



April 8, 1999

ORDER # 99- 16

**Final Amended Development Order:**

**Silver Shells Beach Resort-Amendment No.1**  
**A Minor Deviation (SP#98-51)**  
**(Original DO#97-53)**

Based upon the City's approval of this Development Order on April 7, 1999, this document will serve as your 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 Community Development Director:

**Background/Issue**

<b>Type of Development:</b>	A major development and a planned unit development
<b>Applicant:</b>	Henderson Beach Land Trust; owner, W.C. Merrill Jr., Managing Partner; Thomas Becnel, Agent
<b>Request:</b>	Approval of a Amendment No. 1 - a Minor Deviation to the existing Development Order #97-53, known as "Silver Shells Beach Resort and a Planned Unit Development". This Amendment No. 1, does not change the density, intensity, use, height, or floor area ratio of any part of the original Development Order or other requirements of the original Development Agreement. Rather, this Amendment No. 1, only amends the internal drives, minor adjustments to the actual location of the proposed buildings, and internal traffic flow in relation to internal parking spaces.
<b>Property Location:</b>	Southeast corner of Restaurant Row and Emerald Coast Parkway
<b>Parcel Size:</b>	29.28 acres or 1,275,437 sq. ft., more or less (not including ROW Easement).
<b>Land Use Designation:</b>	MU (Mixed Use)
<b>Zoning District:</b>	BT (Business Tourism)
<b>Density:</b>	490 Units (174 Residential Units / 316 Resort Units)

**Intensity:**

including 779 Lodging Units) (NO CHANGE)

**Application Date:**

FAR is 1.027; max allowed is 1.07 (NO CHANGE)

**TRC Date:**

October 6, 1998

December 22, 1998 & February 17, 1999

**Determinations:**

1. All the findings of the Final Development Order #97-53, dated December 8, 1997, are incorporated herein; and
2. This Development Order does not extend any rights not already conferred by the Original Development Order (97-53)
3. All the findings of the Technical Review Committee report dated February 17, 1999, amended April 7, 1999, are incorporated herein.

**Conditions of Approval for Silver Shells Beach Resort - Amendment No.1 : A Minor Deviation (SP#98-51).**

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

1. Development must commence within twelve months of City Council approval on December 8, 1997, (no later than December 7, 1998) or this approved Development Order will expire and the project will have to be resubmitted for review.
2. The concurrency status of Silver Shells Beach Resort is protected for five years through December 7, 2002, IF Silver Shells Beach Resort commences development within the twelve month period following City Council approval on December 8, 1997; and should Silver Shells Beach Resort stop building for a period exceeding one year from the date of the issuance of the last building permit, then all approvals become null and void for concurrency.
3. Silver Shells Beach Resort must obtain City of Destin permits for the following activities on and off site (may require appropriate bonding):
  - a. disturbance to the City's rights of way;
  - b. pavement cuts
  - c. construction of any kind
  - d. clearing and grubbing
  - e. paving, grading, drainage, sidewalks
  - f. signage
  - g. installation of utilities
  - h. construction trailer

4. All conditions stated within the Original Development Order #97-53 (1-13), and Development Agreement.
5. Requirements identified by the Technical Review Committee, dated February 17, 1999 and amended April 7, 1999:

**TECHNICAL REVIEW COMMITTEE REPORT  
COMMUNITY DEVELOPMENT DEPARTMENT**

**Silver Shells Beach Resort-Amendment No.1  
A Minor Deviation (SP#98-51)**

**February 17, 1999 (amended April 7, 1999)**

**ISSUE**

<b>Type of Development:</b>	A major development and a planned unit development
<b>Applicant:</b>	Henderson Beach Land Trust; owner, W.C. Merrill Jr., Managing Partner; Thomas Becnel, Agent
<b>Request:</b>	Approval of a Amendment No. 1 - a Minor Deviation to the existing Development Order #97-53, known as "Silver Shells Beach Resort and a Planned Unit Development". This Amendment No. 1, does not change the density, intensity, use, height, or floor area ratio of any part of the original Development Order or other requirements of the original Development Agreement. Rather, this Amendment No. 1, only amends the internal drives, minor adjustments to the actual location of the proposed buildings, and internal traffic flow in relation to internal parking spaces.
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<b>Land Use Designation:</b>	MU (Mixed Use)
<b>Zoning District:</b>	BT (Business Tourism)
<b>Density:</b>	490 Units (174 Residential Units / 316 Resort Units including 779 Lodging Units) <b>(NO CHANGE)</b>
<b>Intensity:</b>	FAR is 1.027; max allowed is 1.07 <b>(NO CHANGE)</b>
<b>Application Date:</b>	October 6, 1998
<b>TRC Date:</b>	December 22, 1998 & February 17, 1999

**DISCUSSION**

This is a request of Approval for Amendment No. 1 - a Minor Deviation to the existing Development Order #97-53, known as Silver Shells Beach Resort, a Planned Unit Development. This Amendment No. 1, does not change the density, intensity, use, height, or floor area ratio of any part of the original Development Order and Development Agreement. Rather, this Amendment No. 1, only amends the internal drives, minor adjustments to the actual location of the proposed buildings, and internal traffic flow in relation to internal parking spaces. Request is made by Thomas Becnel, agent for Henderson Beach Land Trust, owner; W.C. Merrill Jr. Managing Partner.

**NOTE: The project must abide by the specification of the "Development Agreement".**

**ZONING/COMPREHENSIVE PLAN**

The property is zoned BT (Business Tourism) and the Land Use Category is MU (Mixed Use). The proposed project is in compliance with the land use regulations.

**COMPATIBILITY**

North: BT and BG Zoning, C Land Use, Emerald Coast Parkway  
South: Gulf of Mexico  
West: BT Zoning, MU Land Use, Various uses including Grand Isle Grill, Oceanside V townhomes, Scampi's Restaurant, Hall's duplex  
East: PL Zoning, REC Land Use, Henderson Beach State Park

A Compatibility Analysis was conducted by The Gail Easley Company and was approved during the original Development Order. The requested changes in Amendment No.1, do not alter compatibility previously reviewed and approved by the City Council.

**RIGHT OF WAY DEDICATION** No Change.

**FLOOR AREA RATIO (FAR) - COMMERCIAL AREA** No Change.

**CONCURRENCY MANAGEMENT**

Concurrency requirements met:

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

### **TRAFFIC ANALYSIS**

A traffic analysis dated August 18, 1997 was conducted by Hamilton Smith & Associates, Inc. for the City of Destin and was approved during the original Development Order. No change in traffic has occurred by this Amendment No.1.

### **SUBDIVISION OR PUD - PLAT**

The plat was approved by City Council March 8, 1999.

### **STORMWATER**

The City Public Works Director approved the project in a memo dated April 7, 1999.

### **AIRPORT PROTECTION**

FAA "Determinations of No Hazard" is required for all six buildings in this project. The applicant has supplied all required documentation. The City has a requirement that all buildings must comply with a 34:1 Glide Slope. The FAA has set maximum heights at which they have determined that the buildings do not pose a hazard to navigation. The applicant has designed the buildings to comply with the more stringent of these two requirements. This height is measured to the highest point of the structure. This Amendment No.1 does not change any previous requirements of this section.

### **SETBACKS**

There have been minor changes in setbacks, however, all exceed the LDC minimum setback requirements. NOTE: The parking garages along the eastern boundary line must not extend more than thirty inches (30") above finished ground level otherwise they must meet the side setback requirement. The grading plan indicates that the parking structures meet the setback requirements.

### **BUILDING HEIGHTS**

No Change.

### **WHITE SANDS ZONE**

This project lies within White Sands Zones #1 and #2. All fill material must comply with the City of Destin White Sands Ordinance #029.1. Any material uncovered during construction which does not comply with current white sands Ordinances must be removed. No Red Clay is allowed.

**SIGNS**

No Change.

**WATER/SEWER**

No Change.

**FIRE DEPARTMENT REVIEW**

No Change

**UTILITIES**

No Change.

**INGRESS/EGRESS**

No change to the ingress or egress from the site, only internal drives are proposed to be amended.

**SIDEWALKS**

No Change.

**REFUSE COLLECTION**

No Change

**LANDSCAPE**

No Change:

**PARKING**

This amendment proposed to amended the internal parking connections and location along the clubhouse, however, it does not change the number of required spaces or number of provided spaces per the original Development Order (#97-53) and Development Agreement.

**DENSITY**

No Change:

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


1. A DEP Stormwater Permit is required and must be submitted prior to the issuance of a building permit.
2. A DEP permit is required for all activity south of the Coastal Construction Control Line and must be submitted prior to the issuance of a building permit.
3. A FDOT driveway connection Permit is required and must be submitted prior to the issuance of a building permit.
4. FAA "determinations of No Hazard" for all six buildings are required and must be submitted prior to the issuance of a building permit.

**COMMENTS / LETTERS**

The Community Development Department has received no letters of opposition or support to this minor deviation.

**OUTSTANDING ITEMS**

City Engineer conditions of approval as indicated on the attached letter, Dated April 7, 1999.

 4/8/99  
\_\_\_\_\_  
Robert P. Franke, AICP      DATE  
Community Development Director  
City of Destin

 April 8, 1999  
\_\_\_\_\_  
Tom Becnel      DATE  
Agent for  
Silver Shells Beach Resort

*The City of Destin*



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4200 Two Trees Road Destin, Florida 32541 (904) 837-4242 FAX (904) 837-3267

April 7, 1999

Mr. Thomas Becnel, President  
The Becnel Company  
C/o Choctaw Engineering, Inc.  
112 Truxton Avenue  
Ft. Walton Beach, FL 32547

Subject: Silver Shells Corporation, Our File No. 539  
Resubmittal received March 25, 1999

Dear Mr. Becnel:

We received a resubmittal on March 25, 1999 from Choctaw Engineering, Inc. After review by the City Engineer, the submittal is approved with two modifications:

- 1) We were informed by Choctaw Engineering that Destin Water Users, Inc. required a cover to the valve box to be placed within the proposed sidewalk area at the lift station adjacent to Restaurant Row. If this is the only solution that can be accomplished, we must caution that the cover be carefully constructed and designed to be flush with the sidewalk surface so as not to impair walkability, especially for a vision impaired person.
- 2) The speed humps proposed on Restaurant Row will require proper signage and marking as shown on the enclosed attachments. Two speed humps ahead with 20 mph signs are required for each hump. They should be placed at a desirable distance of 100 feet before each hump. The hump shall be painted with thermo-plastic and glass spheres for reflectivity in accordance with FDOT standards. Humps shall be marked in each lane on both directions so that they are clearly visible.



Mr. Thomas Becnel  
April 7, 1999  
Page 2 of 2

With these two exceptions noted, the project is approved by the City Engineer.

Sincerely,



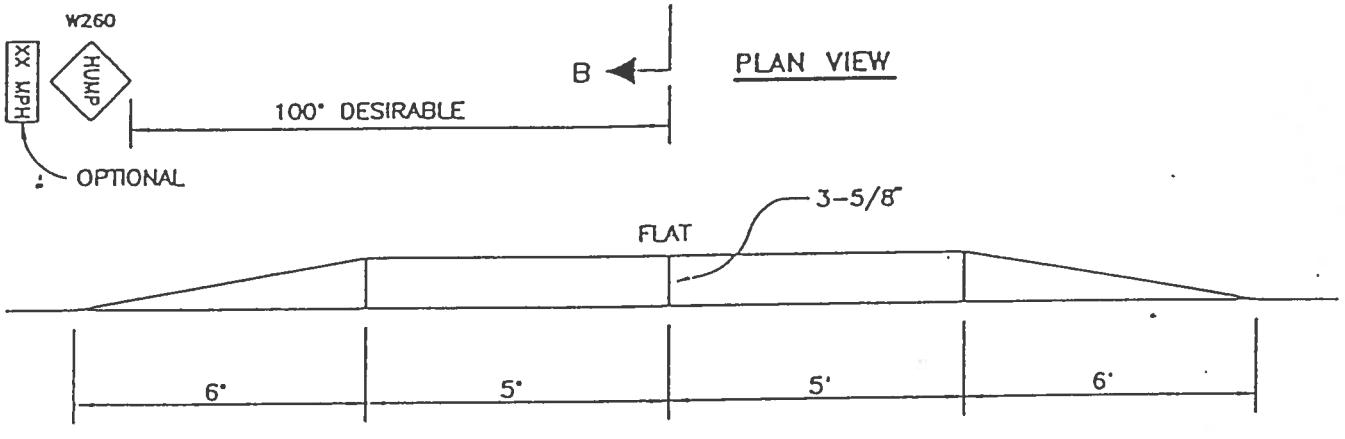
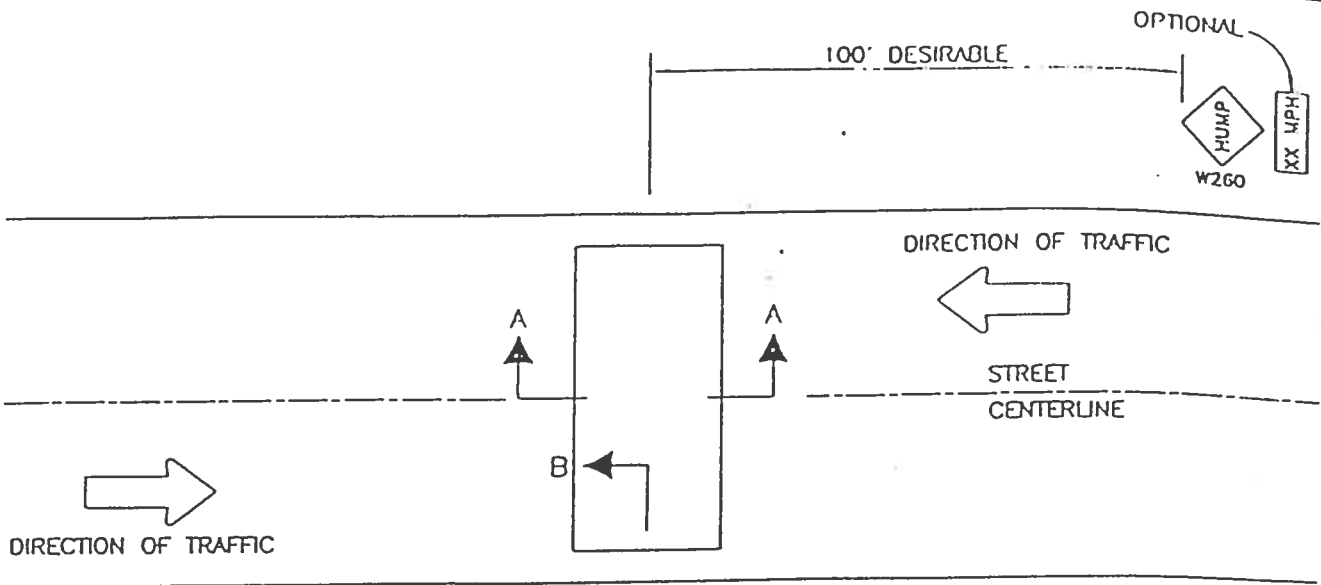
Charles L. Meister, P. E.  
City Engineer

CLM:dj

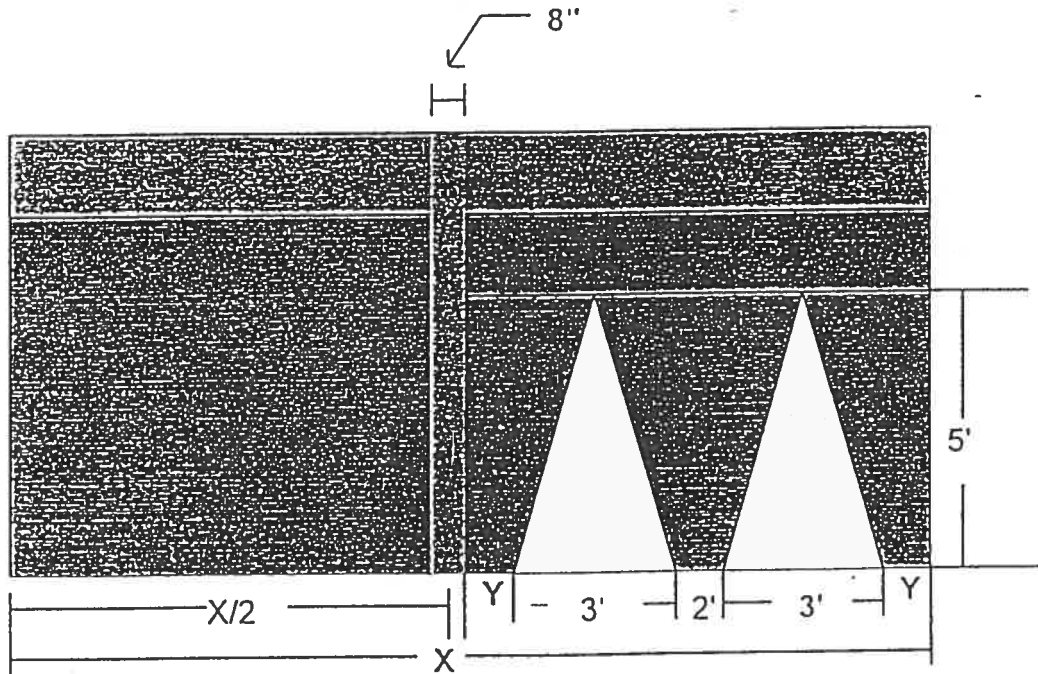
Attachment:

1. Speed hump signage and markings

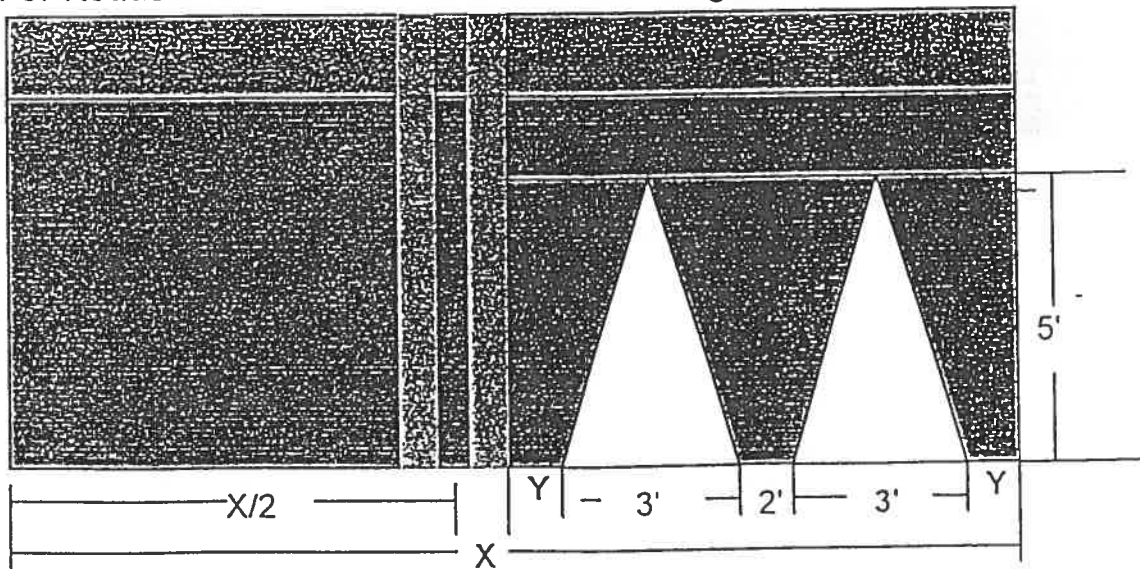
Cc: James M. Fuller, Project manager, Choctaw Engineering, Inc.  
Robert P. Franke, AICP, Community Development Director



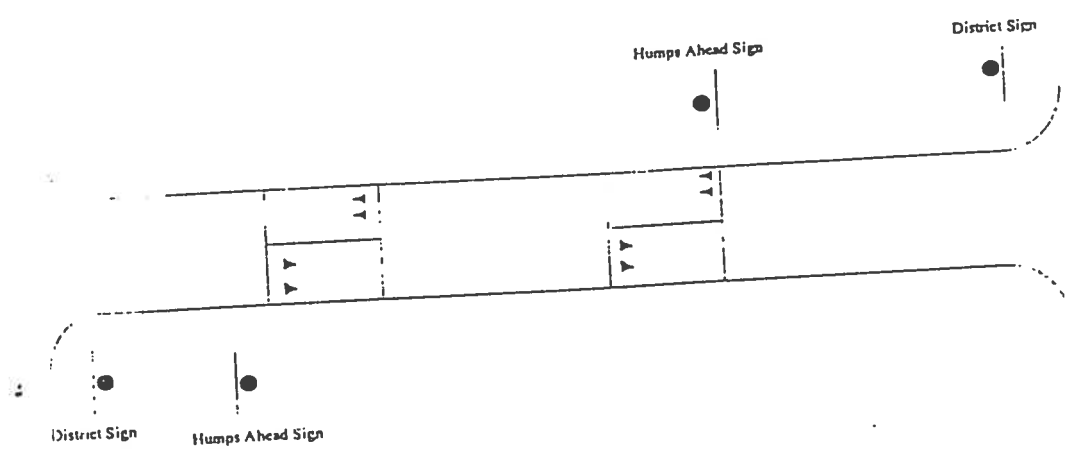
ATTACHMENT - Paint Specification



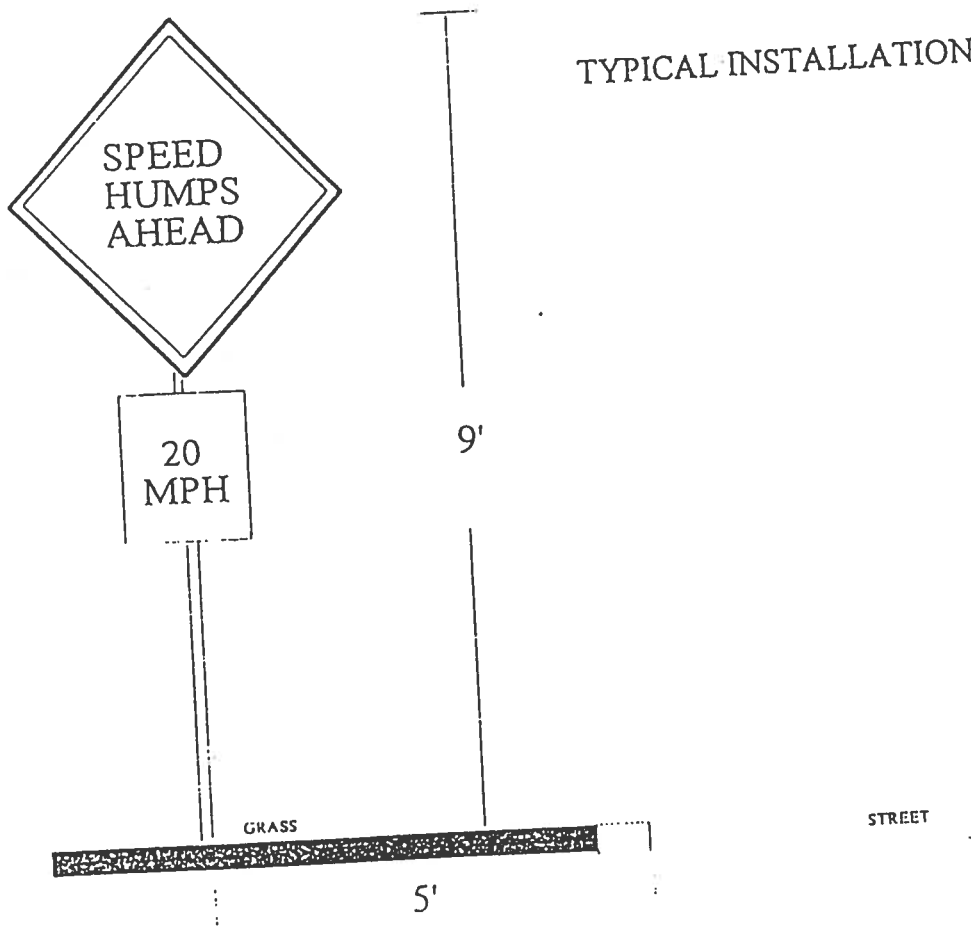
For Roads with Centerline - Match to Existing Widths and Spacing



ATTACHMENT - Sign Location Diagram



TYPICAL INSTALLATION



*The City of Destin*



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4200 Two Trees Road Destin, Florida 32541 (904) 837-4242 FAX (904) 837-3267

April 7, 1999

Mr. Thomas Becnel, President  
The Becnel Company  
C/o Choctaw Engineering, Inc.  
112 Truxton Avenue  
Ft. Walton Beach, FL 32547

Subject: Silver Shells Corporation, Our File No. 539  
Resubmittal received March 25, 1999  
Supplemental approval condition – April 7, 1999

Dear Mr. Becnel:

There is one additional condition which was left out from our previous letter as follows:

Any and all road work shall conform to the following : Contact City Engineer's office a minimum of 24 hours prior to any lane closures. No lane closures on major arterial roadways between the hours of 6 am to 8 am and 4 pm to 6 pm, Monday through Thursday and 5 am to 8 am and after 12 noon on Fridays.

Sorry for the inconvenience. This is the third condition upon which our approval is predicated.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Meister".

Charles L. Meister, P. E.  
City Engineer

CLM:dj

Cc: James M Fuller, Project Manager, Choctaw Engineering, Inc.  
Robert P. Franke, AICP, Community Development Director