

Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-650-0693 | www.cityofdestin.com

June 10, 2011

Order No. 11-05

Final Development Order:

**“CRYSTAL BEACH PLAZA, 7th AMENDMENT”
(MILLER’S DESTIN ALE HOUSE)
A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT
(11-10-SP)**

Based upon the City's approval and issuance of this Development Order on June 10, 2011, this document will serve as your Final Development Order, and includes all of the provisions and conditions in the attached Technical Review Committee Report.

Dean A.F. Burgis, P.E. on behalf of Crystal Beach Plaza, LLC is requesting approval of a Minor Deviation to a previously approved Major Development identified as “Crystal Beach Plaza, 7th Amendment”. The proposed development consists of renovating and expanding the gross floor area of the existing restaurant from 7,495 square feet to 8,803 square feet along with reconfiguring the parking area with no increase to the total development impervious surface area. The proposed project is located at 34906 Emerald Coast Parkway also identified by the Okaloosa County Property Appraiser as Parcel No. 00-2S-22-0594-0000-004B. The overall property contains 8.59 acres, more or less.

DETERMINATIONS:

1. All the findings of the Technical Review Committee report dated June 7, 2011 are incorporated herein.

CONDITIONS OF APPROVAL:

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

Construction of infrastructure must commence within one (1) year of approval date (date from which the Final Development Order is issued by the Community Development Department) of the Final Development Order on **June 10, 2011** (no later than **June 10, 2012**), and must be completed as shown on plans approved by the Technical Review Committee.

WARNING: If the applicant/owner has not obtained a building permit(s) for either the construction of infrastructure or construction of the entire project and that construction has not commenced within one (1) year of issuance of the final development order, the final development order will become null and void and the application for development order approval must be re-initiated (Article 2, Section 2.21.00).

NOTE: Construction of infrastructure shall be defined as site work, grading, or other construction activity (not including clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations (Article 2, Section 2.21.00).

NOTE: An applicant/owner who desires to extend the twelve (12) month (1 year) deadline for either the construction of infrastructure or construction of the entire project must submit a written request to the Community Development Department, no less than thirty (30) days prior to the expiration of the twelve (12) month deadline to obtain a building permit and commence construction of infrastructure or construction of the entire project. The applicant may receive only one extension, and such extension shall not exceed one year. The applicant /owner should review Article 2, Section 2.21.00, 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 No. 1 above, the concurrency capacity allocation status for “Crystal Beach Plaza, 7th Amendment” will be protected. **However, the protected concurrency status will be lost and the application for development order approval must be re-initiated if:**
 - A. **Construction permit(s) in association with construction of infrastructure or construction of the entire project are not obtained in accordance with Article 2, Section 2.10.00 of the Land Development Code to maintain concurrency, or**
 - B. **Construction activity ceases for a period of one (1) year after a building permit for construction of infrastructure or construction of the entire project has been issued so that concurrency is not maintained under Article 6 of the Destin Land Development Code.**
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 (Note: Applicant must obtain the proper ROW permit(s) from the Public Services Department prior to issuance of building permits, unless otherwise exempted by the Public Services Director).
 - 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. The following items must be addressed in the appropriate order:
 - A. **Prior to the issuance of the Final Development Order**, all outstanding costs associated with this project and are owed to the City must be paid in full.
 - B. **Condition:** Contractor shall not be allowed to utilize ANY public right-of-ways for any loading/unloading, staging or storage of construction materials, equipment or vehicles or unauthorized construction. Authorization may be given on a case by case basis, if the contractor can prove that it is necessary for public AND job site safety. Each case may require additional permitting. Failure to comply with this requirement may void your city right-of-way construction

TECHNICAL REVIEW COMMITTEE REPORT

**“CRYSTAL BEACH PLAZA, 7th AMENDMENT”
(MILLER’S DESTIN ALE HOUSE)
A MINOR DEVIATION TO A PREVIOUSLY APPROVED MAJOR DEVELOPMENT
(11-10-SP)**

TRC Report: June 7, 2011

ISSUE:

- Applicant:** Dean A.F. Burgis, P.E. on behalf of Crystal Beach Plaza, LLC is requesting approval of a Minor Deviation to a previously approved Major Development identified as “Crystal Beach Plaza, 7th Amendment”.
- Request:** The proposed development consists of renovating and expanding the gross floor area of the existing restaurant from 7,495 square feet to 8,803 square feet along with reconfiguring the parking area with no increase to the total development impervious surface area.
- Location:** The proposed project is located at 34906 Emerald Coast Parkway also identified by the Okaloosa County Property Appraiser as Parcel No. 00-2S-22-0594-0000-004B.
- Parcel Size:** The overall property contains 8.59 acres, more or less.
- Future Land Use:** Commercial General (CG)
- Zoning District:** Commercial General (CG)
- Density:** Allowed: N/A
Proposed: N/A
- Intensity:** Allowed: 1.30 FAR (Tier 1)
Proposed: 0.18 FAR
- Application Date:** March 30, 2011
- TRC Date:** April 20, 2011
- Approved Site Plan Date:** June 7, 2011

DISCUSSION/FINDINGS:

The proposed request as presented and described is consistent with Comprehensive Plan: 2010 and Land Development Code, which include a Concurrency Management review, and a Level of Service review. This project is not located within the Town Center or the Harbor Community Redevelopment Areas, but is located within the Crystal Beach sub-area of the Multimodal Transportation District.

The Technical Review Committee (TRC) reviewed and approved the project with specific conditions as stated below.

COMPREHENSIVE PLAN/ZONING:

This application was reviewed pursuant to the City of Destin’s Comprehensive Plan: 2010 and Land Development Code (LDC). The property currently has a Future Land Use designation of Commercial General (CG) and a Zoning district of Commercial General (CG). The proposed land use is consistent with the intent of the CG Future Land Use designation as an acceptable land use pursuant to Comprehensive Plan: 2010. The CG zoning district specifically allows for the described use.

CONCURRENCY MANAGEMENT:

Staff has received approved Concurrency Evaluation Certificates (CEC) for the following areas:

Traffic: The City's Traffic Consultant signed the CEC on May 31, 2011.

Solid Waste: Okaloosa County Solid Waste Department signed the CEC on March 30, 2011.

Potable Water: Destin Water Users, Inc. signed the CEC on March 30, 2011.

Sanitary Sewer: Destin Water Users, Inc. signed the CEC on March 30, 2011.

Stormwater Management: The City's Stormwater Manager signed the CEC on April 20, 2011.

TRANSPORTATION ANALYSIS:

According to the transportation/traffic concurrency review conducted by the City's Transportation Manager, currently represented by Renaissance Planning Group (RPG), Inc., and approved on May 31, 2011, the proposed development will not degrade the level of service of those major transportation modes and facilities in the City of Destin and complies with the goals, objectives, and policies of the multimodal transportation district as found in the City's Comprehensive Plan: 2010.

As a requirement of the City's multimodal transportation district, as adopted in Comprehensive Plan: 2010, the City's Transportation Manager has reviewed and approved the applicant's traffic impact analysis received May 18, 2011.

SIDEWALKS/PEDESTRIAN CONNECTIVITY:

No change by this amendment.

SUBDIVISION OR PUD – PLAT:

No change by this amendment.

RIGHT-OF-WAY DEDICATION:

The proposed project does not include any right-of-way dedication.

PHASING:

No change by this amendment.

ADDRESSING:

No change by this amendment.

AIRPORT PROTECTION:

No change by this amendment.

DENSITY:

Not applicable for non-residential land use development in the CG Future Land Use Map (FLUM) designation.

INTENSITY:

This project has a Commercial General (CG) FLUM designation, which allows for a maximum Floor Area Ratio (FAR) of 1.30 for a Tier 1 development. The FAR for this project is 0.18 and is calculated as follows:

Total sq. ft. existing (Lot 4B) plus proposed building expansion / sq. ft. of subject parcel = FAR

(65,942 sq. ft. existing + 1,308 sq. ft building expansion. = 67,250 sq. ft.)

67,250 sq. ft. / 374,129.2 sq. ft. = 0.18 FAR

HEIGHT:

The Commercial General (CG) Zoning District is the applicable zoning district to help determine height limitations for this development in conjunction with the Tier 1 design standards.

The proposed renovated building is 16’ in height from the average grade of the site to the cornice line of the building per the City adopted Comprehensive Plan: 2010 height definition. This height does not exceed the 50’ Tier 1 height limit for the Commercial General (CG) Zoning District.

SETBACKS:

The renovations and expansion to the existing building meets and exceeds all of the required setbacks and buffers for the Commercial General (CG) Zoning District: (Note: Distances provided are from the proposed expanded building to the nearest property lines)

<u>Setbacks</u>	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front*:	16’ – 26’	10’ FPLA	81’, 10’ FPLA
Rear**:	0’	N/A	N/A
Side:	0’	5’ CBLA	17.67’, 5’ CBLA

* Front setback may exceed 26’ based on achieving required points for MMTD concurrency

**Rear setback does not apply as another building lies between the proposed expanded building and the rear property line. .

FPLA = Front Perimeter Landscaped Area, CBLA = Common Boundary Landscaped Area,

SIGNS:

No approved signage plan or design is requested, or approved by this amendment.

UTILITIES:

All utilities are required to be underground - No change by this amendment.

OUTDOOR LIGHTING:

If outdoor lighting is proposed for this project, the owner or their representative must submit a lighting plan to the Community Development Department for review and approval prior to installation. The lighting plan must provide specifications for the proposed outdoor lighting, including photometrics. All lighting must be shielded downward and away from adjacent properties in order to avoid spill-over and illumination into the night sky.

COASTAL MANAGEMENT AND CONSERVATION:

The proposed project is located in a Flood Zone “X” and is not located within a Special Flood Hazard Area (SFHA).

WHITE SANDS ZONE:

The subject property is not located in a White Sand Zone.

STORMWATER MANAGEMENT:

The City confirmed on April 15, 2011 that the existing Stormwater Management Plan and Construction Documents remain approved for this minor deviation. This minor deviation will not increase the impervious surface area.

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.

PARKING:

The parking provided complies with Land Development Code Section 8.06.00. *Vehicle and bicycle parking standards*, as indicated on the approved plans.

PARKING REQUIREMENTS / FULL SERVICE RESTAURANT:

Size of Unit	Minimum Vehicle Parking	Total
8,803 sq. ft.	1 Space per 100 sq. ft.	89
Minimum Bicycle Parking	Total vehicle spaces provided	93
10% of total vehicle spaces	Total bicycle spaces required	9
Handicap Spaces Required/Provided = 4	Total bicycle spaces provided	9

LOADING SPACE (ZONE):

No change by this amendment.

OPEN SPACE/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 Requirements:

Site Development Area (Total Area): 374,129.2 sq. ft. (8.59 acres, more or less)
 Total Required Open Space: 18.3% (68,357.9 sq. ft. *)
 Total Provided Open Space: 18.3% (68,548.0 sq. ft.)

- * This minor deviation is not required to meet the current 25% open space requirements but must not decrease the existing open space.

Tree Requirements:

This minor deviation adds two (2) Parking Lot Trees in the expanded landscape island. All tree requirements of the previously approved development order remain in effect.

Unless otherwise noted, all required trees must be a minimum of ten (10) 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 per the approved landscape plan has been inspected and approved by the Community Development Department.**

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon the gross floor area of the overall development land use and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. **Any claims for exemption or credits must be made no later than the time a Certificate of Occupancy is requested. Refer to Article 19 of the Destin Land Development Code for specifics regarding impact fees.** The owner/applicant must pay the final impact fee amounts prior to the issuance of a Certificate of Occupancy:

Parks: Not applicable.

Public Library: Not applicable.

Police Protection: The police protection impact fees were calculated using the following rates and fees.

Retail/Commercial:

Impact Fee Rate = \$31.00 per 1,000 sq. ft.

Proposed Building Size Increase: 1308 square feet

Impact Fee for Building Size Increase = 1308 sq. ft. x \$31/1,000 = **\$40.55**

Total Police Protection Impact Fees to be paid: **\$40.55**

Transportation: The transportation impact fees were calculated using the following rates and fees.

Restaurant, Quality (831):

Impact Fee Rate = \$8,858 per 1,000 sq. ft.

Proposed Building Size Increase: 1308 square feet

Impact Fee for Building Size Increase = 1308 sq. ft. x \$8,858/1,000 = **\$11,586.30**

Total Transportation Impact Fees to be paid: **\$11,586.30**

OTHER FEES:

The fees listed below are subject to change and are based on the most recent information available. The fees must be paid by the applicant as part of the cost recovery associated with the proposed project:

Application Fee:	\$1,100.00 (pd.)
Escrow for Consultants & Admin:	\$500.00 (pd.)
City Surveyor:	N/A
City Traffic Consultant	\$420.19 (pd.)
Re-Review Fees (Community Dev.):	\$280.00 (pd.)
Administrative Costs:	\$14.80 (pd.)
City Council Advertising:	N/A
TOTAL (as of 02/02/11)	Paid in Full

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

No State/Federal permits are required for this project.

PUBLIC INPUT:

No input from the general public was received by staff concerning this application.

TECHNICAL REVIEW COMMITTEE MEMBER COMMENTS, NOTES AND CONDITIONS:

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project with conditions in a letter dated April 11, 2011. Please refer to **Exhibit "A"** for a copy of the approval letter.

DESTIN WATER USERS:

Destin Water Users approved the project with conditions in a letter dated April 20, 2011. Please refer to **Exhibit "B"** for a copy of the approval letter.

CENTURY LINK:

Century Link approved the project with conditions in a letter dated April 4, 2011. Please refer to **Exhibit "C"** for a copy of the approval letter.

COX COMMUNICATIONS:

Cox Communications approved the project with conditions in a letter dated April 22, 2011. Please refer to **Exhibit "D"** for a copy of the approval letter.

GULF POWER:

Gulf Power approved the project with conditions in a letter dated June 9, 2011. Please refer to **Exhibit "E"** for a copy of the approval letter.

OKALOOSA GAS:

Okaloosa Gas stated it had no objections to the project in a letter dated April 20, 2011. Please refer to **Exhibit "F"** for a copy of the approval letter.

WASTE MANAGEMENT:

Waste Management stated it had no objections to the project in a letter dated April 21, 2011. Please refer to **Exhibit "G"** for a copy of the approval letter.

BUILDING DIVISION:

The Building Division of the Community Development Department approved the project with conditions in a memo dated May 27, 2011. Please refer to **Exhibit "H"** for a copy of the approval memo.

PLANNING DIVISION:

The Planning Division of the Community Development Department approved the project with conditions in a letter dated January 11, 2011. Please refer to **Exhibit "I"** for a copy of the approval letter.

STORMWATER MANAGEMENT:

The stormwater management plan was found acceptable and approved with conditions on April 15, 2011. Please refer to **Exhibit "J"** for a copy of the **stormwater** related notes and conditions.

PUBLIC SERVICES DEPARTMENT:

The Public Services Department issued a memorandum of no objection to the project with conditions on May 24, 2011. Please refer to **Exhibit "K"** for a copy of the Public Services Department conditions.

Destin Fire Control District

848 Airport Road – Destin, Florida 32541
Telephone (850) 837-8413 Fax (850) 837-6715

EXHIBIT "A"



Chief Kevin Sasser

April 11, 2011

Ref. Plan Review: Miller's Destin Ale house

To: Emerald Coast Assoc.
ATTN: Dean Burgiss

A review of the drawings submitted for this project has been accomplished. The following items are provided for your information/ action:

1. Exits directly from the "Patio" to a public way are required. Locks or latches are not permitted on any gates (if installed) unless they are panic or fire hardware.
2. Please clarify the type of doors and locking mechanisms planned for the doors between the "Game Room" and "Patio". The only type of locking/ latching devices authorized are panic or fire hardware.
3. The door exiting the kitchen area between the opens into exiting traffic and blocks over 50% of the egress. The direction of swing needs to be changed.
4. The existing fire sprinkler system shall be maintained in the proposed "Patio" area. The licensed contractor installing/ modifying the fire sprinkler system must provide this office with 3 sets of shop drawings and product manuals/cut sheets for review and approval prior to starting any installation. Required plan review fees for the sprinkler system will be assessed at this time and will be required to be paid when approved plans are picked up. This office requires a 48 hour advanced notice when requested or required to witness or certify any system tests.
5. The licensed contractor installing/modifying the fire alarm system must provide this office with 3 sets of shop drawings and product manuals/cut sheets for review and approval prior to starting installation. Required plan review fees for the alarm system will be assessed at that time and must be paid when approved plans are picked up. This office requires a 48 hour advanced notice when requested or required to witness or certify any system tests.
6. Please show all EXIT signage, emergency lighting and fire extinguisher locations on appropriate drawings.



A Heart Ready
Community



An Advanced Life
Support Service

Destin Fire Control District

848 Airport Road – Destin, Florida 32541
Telephone (850) 837-8413 Fax (850) 837-6715

EXHIBIT "A"



Chief Kevin Sasser

7. Occupancy Load sign shall be posted inside the main entrance/ exit door. Contact this office to determine maximum occupancy for this facility.

8. Florida statutes require posting of a Fire Fighter Safety Symbol (See Attach.) on the exterior of this building. Contact this office if you have additional questions.

The fee for this **Plan Review** is \$242.31 and must be paid prior to receiving Fire Dept. approval.

If I can answer any questions, or be of any other assistance, please contact me by phone (850) 837-8413 or e-mail: rgerdeman@destinfire.com

Ronald E. Gerdeman, Fire Marshal
Destin Fire Control District



A Heart Ready
Community



An Advanced Life
Support Service

FIREFIGHTER SAFETY SYMBOL

EXHIBIT "A"

Business/ Complex: Miller's Destin Ale House

Address: 34906 Emerald Coast Pkwy.

Florida Statute, Section 633.027, (2008). Requires the owner of any commercial, industrial or multi-unit residential structure of three units or more constructed of light-frame trusses, to install a symbol adopted by rule of the State Fire Marshal's Office. This rule establishes the dimensions, color, and location of the symbol to be applied to every commercial, industrial and multiunit residential structure of three units or more constructed of light-frame trusses.

The appropriate symbol is required to be installed not later than March 13, 2010.

Approved symbols:



Lightweight Truss

(Note: definition below symbols not required on placards)



- Symbols must be all weather and contrasting with background
- Maltese Cross shall measure 8 inches horizontally and 8 inches vertically
- Maltese Cross shall be a bright red reflective color
- Maltese Cross shall be installed not less than 4 feet above grade, walking surface, finished floor
- Maltese Cross shall be installed not more than 6 feet above grade, walking surface, finished floor

Single Main Entrance:

- Maltese Cross shall be installed within 24 inches to the left of the main entry
- Maltese Cross shall be installed not less than 4 feet above grade, walking surface, finished floor
- Maltese Cross shall be installed not more than 6 feet above grade, walking surface, finished floor

Single Tenant with Multiple Main Entry Doors:

- Maltese Cross shall be installed within 24 inches to the left of the main entry
- Maltese Cross shall be installed not less than 4 feet above grade, walking surface, finished floor
- Maltese Cross shall be installed not more than 6 feet above grade, walking surface, finished floor
- Authority Having Jurisdiction is authorized to require other main entry doors be marked as above

Multiple Tenants with Multiple Main Entry Doors (Commercial and Residential):

- Maltese Cross shall be installed not less than 4 feet above grade, walking surface, finished floor
- Maltese Cross shall be installed not more than 6 feet above grade, walking surface, finished floor
- Authority Having Jurisdiction is authorized to require other main entry doors be marked as above or approved symbols be marked on one side of building only, spaced not closer than 100 feet apart or at both ends of building if less than 100 feet in length

Where the owner of the structure and the authority having jurisdiction disagree as to the use of light-frame truss-type construction within the structure, the owner shall be granted not more than 45 days to provide written verification from a licensed engineer or licensed architect; otherwise, the owner shall comply with the rule.



EXHIBIT "B"

DESTIN WATER USERS INC.

P.O. BOX 308 DESTIN, FL. 32540-0308 (850)-837-6146

DATE: April 20, 2011

TO: THE CITY OF DESTIN – COMMUNITY DEVELOPMENT
4200 INDIAN BAYOU TRAIL
DESTIN, FLORIDA 32541

PROJECT: Miller's Al House (Old O'Charley's)
PROJECT NUMBER: 11-10-SP, Crystal Beach Plaza, 7th Amendment
CONTACT: Dean Burges
LOCATION: 34906 Emerald Coast Pkwy Destin FL 32541



PROJECT QUESTIONNAIRE WAS COMPLETED AND RETURNED TO DESTIN WATER USERS.

THIS LETTER CERTIFIES THAT THIS PROJECT HAS BEEN REVIEWED BY DESTIN WATER USERS INC. AT A TECHNICAL REVIEW COMMITTEE MEETING AND IS CONCEPTUALLY:

Approved

(Subject to the following, which shall be a condition of the Developmental Order with the City of Destin)

1. *ALL REVISIONS TO THE WATER AND/OR SEWER UTILITIES OF ANY PREVIOUSLY APPROVED PROJECT MUST BE REAPPROVED BY DESTIN WATER USERS, INC. IN WRITING AT LEAST 24 HOURS PRIOR TO IMPLEMENTATION.*
2. *FIELD VERIFIED AND SCALED "AS-BUILT" PLANS INCLUDING ALL UTILITY INFRASTRUCTURES MUST BE SUBMITTED TO THE CITY OF DESTIN AND FORWARDED TO DESTIN WATER USERS, INC. FOR FINAL INSPECTION BY DESTIN WATER USERS, INC. A WRITTEN APPROVAL SHALL THEN BE SUBMITTED TO THE CITY OF DESTIN PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY BY THE CITY OF DESTIN IF THERE ARE NO OUTSTANDING ISSUES.*

Destin Water Users approves this project.

IF YOU HAVE QUESTIONS OR CONCERNS PLEASE CALL STEVE SCHMITT / FIELD OPERATIONS MANAGER (850) 837-6146 ext. 3937

Signed

QUALITY SERVICE SINCE 1964



CenturyLink™

FLFTWE0101
650 Denton Blvd
Fort Walton Beach, FL 32547



April 4, 2011

City of Destin, Florida
Community Development Department
4200 Two Trees Road
Destin FL 32541

Re: 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Ale House) a minor deviation to a previously approved Major Development 34906 Emerald Coast Pkwy

Telephone facilities exist at the present location of this business. If relocation of those facilities is anticipated, please coordinate with Keith Nance, 850-664-3751, the CenturyLink Corporation Outside Plant Engineer responsible for the area.

If additional facilities are anticipated, the following criteria must be met for any multi-family or commercial building.

1. A 4' x 8' x 3/4" painted plywood terminal board must be securely attached to the wall for mounting of telephone hardware (if inside terminal room is applicable) and dedicated to Embarq.
2. Four-inch PVC entrance conduit will be run from the property corner or utility easement into the mechanical room with no more than one 90 degree sweep. If an inside terminal room is not applicable the conduit will be turned up outside the building at the location of the telephone terminal. Size and location of either inside or outside terminal will be determined by an Embarq Corporation representative (Keith Nance, 850-664-3751).

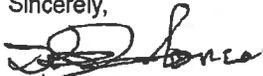
EXHIBIT "C"

3. Access to the power ground (MGN) within 5 feet of our terminal must be provided; alternatively, a No. 6 insulated copper ground wire from the MGN will be provided at the telephone terminal location.

4. Conduit and equipment room, if applicable, must be completed 60 days prior to Certificate of Occupancy date.

If you should require any additional information, please contact Keith Nance at 850-664-3751.

Sincerely,



Keith Nance
CenturyLink Engineer
650 Denton Blvd
Fort Walton Beach, FL
(850) 664-3751



EXHIBIT "D"

Cox Communications Gulf Coast, LLC
320 NW Racetrack Road
Fort Walton Beach, FL 32547
850.796.1269 tel

RECEIVED

April 22, 2011

APR 22 2011

City of Destin
4200 Two Trees Rd.
Destin, FL 32541

COMMUNITY
DEVELOPMENT

To: Technical Review Committee
Re: 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Ale House)

Cox Communications has no objections to the above named project. Any conflicts with Cox Communications existing facilities will be the responsibility of the owner / developer to contact Cox Communications of said conflicts. All costs incurred for the relocation and/or replacement of Cox Communications owned facilities, aerial or underground is the sole responsibility of the owner or developer. Cox Communications must maintain an 18' clearance on DOT right-of-ways, including driveway cuts. Due to the nature of Gulf Power owned poles, that we lease, the cost to maintain the clearances is solely based on what Gulf Power charges us to upgrade the poles. Materials and man hours to transfer to the new poles are also added to the cost.

Please contact myself prior to building. To ensure access to building for cable and high speed internet access it is important that we meet prior to construction and conduit placement.

Sincerely,


Roger Dixon
Construction Planner II
Cox Florida/Georgia
Office: 850-314-8163
roger.dixon@cox.com



In harmony with nature. Cox Communications and its family of brands are proud to print on Forest Stewardship Council-certified paper.

EXHIBIT "E"

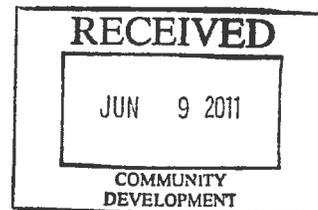
34854 Emerald Coast Parkway
Destin, Florida 32541-3437

Tel: 850 244 4738



Date: 6/9/11

To: David M. Forstrom, CFM
Planner & Stormwater/Floodplain Manager
City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541



Per :

- **11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Ale House), 34906 Emerald Coast Pkwy**
This project was submitted identified incorrectly as "Crystal Beach Plaza, 5th Amendment."
Please ensure your review comments reflect the correct project name above

Gulf Power Co. has no conflicts with above referenced project.

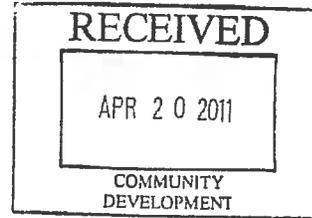
Please call me if there are any other questions.

Thomas Richardson 850-833-4881

Power Delivery Engineering Destin

A handwritten signature in black ink, appearing to read "Thomas Richardson".

EXHIBIT "F"



Okaloosa Gas District

**OKALOOSA GAS DISTRICT
TECHNICAL REVIEW COMMITTEE, DESTIN
DATE 4/20/2011**

BUSINESS:

SP-11-10, Crystal Beach Plaza, 7th Amendment (Miller's Ale House) a Minor Deviation to a previously approved Major Development 34906 Emerald Coast Pkwy

COMMENTS:

Okaloosa Gas has no objection to the above referenced project. Gas is available at this site.

Please call Okaloosa Gas prior to any construction activities so that Okaloosa Gas will provide personnel to locate and protect existing gas facilities.

If you should have any questions, or require additional information, please call me @ (850) 729-4870.

Submitted by:

Essa Rhebi
Essa Rhebi
Systems Engineer

P.O. Box 548 • Valparaiso, Florida 32580-0548 • (850) 729-4870 • FAX (850) 678-2165

EXHIBIT "G"



Waste Management, Inc. of Florida
108 Hill Avenue
Fort Walton Beach, FL 32548
1-800-862-7141
(850) 664-6659 Fax

April 21, 2011

Dean A.F. Burgis, P.E.
Emerald Coast Associates Inc.
179 County Highway 393 South
Santa Rosa Beach, FL 32459

dean@eca-fl.com



RE: Crystal Beach Plaza, 7th Amendment (Miller's Ale House)
a. Minor Deviation to previously approved Major Development, 34906 Emerald Coast Pkwy

This letter serves to confirm that Waste Management has no concerns nor objections to the 7th Amendment (Miller's Ale House) of the Crystal Beach Plaza as reviewed at the Technical Review Committee Meeting on Wednesday April 20, 2011.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kishton". The signature is fluid and cursive.

Scott Kishton
Director of Collection Operations
Waste Management
North Florida Market Area

CC: David Forstrom- dforstrom@cityofdestin.com

From everyday collection to environmental protection, Think Green. Think Waste Management.



Community
Development
Building Division

Phone: 654-1119
Fax: 837-7949

EXHIBIT "H"

MEMORANDUM

DATE: May 27, 2011
TO: TRC Project Manager/David Forstrum
THRU: Administrative Assistance/Larry Beat
CC: Larry Ballard/Building Official *LB*
FROM: Noell Bell/Building Insp. & Plans Examiner *NB*
SUBJECT: 2nd Submittal Review to the (TRC)
PROJECT: 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Ale House)
A Minor Deviation to a previously approved Major Development
34906 Emerald Coast Pkwy

A review of the project plans submitted resulted in the following comments:

The Building Division has no further comments at this time.

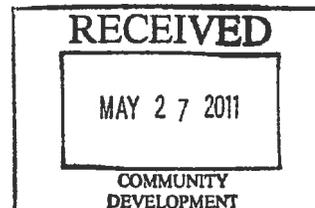




EXHIBIT "I"

Community Development Planning Division

4200 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-337-3123 | Fax: 850-650-0693 | www.cityofdestin.com

June 7, 2011

Mr. Dean A.F. Burgis, P.E.
Emerald Coast Associates, Inc.
179 South County Highway 393
Santa Rosa Beach, Florida 32559-4211

Subject: Review for 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Destin Ale House), a Minor Deviation to a previously approved Major Development, 34906 Emerald Coast Parkway

Dear Mr. Burgis:

A resubmittal package was received on June 6, 2011. Your application has been **APPROVED** with conditions. Staff will draft the Development Order for the owner of the property to sign within the next 5 business days.

Process Timeline:

- Applicant's original submittal date: May 30, 2011
- Completeness review date: April 1, 2011
- Staff's initial review letter date: April 15, 2011 (within 10 business days)
- Applicant's 2nd submittal target date: May 4, 2011 (based on typical 10 day turn-around)
 - o Applicant's actual 2nd submittal date: May 18, 2011
- Staff's review of 2nd submittal package target date: June 1, 2011 (based on typical 10 day turn-around)
 - o Staff's review of 2nd submittal package actual review date: May 31, 2011 (9 day turn-around)
- Applicant's 3rd submittal target date: June 15, 2011 (based on typical 10 day turn-around)
 - o Applicant's actual 3rd submittal date: June 2, 2011
- Staff's review of 3rd submittal package target date: June 16, 2011 (based on typical 10 day turn-around)
 - o Staff's review of 3rd submittal package actual review date: June 3, 2011 (2 day turn-around)
- Applicant's 4th submittal target date: June 17, 2011 (based on typical 10 day turn-around)
 - o Applicant's actual 4th submittal date: June 6, 2011
- Staff's review of 4th submittal package target date: June 20, 2011 (based on typical 10 day turn-around)
 - o Staff's review of 4th submittal package actual review date: June 7, 2011 (1 day turn-around)

COMMUNITY DEVELOPMENT:

Planning Division Comments: Approved. To discuss planning related comments, please contact Mr. David Forstrom, Stormwater Management Specialist, at 850-837-4242, extension 3130.

1. Prior to the issuance of the Final Development Order, all outstanding costs associated with this project and are owed to the City must be paid in full.
2. Prior to the issuance of a Certificate of Occupancy, all applicable impact fees must be paid.
3. Prior to the issuance of a Certificate of Occupancy, the landscaping and outdoor lighting, if installed, must be inspected and approved by the Community Development Department.

Page 2 of 4

June 7, 2011

Review for 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Destin Ale House)

4. **Prior to the issuance of a Certificate of Occupancy**, assigned address numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts. *Ref. LDC Section 7.18.04.*
5. **Condition:** Outdoor mechanical equipment, such as heating, air conditioning, and ventilation systems, must be placed on the roof, in the rear or to the side of the building, or otherwise visually screened. In no case shall mechanical equipment be located between the principal structure and the front property line or any property line facing a right-of-way. All mechanical equipment located on the roof shall not be visible from adjacent properties or rights-of-way from heights equal to or less than the equipment. All mechanical equipment located in the rear or to the side of the building shall be enclosed by opaque fence, wall or hedge a minimum of six feet in height or to the highest point of the equipment, whichever is lower. For air conditioning or other equipment requiring airflow, a lattice screen of at least 50 percent opacity shall be sufficient to meet this requirement. *Ref. LDC Section 7.09.02(B)(1).*
6. **Condition:** All solid waste collection areas shall be enclosed by a 100 percent opaque fence, wall, or hedge that is a minimum of six feet in height. All enclosures shall have gates that are 100 percent opaque. Please indicate this requirement on sheet 4 of 11 of the Site Construction Plans and state that the project will expect dumpster service. *Ref. LDC Section 7.09.02(B)(3).*
7. **Condition:** Signage, if installed, must be approved by the Community Development Department. All signage shall require the issuance of city permit. All signage shall meet the requirements set forth in Article 16 of the City's Land Development Code.
8. **Condition:** Outdoor lighting, if installed, must be permitted and inspected by the Community Development Department. All outdoor lighting shall meet the requirements set forth in Section 7.17.00 of the City's Land Development Code.
9. **Condition:** The slab for all structures shall be constructed a minimum of 12 inches above the crown of the nearest street, except where topography will provide adequate drainage as certified by a professional engineer registered in the State of Florida. *Ref. LDC Section 10.03.02(A)(5).*
10. **Condition:** All new development projects that include erecting a new building and/or structure shall be required to place all existing and proposed utility lines located on the subject property, regardless of who the utilities serve, underground. *Ref. LDC Section 20.12.00.*

Transportation Comments: Approved. To discuss transportation related comments, please contact Mr. Tim Whaler of Renaissance Planning Group at 407-487-0061.

See attached comments dated May 31, 2011.

Stormwater Management Comments: Approved with Conditions. To discuss stormwater related comments, please contact Mr. David Forstrom, Stormwater Management Specialist, at 850-837-4242, extension 3130.

See attached comments dated April 15, 2011.

Page 3 of 4
June 7, 2011
Review for 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Destin Ale House)

Public Services Department Comments: Approved with Conditions. To discuss public services related comments, please contact Mr. Joe Bodi at 850-837-4242, extension 3186.

See attached comments dated May 24, 2011.

Notes:

1. Ensure you receive and address all other Technical Review Committee (TRC) comments prior to re-submitting your packages to avoid unnecessary delays and expenses. DO NOT re-submit packages to the individual TRC members, as all re-submittals must be received by the Community Development Department for distribution.
2. Each of the TRC member's comments MUST be addressed in a re-submittal package to the Community Development Department and all re-submittal packages MUST contain a cover letter indicating each TRC member's comments, and your response to each of those comments. Also, a complete set of plans for each TRC member that has not yet approved the application must be submitted.
3. Impact fees will be assessed on this project. Preliminary impact fee amounts are calculated using the guidelines indicated in Article 19 of the Destin Land Development Code. Once the project is finalized, the estimated impact fees will be indicated in the TRC Report.

If you have questions or need additional information, please feel free to contact me at (850) 837-4242, ext. 3130.

Sincerely,



David M. Forstrom, CFM
Planner & Stormwater/Floodplain Manager

DMF/

Attachments

cc: File: 11-10-SP
Letter Log



RENAISSANCE PLANNING GROUP

400 North Ashley Drive, Suite 1010 • Tampa, FL 33602 • phone: 813.254.7741 • fax: 813.254.7742

May 31, 2011

Ashley Grana
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541



Subject: SP-11-10, Crystal Beach Plaza 7th Amendment, Miller's Alehouse – 2nd Submittal

Dear Mr. Grana:

Renaissance Planning Group has reviewed the above referenced Traffic Analysis, received by the City on May 18, 2011. It appears that the traffic analysis accurately depicts the traffic impacts anticipated with the proposed development. We have no further comments at this time. Thank you for the opportunity to comment on this submittal.

Sincerely,

Tim Whaler
Senior Planner
Renaissance Planning Group

cc: Scott Swearengen, Renaissance Planning Group

**OFFICE OF COMMUNITY DEVELOPMENT
STORMWATER REVIEW**

MEMORANDUM

DATE: April 15, 2011

TO: Ashley Grana, Planning Manager

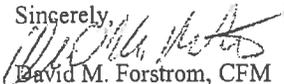
FROM: David M. Forstrom, Planner & Stormwater/Floodplain Manager

SUBJECT: 11-10-SP, Crystal Beach Plaza, 7th Amendment (Miller's Ale House), a
Minor Deviation to a previously approved Major Development, 34906
Emerald Coast Parkway
Stormwater Review Comments

We received a submittal on March 30, 2011 from Emerald Coast Associates, Inc. This minor deviation does not result in any net change to the total impervious surface area. Dean A. F. Burgis, P.E. has provided a signed a sealed letter dated March 30, 2011 certifying that the existing stormwater management facilities will not require any updates or revisions and the proposed development meets stormwater concurrency.

The existing Stormwater Management Plan and Construction Drawings on file remain approved for this Minor Deviation.

If you have questions or need additional information, please contact my office.

Sincerely,

David M. Forstrom, CFM
Planner & Stormwater/Floodplain Manager

File: Letter & Project