,054 sq. ft. required
Site plan provides 20.3% = 6,826 sq. ft. provided

Tree Requirements (Lot 2):

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 (0 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:	0
Reforestation Trees (1 per every .10 of an acre: 0.77 x 10 = 8) Required on Site:	<u>8</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u>8*</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:	8
Front Perimeter Trees (1 per 25') Required on Site:	4
Parking Lot Trees (1 per end row and landscape island) Required on Site:	6
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>2</u>
TOTAL TREES REQUIRED:	20
TOTAL TREES PROVIDED:	20

A five (5) foot Common Boundary Landscape Area is required along proposed new boundary lines of the project and where the subject property is adjacent to existing common property lines in the affected areas and

not in the undisturbed areas (refer to sheet 7 of 11 for exact locations where the Common Boundary Landscape Areas are required). A ten (10) foot Front Perimeter Landscape Area is required along the property lines of the lots abutting Emerald Coast Parkway and Crystal Beach Drive. The required five (5) foot Common Boundary landscaping shall provide a minimum of fifty percent (50%) 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. The required ten (10) foot Front Perimeter Landscape Buffer shall provide one (1) tree per twenty-five (25) linear feet of buffer. 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.**

Lot 3 (Restaurant):

No change.

Lot 4 (Vacant):

No change.

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 – 1,362 sq. ft. restaurant building / 1 space per 75 sq. ft. = 18 parking spaces (including 2 handicap spaces).

TOTAL REQUIRED (LOT 2): 18 parking spaces (including 2 handicap spaces)

TOTAL PROVIDED (LOT 2): 34 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 (LOTS 1-3): 244 parking spaces (including 11 handicap spaces)
TOTAL PROVIDED (LOTS 1-3): 283 parking spaces (including 13 handicap spaces)

LOADING SPACE (ZONE):

No change.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

No change.

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 “Eating/Drinking per 1,000 sq. ft. = \$246.04” fee amount under the “Non-residential – U.S. 98 Corridor” category.

Lot 1 (Restaurant):

$$(9,984 \text{ sq. ft.}) \times (\$246.04) = 2,456,463.3 / 1,000 = \$2,456.46$$

(sq. ft. of proposed restaurant building) x (Eating/Drinking per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Lot 2 (Restaurant):

$$(1,362 \text{ sq. ft.}) \times (\$246.04) = 335,106.48 / 1,000 = \$335.11$$

(sq. ft. of proposed restaurant building) x (Eating/Drinking per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Lot 3 (Restaurant):

$$(7,000 \text{ sq. ft.}) \times (\$246.04) = 1,722,280 / 1,000 = \$1,722.28$$

(sq. ft. of proposed restaurant building) x (Eating/Drinking per 1,000 sq. ft. fee amount) = (figure) / (per 1,000 sq. ft.) = Impact Fee

Lot 4 (Vacant):

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

Total Police Protection Impact Fees to be paid for “Gateway of Destin (aka Shoppes at Paradise Isle), 4th Amendment (Sonic)”: \$4,513.85

Road: The road impact fees were calculated using the “Restaurant: Hi-Turnover (per 1,000 sq. ft.) = \$2,228.00” and “Restaurant: Drive-thru (per 1,000 sq. ft.) = \$7,490.00 (Lot 2) fee amounts.

Lot 1 (Restaurant):

$(9,984 \text{ sq. ft.}) \times (\$2,228.00) = 22,244,352 / 1,000 = \$22,244.35$

$(\text{sq. ft. of proposed restaurant building}) \times (\text{Restaurant: Hi-Turnover per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$

Lot 2 (Restaurant):

$(1,362 \text{ sq. ft.}) \times (\$7,490.00) = 10,201,380 / 1,000 = \$10,201.38$

$(\text{sq. ft. of proposed restaurant building}) \times (\text{Restaurant: Hi-Turnover per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$

Lot 3 (Restaurant):

$(7,000 \text{ sq. ft.}) \times (\$2,228.00) = 15,596,000 / 1,000 = \$15,596.00$

$(\text{sq. ft. of proposed restaurant building}) \times (\text{Restaurant: Hi-Turnover per 1,000 sq. ft. fee amount}) = (\text{figure}) / (\text{per 1,000 sq. ft.}) = \text{Impact Fee}$

Lot 4 (Vacant):

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

Total Road Impact Fees to be paid for "Gateway of Destin (aka Shoppes at Paradise Isle), 4th Amendment (Sonic)": \$48,041.73

Parks: (not applicable)	=	\$0.00
Public Library: (not applicable)	=	\$0.00
Police Protection:	=	\$4,513.85
Roads:	=	\$48,041.73
TOTAL:	=	<u>\$52,555.58</u>

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:

1. All applicable conditions previously described in Final Development Order No. 01-42, 1st Amended Final Development Order No. 01-44, and 2nd Amended Final Development Order No. 02-02 are in affect.

Per Community Development Department:


1. All applicable conditions previously described in Final Development Order No. 01-42, 1st Amended Final Development Order No. 01-44, and 2nd Amended Final Development Order No. 02-02 are in affect.
2. Sign locations are indicated on the current site plan and architectural elevations. Approval of the site plan does not grant approval of any ground or building sign.
3. Sign and outdoor lighting shall not interfere with the required landscaping.
4. Conditions identified within the final Compatibility Analysis, dated June 18, 2002, must be met (Outstanding outdoor lighting issues must be adequately addressed prior to Certificate of Occupancy).

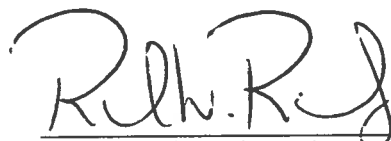
Per Engineering Department:

1. All accessway, driveway cuts and overall stormwater facilities for entire site must be completed, inspected and accepted prior to Certificate of Occupancy.
2. All of the other conditions and comments of the previously approved Development Order remain in effect.

OUTSTANDING ISSUES:

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


Gerald F. Mucci, AICP
Community Development Director
7-01-02
Date


Gateway of Destin, Ltd.,
Owner
~~Mr. James Carlson,~~ Russel W. Rankenburg
Director of Development Operations
7/8/02
Date

COMPATIBILITY ANALYSIS: GATEWAY OF DESTIN, 4TH AMENDMENT, A MINOR DEVELOPMENT (SP-02-19)

FOR CITY OF DESTIN, FL.

PURPOSE OF THIS REPORT

The Sonic Restaurant at the Gateway site in Paradise Isle is a proposed drive-in restaurant on a 0.77-acre (33,637 sq. ft.) lot located on the south side of Emerald Coast Parkway, east of Hutchinson Street, and west of Crystal Beach Drive. The focus of this report addresses the compatibility of the proposed development with the surrounding area.

The report: 1) identifies the compatibility requirements of the City of Destin that are contained in the City's Land Development Code (LDC, §7.09) and Comprehensive Plan; 2) analyzes how the proposed development complies with those requirements; and 3) provides an opinion regarding the compatibility of the proposed Shoppes at Paradise Isle. Aside from addressing the compatibility issue, this report does not address issues regarding the consistency of the proposed improvements with any other provisions of the City Comprehensive Plan or the LDC.

DEFINITION OF "COMPATIBILITY" AND REQUISITE CONSIDERATIONS

In land use planning, "*compatibility*" means the extent to which a use(s) or development is capable of existing in harmony with other uses situated in its immediate vicinity. In the City's LDC as well as in Rule 9J-5, FAC, *compatibility* is defined as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." The City's Comprehensive Plan also includes this definition but elaborates more broad-based concerns that are consistent with accepted planning principles and practices.

The Code requirements regulating compatibility are "*intended to ensure functional and attractive development by requiring that all future development be consistent with accepted planning practices and principles as well as natural area limitations*" [LDC, §7.09.01].

The Comprehensive Plan and Land Development Code further require that compatibility be measured based on the characteristics of proposed development and its impact on the immediate or surrounding area and especially homogeneous residential neighborhoods. Characteristics for consideration include:

- Type of land use, zoning district, and land use category;
- Building location, dimensions, height, and floor area ratio;
- Location and extent of parking, access drives, and service areas;
- Traffic generation, hours of operation, noise levels and outdoor lighting;
- Alteration of light and air; and
- Setbacks and buffers.

PROJECT DESCRIPTION

The Sonic Restaurant Isle is a proposed drive-in restaurant on a 0.77-acre (33,637 sq. ft.) lot located on the south side of Emerald Coast Parkway east of Hutchinson Street, west of Crystal Beach Drive in the Gateway site development within the Paradise Isle development. The restaurant is located between the proposed Cracker Barrel and Red Lobster restaurants.

DESCRIPTION OF SURROUNDING AREA

The land uses immediately adjacent to the site are denoted in the table below. The site is surrounded to the north, east and west by commercial development. The surrounding properties are as follows:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	*	*	Retail Shopping Mall
South	LIU	BT	The south side of the site is vacant land designated LIU on the Future Land Use Map and zoned BT.
East	LIU	BT	Vacant land which is the site of a proposed restaurant.
West	LIU	BT	Vacant land which is the site of a proposed restaurant.

* Unincorporated Okaloosa County

ANALYSIS OF COMPATIBILITY

A. **Type of Land Use, Zoning District, and Land Use Category.** The following table sets forth the existing City land use policies adopted for the subject property:

SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE	PROPOSED LAND USE
Sonic site	LIU	BT	Vacant	Proposed drive-through restaurant

B. **Building Location, Dimensions, Height, and Floor Area Ratio.**

The building location meets adopted building setback criteria. minimum lots, height and floor area requirements of the Land Development Code. The intensity of the proposed development (0.04 floor area ratio (1,362 sq. feet of floor area ÷ 33,637 sq. ft. of land area) is significantly lower than existing development in the general vicinity.

C. Location and Extent of Parking, Access Drives, and Service Areas.

This analysis does not address parking or service area design since those items will be reviewed by the City Engineer. I found no land use incompatibilities occasioned by the parking, access, or service areas.

D. Traffic Generation, Hours of Operation, Noise Levels and Outdoor Lighting.

1. **Traffic Generation.** This analysis does not address traffic generation or the impact of additional traffic on the roadway system. This issue will be addressed by the City Engineer.
 2. **Noise Levels.** No adverse impacts have been identified related to noise.
- E. **Outdoor Lighting.** The comments of Doug Matern, PE, the City's lighting engineer, are presented in this section. The lighting plan basically shows the site lighting fixtures, type, slight description, locations and footcandle levels/patterns/grid. The plan does not show which way is north. The site property lines are not clearly shown, but are assumed to be at location where footcandle levels are discontinued. Type of adjacent property is not shown. However, plan north appears to be a parking lot and plan south is labeled as an access drive.

1. **Revise Lighting Plan to Address the Following Comments.**

- a. **Photometrics.** The photometrics indicate footcandle levels ranging from approx 1.23 to 6.99 at approximately ten feet north of the south property line. It appears that the light level on adjacent property will exceed our recommended 1.0 footcandle level. However, in order to confirm a maximum acceptable footcandle level along the south property line, the applicant must provide the City with the existing footcandle levels at the south property line in order that the City lighting consultant can determine the relationship between the existing and proposed lighting levels.
- b. **Illumination Characteristics.** The fixture type, lamp, mounting height, lens, shields, etc were not shown on drawing. So the lighting engineer cannot comment on type of fixture or if house shields provided. It appears one fixture is a 400 watt metal halide fixture (mounting height unknown) and one fixture is a 250 watt wall pack (mounting height unknown). The other fixture is unknown.
- c. **Footcandle Thresholds.** The photometrics indicate the following:
 - i. **North Boundary.** Footcandle levels are above .5 footcandles and up to 18 footcandles. This may not be objectionable to motorists on US Highway 98. It exceeds our recommended spill light on commercial properties of 1 footcandle max.
 - ii. **East Boundary.** The adjacent property to the east is not marked or identified. Footcandle levels are above .5 footcandles but below 1 footcandle. This may not be objectionable depending on east property owners' needs and desires and existing footcandle levels, as it is below our recommended level of 1 footcandle for commercial properties.

- iii. **South Boundary.** Footcandle levels are above .5 footcandles and up to 3 footcandles. It is unknown if this is objectionable and will depend on south property owners' needs and desires and existing footcandle levels. It exceeds our recommended spill light on commercial properties of 1 footcandle max.
- iv. **West Boundary.** Adjacent property to the west is not marked or identified. Footcandle levels are above .5 footcandles and up to 9.7 footcandles. It is unknown if this is objectionable and will depend on west property owners' needs and desires and existing footcandle levels. It exceeds our recommended spill light on commercial properties of 1 footcandle max.

d. **Recommend Replacing the Wall Pack Light Fixtures on East Side of Wall.** Neither the lighting engineer nor IES recommend wall pack lighting for locations where glare cannot be controlled. The use of wall pack fixtures, as shown on the east side, usually provide objectionable glare lighting

2. **General Requirement.** All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky. The source of all illumination should not be visible from off-site. The review focuses on review of lighting and photometrics to detect spill lighting and/or possible glare lighting on adjacent properties. The analysis does not provide comment on lighting design or safety issues as those issues are the responsibility of the applicant's lighting professional.

E. **Alteration of Light and Air.**

The plan does not appear to generate any other adverse impacts to light and air.

F. **Setbacks and Buffers**

The setback and buffers are consistent with the Land Development Code and no adverse impacts have been identified.

OPINION

The site plan for the Sonic Restaurant complies with City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and the Land Development Code, §7.09 compatibility analysis criteria, excepting criteria for outdoor lighting. However, if the lighting plan is modified to successfully address the comments of Doug Matern, PE, outdoor lighting consultant, that are presented herein at subsection E (1-2), the site plan will comply with compatibility criteria. The following revisions to the site plan are required to achieve compliance with the City of Destin Comprehensive Plan and Land Development Code land use compatibility criteria:

Summary. In my professional opinion, subject to the above conditions, this site plan complies with the criteria for compatibility review contained in the City of Destin Comprehensive Plan and the Land Development Code. If this site plan is approved, any additional improvements to the remaining vacant acres as well as any further revisions to this site plan must be reviewed and approved by the appropriate Technical Review Committee members and shall be subject to a compatibility analysis if required pursuant to provisions of the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09].