



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

March 24, 1998

ORDER # 98-16

**Final Development Order:**

**MAIN STREET PLAZA**

Based upon the City Council's approval of this Development Order at its meeting on March 23, 1998, 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 Destin City Council:

**Background/Issue**

**Type of Development:** Main Street Plaza, two-story shopping center of 38,533 sq.ft., a Major Development

**Applicant/Owner:** Agent: Jim Barton, Gustin, Cothorn and Tucker;  
Owners: Main Street Joint Venture Partnership, a joint venture between Main Street Development, Inc. (Keith Howard, President, Rob Blue, Secretary), and Main Street Financial, Inc. (Lowry Lomax, President, Dooley Culbertson, Secretary)

**Property Location:** Northwest corner of Main Street and Highway 98 East, directly east of Krispy Kreme.

**Request:** Approval of a Major Development consisting of one, two-story commercial shopping center building containing 38,533 s.f.

**Parcel Size:** 58,446 square feet / 1.34 acres, more or less

**Land Use Category:** C (Commercial)

**Zoning District:** BT (Business Tourism)

**Density:** N/A

**Intensity:** F.A.R.= .71 (max. allowed 1.07)

**Property Legal Description:** Attached

**Application Date:** December 19, 1997

**TRC Approval Date:** January 8, 1998, revised February 3, 1998, amended February 13, 1998

**Planning Commission Date:** February 19, 1998

**City Council Approval Date:** March 23, 1998

**DETERMINATIONS:**

1. A hearing was held by the Destin City Council on March 23, 1998; and
2. The Planning Commission considered the proposal on February 19, 1998; and
3. All the findings of the City Council report are incorporated herein; and
4. All the findings of the Technical Review Committee report are incorporated herein.

**Conditions of Approval for the Main Street Plaza - Major Development:**

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

1. Development and/or construction must commence within twelve months of approval on March 23, 1998 (no later than March 22, 1999) and must be completed as shown on the plans approved by the City Council.
2. The concurrency status of Main Street Plaza is identified in the Technical Review Committee Report dated January 8, 1998, Revised February 3, 1998 and February 13, 1998. The concurrency status of Main Street Plaza is protected (for five years) through March 23, 2003, IF Main Street Plaza commences development within the twelve month period following approval of the Development Order on March 23, 1998. Construction permits must be attained in accordance to Section 2.09.00 of the Land Development Codes to maintain concurrency; and
4. City of Destin permits are required for the following activities on and off site:
  - a. disturbance to the city's rights of way;
  - b. pavement cuts
  - c. construction of any kind
  - d. clearing and grubbing
  - e. signage
  - f. construction trailers
5. An approved Department of Environmental Protection (DEP) permit for Main Street Plaza must be presented to the city for the Stormwater Management Facilities prior to the issuance of a building permit; and
6. An executed and recorded cross-access and stormwater operations agreement for Main Street Plaza and the Krispy Kreme Property prior to the issuance of a building permit; and
7. An FDOT Driveway Connection Permit is required and must be submitted prior to the issuance of a building permit; and

8. An FDOT Permit for the modification of the median on Hwy 98 is required and must be submitted prior to the issuance of a building permit; and
9. **Please Note:** An effect upon traffic is anticipated, however, it will not lower the LOS for the effected roads-Hwy 98, Main Street, and Gulf Shore Drive.
10. Requirements identified by the Technical Review Committee:

**FINAL TECHNICAL REVIEW COMMITTEE REPORT  
COMMUNITY DEVELOPMENT DEPARTMENT  
MAIN STREET PLAZA  
A MAJOR DEVELOPMENT**

**ISSUE**

**Applicant:** Agent: Jim Barton, Gustin Cothorn and Tucker;  
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**Application Date:** December 19, 1997

**DISCUSSION:**

Jim Barton, agent for the Main Street Joint Venture Partnership, owner, request approval of Main Street Plaza. Main Street Joint Venture Partnership is a joint venture between Main Street Development, Inc., Keith Howard, President, Rob Blue, Secretary, and Main Street Financial, Inc., Lowry Lomax, President, Dooley Culbertson, Secretary. Main Street Plaza, a Major Development, consists of one, two-story commercial shopping center building which contains 38,533 square feet. The property is located on the northwest corner of the intersection of Highway 98 East and Main Street, directly east of Krispy Kreme. Currently existing on site is a 10,454 square foot, one-story commercial building which will be removed from site. The property being developed contains 1.34 acres, more or less. The uses surrounding this project are the following: North: Destin Bank, a vacant parcel,

Downtown Destin Shopping Center, South: Highway 98 East, Sandpiper Cove Condominium Complex, vacant land, East: Main Street, Amsouth Bank, Shores Shopping Center, West: Krispy Kreme Donut Shop, Imperial Palace restaurant.

### **ZONING/COMPREHENSIVE PLAN**

The property is zoned BT (Business Tourism) and the Land Use Category is C (Commercial). The proposed project is in compliance with the Land Use and Zoning designations.

### **COMPATIBILITY**

North: BT Zoning, C Land Use, Destin Bank, a vacant parcel, Downtown Destin Shopping Center  
South: RIA Zoning, HDR and MU Land Use, Highway 98 East, Sandpiper Cove Condominiums,  
East: BT Zoning, C Land Use, Main Street, AmSouth Bank, Shores Shopping Center  
West: BT Zoning, C Land Use, Krispy Kreme Donuts, Imperial Palace Restaurant

The project, as required by Ordinance 152.23, has undergone a compatibility review and meets the minimum code requirements. The General Compatibility Checklist and the following items were included in the compatibility review.

The subject property is located on the north side of Highway 98 East, at the northwest corner of the intersection of Highway 98 East and Main Street, directly east of Krispy Kreme Donuts and south of Destin Bank. The uses located within three hundred feet of the subject property have been identified above. The property is located in an area which is developed with commercial retail complexes and restaurants fronting Highway 98 East on the north side and residential developments on the south side. The buildings located within the area are primarily one and two stories in height.

**A) Permitted uses, structures and activities allowed within the land use category;**  
The proposed use and activity of a shopping center is a permitted use in the "BT" Zoning District and the "C" Land Use Category. The project contains one, two-story commercial building which is to be located directly east of the existing Krispy Kreme Donut Shop. The building and use is compatible with the existing development pattern, the current zoning, and the existing future land use designation.

**B) Building location, dimensions, height, and floor area ratio;**  
The two story building is located generally in the northwest corner of the lot. The building which is approximately 97' x 150' containing 38,533 square feet meets all setback requirements. The maximum height proposed is approximately 51' as measured to the top of the architectural tower located on top of the main roof. The height to the top of the main roof is 37'. There is no maximum allowable

building height in the BT Zoning District. The floor area ratio for the project is .71. This is below the 1.07 maximum allowed. The building's location, height and floor area ratio are similar to other developments in the area and are considered to be compatible.

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

The project is required to have 154 total parking spaces including 6 handicapped spaces. 154 spaces are provided including 6 handicapped spaces. The parking for the shopping center is located within both a parking garage which is completely below the grade of the lot and around the south and east sides of the building at grade. Of the 154 total spaces, 104 spaces are provided in the below grade parking garage and 50 spaces are provide at the ground level parking area. The parking garage's one-way entrance is located at the west end of the south side of the building, directly north of the two-way accessway from Highway 98 East, while the parking garage's one-way exit is located at the north end of the east side of the building which allows vehicles to only exit onto Main Street.

Overall, access to the property is provided from four locations. One accessway is a 27' wide two-way drive located on the eastern property line which connects to Main Street from the west. A second accessway is a 24' wide two-way entrance drive located in the southwest corner of the property which connects to Highway 98 East from the north. Access to the parking garage's entrance is located directly north of this 24' wide two-way drive. The exit for the parking garage is a 12' wide one-way drive located in the extreme northeast corner of the lot which serves as a third accessway. A fourth accessway is a 23' wide delivery lane located in the northwest corner of the property. This delivery lane provides loading and delivery access only to the Main Street Plaza property from the abutting Krispy Kreme property. This delivery lane can only be accessed through Krispy Kreme's property. A cross-access agreement is required prior to the issuance of a building permit. A letter of agreement is on file from Buddy Scruggs, Krispy Kreme's owner, regarding the subject cross-access agreement. The project provides for adequate loading and service areas.

The applicant has reduced the size of the median opening on U.S. Hwy 98 and redesigned the median to allow for only left turns from the eastbound lanes. The applicant further amended the said access from the site to allow for right turns only exiting the site.

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

A traffic analysis dated January 6, 1998 (revised January 29, 1998), was conducted for this project by James Barton, P.E., of Gustin, Cothorn and Tucker, Inc. This report indicates that currently existing on site is a one-story, 10,454 square foot retail and office building which is divided into a 5,812 s.f. retail/thrift store space, 2,649 s.f. real estate office space, and 1,993 s.f. is vacant space. The report specifies that the traffic generated by the existing conditions during the PM peak hour for the occupied portion of the building is 42 total v.p.h. with 24 v.p.h. entering (57%) and

18 v.p.h. exiting (43%). The report indicates that the traffic generated by this project during the PM peak hour is 190 total v.p.h. with 108 v.p.h. entering (57%) and 82 v.p.h. exiting (43%). The report then states that when the existing traffic is subtracted from the proposed traffic, the net traffic generated is 148 v.p.h. with 84 v.p.h. entering (57%) and 64 v.p.h. exiting (43%). The report indicates that the roadways evaluated for concurrency were U.S. Highway 98, Main Street, and Gulf Shore Drive, and the project meets concurrency. The consulting firm Hamilton-Smith and Associates have confirmed that the proposed project will not lower the LOS on affected roadways.

Another aspect of traffic generation to consider is how will the traffic generated impact ingress and egress onto Highway 98 East and Main Street. The ingress / egress to the site will be provided by either the two-way drive accessing Highway 98 East from the north or the two-way drive accessing Main Street from the west. Additionally, a one-way exit only, located in the extreme northeast corner of the property, serves as an additional exit for the project.

The applicant has reduced the size of the median opening on U.S. Hwy 98 and redesigned the median to allow for only left turns from the eastbound lanes. The applicant further amended the said access from the site to allow for right turns only exiting the site. Staff has contacted the consulting firm Carlan-Killam which has provided a positive finding of the impact of the two-way drive connection on Highway 98 and other traffic related concerns.

The hours of operation for the proposed shopping center are expected to be 8 am to 9 p.m., seven days a week. These hours are similar to other retail / shopping center complexes in the area. Additionally, these hours of operation are consistent with the periods of highest activity in the adjoining developments. Noise levels for this commercial development is also expected to be similar to the surrounding developments, other shopping centers, and other commercial/developments in the area.

The outdoor lighting will consist of six (6) light poles, located on the south and southeast sides of the building. These poles are 12' tall and contain 100 watt bulbs. Building lights will consist of three (3) 100 watt, exterior wall mounted lights. A wall mounted light will be located at the entrance and exit to the below grade parking area. Another wall mounted light will be located at the loading area entrance.

A review of the traffic generated, the hours of operation, the anticipated noise levels and the proposed lighting plan indicates that these items are compatible with the surrounding development.

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

The two-story commercial shopping center building is generally oriented in a north south direction and will not materially alter the light or flow of air around the proposed building or around the existing developments. The building is two stories in height, contains 38,533 square feet, and has a FAR of 0.71 or less.

**F) Setbacks and buffers.**

The commercial shopping center building meets all setback and buffer requirements. The surrounding properties are primarily commercial developments. A 5' Common Boundary Buffer is required along the boundaries to the north and west. The required Common Boundary landscaping shall provide a minimum of fifty percent opacity for that area between the finished grade level at the common boundary line and six feet above said level and horizontally along the length of all common boundaries within three years of planting. The site plan meets the open space and landscape requirements. The building is located 21 feet west of the eastern property line and 87' north of the south property line. The location of the building and the required buffers minimizes the impact of the structures on the surrounding neighborhoods.

**DENSITY**

Not applicable.

**HEIGHT**

The proposed project contains one, two-story commercial shopping center building with an approximate maximum height of 37' as measured to the top of the main roof. A 15' x 15' architectural tower is located on top of the roof and extends 14' above the top of the main roof. This architectural tower has a total height of 51' above grade. This architectural tower is only accessible through a "maintenance" stairway and will **NOT** be used as an observation tower or be accessible to the general public. This is an allowable height in the BT Zoning District and does not constitute as an additional story. There is no maximum allowable height in the BT Zoning District. The project includes a parking garage which is located completely below the grade of the lot.

**FLOOR AREA RATIO**

The floor area ratio for the project is 0.71. This is below the 1.07 maximum allowed.

**RIGHT OF WAY DEDICATION**

There are no new right-of-way dedications for this project.

**CONCURRENCY MANAGEMENT**

Concurrency requirements met:

Potable Water \_\_X\_\_ Roadways \_\_x\_\_ Solid Waste \_\_X\_\_  
Recreation \_\_N/A\_\_ Sewer \_\_X\_\_ Drainage \_\_X\_\_

**TRAFFIC ANALYSIS**

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**SUBDIVISION OR PUD - PLAT**

A MYLAR is not required for this project.

**AIRPORT PROTECTION**

Not applicable. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from FAA for temporary encroachment into this restrictive area and a copy of completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

<b><u>SETBACKS</u></b>	<b><u>Required</u></b>	<b><u>Provided</u></b>	<b><u>Buffers</u></b>
Front (south)	10'	87'	10' FPLA
Front: (east)	10'	22'	10' FPLA
Side: (west)	0'	5'	5' CB
Side: (north)	0'	5'	5' CB
Between Bldgs:	N/A	N/A	N/A

Note: 5' Common Boundary Landscaping is required along the western and northern boundaries of the property. The required vegetation shall provide a minimum of fifty percent opacity for that area between the finished grade level at the common boundary line and six feet above said level and horizontally along the length of all common boundaries within three years of planting.

**WHITE SANDS ZONE**

This project lies within White Sand Zone #2. No red clay is allowed. All fill material must comply with the White Sand Zone Ordinance.

## **SIGNS**

No signs are requested for this project at this time. All future signage must comply with the City of Destin Sign Ordinance #245.

## **STORMWATER**

The City Engineer approved the design of the project and has since reviewed the latest modified plan depicting the southern two-way access as a right turn only exit movement and the median redesign and has recommended approval.

## **WATER/SEWER**

DWU approved the project in a letter dated January 8, 1998, with the following conditions:

1. No stormwater can be directed to Destin Water Users' Sanitary Sewer.
2. The water tap will be performed by Destin Water Users.

## **FIRE DEPARTMENT REVIEW**

The Fire Department approved the project in a letter dated January 8, 1998, with the following condition:

1. Add a fire hydrant at the Main Street entrance.

Note: this item has been addressed upon the submitted plans

## **GULF POWER**

Gulf Power approved the project at the TRC meeting on January 8, 1998.

## **DESTIN ELECTRONIC SERVICES**

DES approved the project at the TRC meeting on January 8, 1998.

## **UTILITIES**

Underground utilities are required.

## **INGRESS/EGRESS**

Overall, access to the property is provided from four locations. One accessway is a 27' wide two-way drive located on the eastern property line which connects to Main Street from the west. A second accessway is a 24' wide two-way entrance drive located in the southwest corner of the property which connects to Highway 98 East from the north. Access to the parking garage's entrance is located directly north of this 24' wide two-way drive. The exit for the parking garage is a 12' wide one-way drive located in the extreme northeast corner of the lot which serves as a third accessway. A fourth accessway is a 23' wide delivery lane located in the northwest corner of the property. This delivery lane provides loading and delivery access only to the Main Street Plaza property from the abutting Krispy Kreme property. This delivery lane can only be accessed through Krispy Kreme's property. A cross-access agreement is required prior to the issuance of a building permit. A letter of agreement is on file from Buddy Scruggs, Krispy Kreme's owner, regarding the subject cross-access agreement. The project provides for adequate loading and service areas.

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### **SIDEWALKS**

5' wide sidewalks are required along Main Street and Highway 98 East and are shown on the site plan. Sidewalks are required to be in place prior to issuance of C.O.

### **REFUSE COLLECTION**

Trash collection is provided by dumpster service which is shown on the site plan.

### **LANDSCAPE**

This project meets the landscape requirements as follows:

#### **MAIN STREET PLAZA:**

##### **OPEN SPACE:**

58,446 s.f. of property x 18% = 10,521 s.f.

18,088 s.f. of garage parking spaces (18,088 / 2,500) x 171 = 1237 s.f.

300 s.f. for ground level terminal islands

10,521 s.f. + 1237 s.f. + 300 s.f. = 12,058 square feet

**TOTAL REQUIRED = 12,058 square feet**

**TOTAL PROVIDED = 12,064 square feet**

##### **TREES REQUIRED:**

**Reforestation: 14 Perimeter: 20 Parking Lot: 7 Buffers: N/A**

**TOTAL TREES REQUIRED : 41**

**TOTAL TREES PROVIDED : 41**

#### **KRISPY KREME:**

An access lane will be added to the Krispy Kreme property at the northeast corner of the Krispy Kreme lot. This 1,658 square foot access lane will provide access to the loading areas located on the northwest corner of Main Street Plaza's property. The addition of the access lane will meet the open space requirements of the City.

**OPEN SPACE:**

35,944 s.f. of property x 18% = 6,470 s.f. **REQUIRED**  
28.9 % open space provided = 10,416 s.f. **PROVIDED**

Existing impervious surface: 23,870 s.f.  
Proposed impervious surface: 1,658 s.f.  
TOTAL impervious surface: 25,528 s.f.

**PARKING**

Parking for the project is based off the following calculations:

Shopping Center: 1 parking space / 250 s.f.  
38,533 s.f. / 250 s.f.= 154.13 spaces = 154 spaces required

104 spaces are provided in the below grade parking garage and 50 spaces are provided in the ground level parking area.

**TOTAL REQUIRED = 154 spaces including 6 H.C. spaces**  
**TOTAL PROVIDED = 154 spaces including 6 H.C. spaces**

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

1. An approved Department of Environmental Protection (DEP) permit for Main Street Plaza must be presented to the city for the Stormwater Management Facilities prior to the issuance of a building permit; and
2. An FDOT Driveway Connection Permit is required and must be submitted prior to the issuance of a building permit; and
3. An FDOT Permit for the modification of the median on Hwy 98 is required and must be submitted prior to the issuance of a building permit.

**ITEMS REQUIRED BEFORE ISSUANCE OF A BUILDING PERMIT**

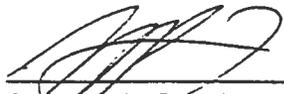
1. An executed and recorded cross-access and stormwater operations agreement for Main Street Plaza and the Krispy Kreme Property prior to the issuance of a building permit.

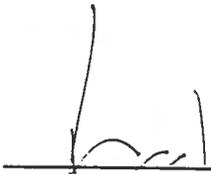
**COMMENTS**

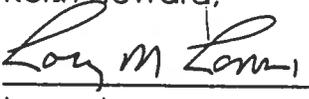
There have been no public comments filed with Staff regarding this project.

**UNRESOLVED ISSUES**

NONE

  
\_\_\_\_\_  
Robert P. Franke, AICP      3/25/98      Date  
Acting Community Development Director

  
\_\_\_\_\_  
Keith Howard,      3/25/98      Date

  
\_\_\_\_\_  
Lowry Lomax,      3/29/98      Date  
Main Street Joint Venture  
Partnership, a joint venture  
between Main Street  
Development, Inc. (Keith  
Howard, President, Rob Blue,  
Secretary), and Main Street  
Financial, Inc. (Lowry Lomax,  
President, Dooley Culbertson,  
Secretary)

cc: Permit Division  
City Engineer  
City Clerk

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