



City of Destin

January 28, 2003

Order No. 03-02

Final Development Order:

**“DOWNTOWN DESTIN SHOPPING CENTER RENOVATION”
A MAJOR DEVELOPMENT
(SP-02-47)**

Based upon the City Council’s approval of this Development Order on January 21, 2003, 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 City Council:

BACKGROUND / ISSUE:

Applicant: Choctaw Engineering, Inc., on behalf of Shanri Holdings Corp., is requesting approval of a Major Development identified as “Downtown Destin Shopping Center Renovation.”

Request: The proposed project consists of adding a 22,816 square foot expansion to an existing 128,787 sq. ft. shopping center and providing associated site improvements.

Location: The proposed project will be located at the Downtown Destin Shopping Center, 761 U.S. Highway 98 East, more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0011-0060 and 00-2S-22-0000-0011-006G (Refer to Exhibit “B” of City Council Staff Report dated January 13, 2003).

Parcel Size: The property contains 20.07 acres, more or less.

Future Land Use: Commercial (C)

Zoning District: Business Tourism (BT)

Density: Not applicable

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.23 FAR (per Code Definition: -0.20 FAR)

Application Date: September 3, 2002

TRC Date: September 18, 2002

Approved Site Plan Date: December 4, 2002

Planning Commission Date: December 19, 2002

City Council Date: January 21, 2003

DETERMINATIONS:

1. The Destin City Council held a hearing on January 21, 2003. The City Council approved the development by a vote of 7-0. The recommended motion to approve the project as presented by staff, and documented in the TRC report, subject to all of the conditions identified within the report dated December 4, 2002, and amended December 22, 2002, and January 22, 2002.
2. The Planning Commission considered the proposal on December 19, 2002, and recommended that the City Council approve the proposed project as presented by staff. The motion passed by a vote of 6-0; and
3. All the findings of the Technical Review Committee report dated December 4, 2002, and amended December 22, 2002, and January 22, 2003, are incorporated herein.

CONDITIONS OF APPROVAL FOR "DOWNTOWN DESTIN SHOPPING CENTER RENOVATION": A MAJOR DEVELOPMENT (SP-02-47):

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 Final Development Order dated January 21, 2003 (no later than January 21, 2004).

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 No. 1 above, the development order status is protected through January 21, 2008. **However, the protected development order concurrency status will be lost if:**
 - A. **Construction activity ceases for a period exceeding one (1) year at any time during the term of this Final Development Order so that concurrency is not maintained under section 6.02.00.B.3 of the Destin Land Development Code, 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. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
5. **Prior to the issuance of any Certificate of Occupancy**, all applicable impact fees must be paid.
6. **Prior to the issuance of a Certificate of Occupancy**, the required landscaping and any new additional outdoor lighting must be inspected and approved by the Community Development Department.
7. The portion of the Downtown Destin Shopping Center to be renovated must maintain the approved architectural style elevation (Florida Vernacular) as depicted in Exhibit I of the City Council Staff Report dated January 13, 2003.
8. Compatibility Analysis Conditions:
 - A. The existing and proposed development generates noise from internal traffic circulation and delivery/service vehicles that is distinctly different from the noise levels occasioned in the residential area abutting the site to the north. This noise must be mitigated by requiring the applicant to maintain the six (6) foot privacy fence along the north boundary of the subject property.
 - B. No outdoor lighting plan has been submitted. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans 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. The source of illumination shall not be visible from off-site.
9. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.

10. The project is in the White Sand Zone II. Any red clay or other staining material uncovered during demolition must be removed from the site within 92 hours of uncovering. Prior to importing any fill material on the site, provide a sample of the fill to the City of Destin Environmental Officer for approval for White Sand Zone II use.
11. The first phase renovations to the theater shall be completed and obtain a Certificate of Completion prior to obtaining a Certificate of Occupancy on the retail addition.
12. **Prior to obtaining a Certificate of Occupancy**, the stormwater management facilities require some maintenance (clean out catch basins and piping & repair inlet in back southwest corner of the southeast building) and shall be inspected certified by engineer of record.
13. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

TECHNICAL REVIEW COMMITTEE REPORT

“DOWNTOWN DESTIN SHOPPING CENTER RENOVATION” A MAJOR DEVELOPMENT (SP-02-47)

TRC Report: December 4, 2002, and amended December 20, 2002, and January 22, 2003

ISSUE:

Applicant: Choctaw Engineering, Inc., on behalf of Shanri Holdings Corp., is requesting approval of a Major Development identified as “Downtown Destin Shopping Center Renovation.”

Request: The proposed project consists of adding a 22,816 square foot expansion to an existing 128,787 sq. ft. shopping center and providing associated site improvements.

Location: The proposed project will be located at the Downtown Destin Shopping Center, 761 U.S. Highway 98 East, more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0011-0060 and 00-2S-22-0000-0011-006G (Refer to Exhibit “B” of City Council Staff Report dated January 13, 2003).

Parcel Size: The property contains 20.07 acres, more or less.

Future Land Use: Commercial (C)

Zoning District: Business Tourism (BT)

Density: Not applicable

Intensity: Allowed: 1.07 Floor Area Ratio (FAR)
Proposed: 0.23 FAR (per Code Definition: -0.20 FAR)

Application Date: September 3, 2002

TRC Date: September 18, 2002

Approved Site Plan Date: December 4, 2002

Planning Commission Date: December 19, 2002

City Council Date: January 21, 2003

DISCUSSION/FINDINGS:

Choctaw Engineering, Inc., on behalf of Shanri Holdings Corp., is requesting approval of a Major Development identified as “Downtown Destin Shopping Center Renovation.” The proposed development consists of a 22,816 square foot expansion to an existing 128,787 sq. ft. shopping center and associated site improvements. The proposed development is located at 761 U.S. Highway 98 East, more specifically known as Property Appraiser’s parcel I.D. numbers 00-2S-22-0000-0011-0060 and 00-2S-22-0000-0011-006G. The combined area contains 20.07 acres, more or less.

The proposed project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions as described on page 8 of this report. Refer to the attached complete Compatibility Analysis from the City’s Compatibility Consultant, Mr. Les Solin, and dated December 13, 2002.

The proposed request is consistent with the Comprehensive Plan and Land Development Code, which include a Compatibility review, Concurrency Management review, and a Level of Service review. This project is located within the Community Redevelopment Area.

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

COMPREHENSIVE PLAN/ZONING:

The property currently has a Future Land Use designation of Commercial (C) and a Zoning designation of Business Tourism (BT). The proposed use is consistent with the C Future Land Use designation and is a permitted principal use within the BT zoning district.

COMPATIBILITY:

The project, as required by the Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements with conditions. Refer to the attached complete Compatibility Analysis from the City's Compatibility Consultant; Mr. Les Solin dated December 13, 2002.

DENSITY:

Not applicable.

HEIGHT:

The BT Zoning District does not have a maximum building height. Building height in this district is determined by a compatibility analysis. Refer to the attached complete Compatibility Analysis Report from Les Solin, dated December 13, 2002, which finds the proposed project conditionally compatible with the surrounding area in regards to height.

FLOOR AREA RATIO:

The Commercial Future Land Use designation has a maximum floor area ratio (FAR) of 1.07.

The FAR calculation methodology as defined in Article 3, Section 3.00.01 "Floor Area Ratio" of the Destin Land Development Code is as follows:

$$\frac{(\text{Total gross floor area}) - (\text{Total square feet of required setbacks and open space} + \text{parking})}{\text{Total square feet of site}} = \text{FAR}$$

$$\frac{197,696 \text{ sq. ft.} - 368,208 \text{ sq. ft.}}{874,249 \text{ sq. ft.}} = \text{FAR}$$

$$-170,512 \text{ sq. ft.} / 874,249 \text{ sq. ft.} = -0.20 \text{ FAR}$$

Utilizing the formula as defined above, the FAR of -0.20 is below the maximum of 1.07 and thus is in compliance.

Utilizing the more common FAR calculation methodology as proposed in the Comprehensive Plan update results in an FAR of 0.29, which is also below 1.07 and is calculated as follows:

$$\text{Total square feet of existing and proposed buildings} / \text{square feet of subject parcel} = \text{FAR}$$

$$197,696 \text{ sq. ft.} / 874,249 \text{ sq. ft.} = 0.23 \text{ FAR}$$

RIGHT-OF-WAY DEDICATION:

No right-of-way dedication is required for this project.

CONCURRENCY MANAGEMENT:

Concurrency requirements have been met:

Solid Waste: X
Potable Water: X
Sanitary Sewer: X
Traffic: X
Stormwater Management: X

TRAFFIC ANALYSIS:

According to the traffic review conducted by the City's traffic consultant, Renaissance Planning Group, Inc., the proposed development will generate 4 additional PM Peak Hour directional trips on Segment "A" and 3 additional PM Peak Hour directional trips on Segment "B." As of the date of the TRC approval, Segment "A" has 486 PM Peak Hour directional trips available and Segment "B" had 569. Therefore, traffic concurrency is satisfied for this project, as confirmed by the City's traffic consultant (Refer to Exhibit "D" from the City Council Staff Report dated January 13, 2003).

SUBDIVISION OR PUD - PLAT:

Not applicable.

WHITE SANDS ZONE:

A south portion of the project property is located within White Sand Zone II.

PHASING:

This proposed development is not to be phased.

AIRPORT PROTECTION:

The subject site is not located within the airport protection area. 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 the FAA for temporary encroachment into this restrictive area and a copy of a 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.

SETBACKS:

The proposed buildings meet and exceed all of the required setbacks for the Business Tourism (BT) Zoning District.

	<u>Required</u>	<u>Buffers</u>	<u>Provided</u>
Front (south):	0'	10' FP	721' including the 10' FP
Front (east):	0'	10' FP	17' including the 10' FP
Side (west):	0'	5' CB	191' including the 5' CB
Side (north):	0'	5' CB	340' including the 5' CB
Between Bldgs.:	10'	N/A	96'

Note: 10' FP = 10' Front Perimeter Landscaped Area, 10' VB = 10' Vegetative Buffer Area, and 5' CB = 5' Common Boundary Landscaped Area. The following buffers are required: the standard ten (10) foot front perimeter landscape buffer on the southern and eastern property lines and a five (5) common boundary buffer along the northern and western property lines.

SIGNS:

No sign approval is part of this application. All future signs must comply with the applicable section of the Destin Land Development Code in effect at the time a sign application is submitted.

COX COMMUNICATIONS:

Cox Communications approved the project in a letter dated September 9, 2002.

DESTIN FIRE CONTROL DISTRICT:

The Destin Fire Control District approved the project in a letter dated October 4, 2002.

GULF POWER:

Gulf Power approved the project in a letter dated September 21, 2002.

OKALOOSA GAS:

Okaloosa Gas approved the project at the September 18, 2002, meeting

SPRINT:

Sprint approved the project in a letter dated September 16, 2002.

NEWSOUTH COMMUNICATIONS:

Newsouth Communications approved the project at the September 18, 2002, meeting.

WATER/SEWER PROVIDER:

Destin Water Users, Inc. approved the project in a letter dated October 16, 2002.

UTILITIES:

Underground utilities are required.

STORMWATER:

The City Engineer approved the stormwater plan in a letter dated September 9, 2002, and had the following **stormwater** related conditions:

1. **Prior to obtaining a Certificate of Occupancy**, the stormwater management facilities require some maintenance (clean out catch basins an piping & repair inlet in back southwest corner of the southeast building) and shall be inspected certified by engineer of record.
2. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).

INGRESS/EGRESS:

All existing ingress/egress points of the development will remain. No changes are proposed.

REFUSE COLLECTION:

Refuse collection is to be provided by dumpster service. The newly proposed dumpsters will be screened by at least a six-foot tall and gated enclosure.

SIDEWALKS:

If any existing sidewalks are destroyed or damaged during construction, they must be repaired or replaced by the developer. All proposed internal pathways and pedestrian connections must be constructed and maintained on site.

OPEN SPACE/LANDSCAPE:

The open space/landscaping provided with the development does not meet the open space/landscape requirements of the current City of Destin Land Development Code (LDC). As a result of the expansion area, additional open space and landscaping is required to reduce the existing open-space and landscape non-conformity: The following is the result of the reduction in the non-conforming open-space and landscape requirements:

Open Space Requirements:

874,249 sq. ft. of property x 18 % required = 157,364.82 sq. ft. required

Existing: 874,249 sq. ft. of property x 9.5 (9.486) % existing = 82,938 sq. ft. existing

Proposed: 874,249 sq. ft. of property x 10.1 (10.059) % proposed = 87,945 sq. ft. proposed

Tree Requirements:

Credits for Existing Trees (2" to 6" diameter) on Site (0 trees x 2 credits per tree):	N/A
Credits for Existing Trees (7" to 12" diameter) on Site (0 trees x 3 credits per tree):	N/A
Credits for Existing Trees (13" to 19" diameter) on Site (0 trees x 4 credits per tree):	N/A
Credits for Existing Trees (20" to 24" diameter) on Site (0 trees x 5 credits per tree):	N/A
Total Reforestation Credits for saving Existing, Protected, or Preserved Trees:	<u>N/A</u>

Reforestation Trees (Existing Development) Required on Site:	<u>N/A</u>
Total Reforestation Trees (1 per every .10 of an acre minus credits) Required on Site:	<u><u>N/A*</u></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:	N/A
Front Perimeter Trees (1 per 25') Required on Site along Main Street:	20
Parking Lot Trees (1 per end row and landscape island) Required on Site:	36
Vegetative Buffer Trees, if applicable, (1 per 25') Required on Site:	N/A
Replacement Trees (removal of trees over 12" d.b.h.) Required on Site:	N/A
(Conditional Compatibility Vegetation):	N/A

TOTAL TREES REQUIRED:	56
TOTAL TREES PROVIDED:	56

A five (5) foot Common Boundary Landscape Area is required along western and northern property lines. A ten (10) foot Front Perimeter Landscape Area is required along the eastern and southern property lines. The required five (5) foot Common Boundary landscaping along the northern and western property lines 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 per the approved landscape plan has been inspected and approved by the Community Development Department.**

PARKING:

The parking provided with the existing development does not meet the parking requirements of the current City of Destin Land Development Code (LDC). The LDC allows building expansion to occur provided that the existing non-conforming is not worsened. Therefore, as a result of the expansion area (additional gross floor area), additional parking is required to reduce the existing parking non-conformity. The following is the result of the reduction in the non-conforming parking requirements:

Per code:

Shopping centers: 1 space per 250 square feet of gross floor area

Theaters, movies (Multi-screen): 1 space for every 3 seats, plus 5 spaces for employees

Per site plan:

Existing Conditions:

146,752 sq. ft. (Shopping Center) / 250 = 587 spaces required
28,128 sq. ft., 1,976 seat (Theater) / 3 seats plus 5 employee spaces = 664 spaces required
TOTAL REQUIRED (Current LDC Requirements) = 1,251 spaces
TOTAL EXISTING = 1,075 (1,251 spaces – 1,075 spaces = Deficient 176 spaces)

Proposed (First Phase Theater Renovation of 48 seats):

169,586 (22,826 addition) sq. ft. (Shopping Center) / 250 = 678 spaces required
28,128 sq. ft., 1,928 seat (48 seat reduction) / 3 seats plus 5 employee spaces = 648 spaces req.
TOTAL REQUIRED (Current LDC Requirements) = 1,326 spaces
TOTAL PROPOSED = 1,151 (1,326 spaces – 1,151 spaces = Deficient 175 spaces)
This is a one space reduction (176 – 175 = 1) of the parking non-conformity from the existing conditions.

Proposed (Total Theater Renovation):

169,586 (22,826 addition) sq. ft. (Shopping Center) / 250 = 678 spaces required
28,128 sq. ft., 1,729 seat (247 total seat reduction) / 3 seats plus 5 employee spaces = 581 spaces req.
TOTAL REQUIRED (Current LDC Requirements) = 1,259 spaces
TOTAL PROPOSED = 1,151 (1,259 spaces – 1,151 spaces = Deficient 108 spaces)
This is a 68-space reduction (176 – 108 = 68) of the parking non-conformity from the existing conditions.

The first phase of the theater remodeling shall occur prior to the Certificate of Occupancy/Completion of the shopping center expansion area (22,826 sq. ft.). Thus, the parking condition deficiency for this site will be reduced by one space at the time of the first phase of the theater remodeling and 68 spaces once the entire theater is remodeled from the existing conditions.

LOADING SPACE (ZONE):

The project meets or exceeds the loading space requirements of the Destin Land Development Code as indicated on the approved plans.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT

None.

IMPACT FEES:

The following impact fee amounts may be subject to change. Final impact fee amounts will be determinant upon 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:

Police Protection: The police protection impact fees were calculated using the “Non-residential – U.S. 98 Corridor Retail per 1,000 sq. ft. = \$47.59.”

Retail:

$$(22,826 \text{ sq. ft. expansion} \times \$47.59) / 1,000 = \$1,086.29$$

Total for Police Protection: \$1,086.29

Road: The road impact fees were calculated using the “Retail under 100,000 sq. ft. (per 1,000 sq. ft.) = \$3,702.00.”

Retail < 100,000 sq. ft. (per 1,000 sq. ft.):

$$(22,826 \text{ sq. ft. expansion} \times \$3,702.00) / 1,000 = \$84,501.85$$

Total for Road: \$84,501.85

Parks:	=	0
Public Library: (not applicable)	=	0
Police Protection:	=	\$1,086.29
Roads:	=	\$84,501.85
TOTAL:	=	\$85,588.14

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:

City Traffic Consultant:	\$281.16
City Compatibility Consultant:	Paid
City Surveyor:	N/A
Re-Review Fees (Community Dev.)	Paid
Re-Review Fees (Engineering Dept.)	Paid
Administrative Costs:	Paid
Planning Commission Advertising:	Paid
City Council Advertising:	TBD
TOTAL (as of 1/27/03) =	\$281.16 (Subject to change)

COMMENTS/CONDITIONS:

Public Input:

No public comments have been presented to staff at the time of this report.

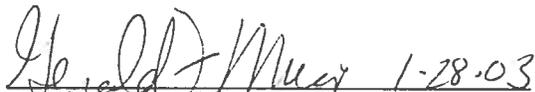
Per Community Development Department:

1. **Prior to the issuance of the Development Order**, all outstanding costs associated with this project that are owed to the City must be paid in full.
2. **Prior to the issuance of a Clearing/Grading Permit**, the clearing/grading plan must be submitted and approved by the Community Development Department.
3. **Prior to the issuance of a Certificate of Occupancy**, all applicable impact fees must be paid.
4. **Prior to the issuance of a Certificate of Occupancy**, the landscaping and outdoor lighting must be inspected and approved by the Community Development Department.
5. **Compatibility Analysis Conditions:**
 - A. The existing and proposed development generates noise from internal traffic circulation and delivery/service vehicles that is distinctly different from the noise levels occasioned in the residential area abutting the site to the north. This noise must be mitigated by requiring the applicant to maintain the six (6) foot privacy fence along the north boundary of the subject property.
 - B. No outdoor lighting plan has been submitted. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans 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. The source of illumination shall not be visible from off-site.

6. Any additional revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may be subject to a compatibility analysis if required pursuant to provisions stated within the approved Development Order, the Comprehensive Plan [Policy 7.A.4.6 (p)] and Land Development Code [LDC, §7.09] or if necessary as agreed upon by the City and the applicant prior to the issuance of the final development order.

Per Engineering Department:

1. The project is in the White Sand Zone II. Any red clay or other staining material uncovered during demolition must be removed from the site within 92 hours of uncovering. Prior to importing any fill material on the site, provide a sample of the fill to the City of Destin Environmental Officer for approval for White Sand Zone II use.
2. The first phase renovations to the theater shall be completed and obtain a Certificate of Completion prior to obtaining a Certificate of Occupancy on the retail addition.
3. **Prior to obtaining a Certificate of Occupancy**, the stormwater management facilities require some maintenance (clean out catch basins and piping & repair inlet in back southwest corner of the southeast building) and shall be inspected certified by engineer of record.
4. **Prior to obtaining a Certificate of Occupancy**, the Stormwater Maintenance Plan shall be acknowledged and signed by the owner. This plan shall include but not be limited to the following: This system will require periodic maintenance for continued proper operation. This will include, as a minimum: a) removal of silt and debris from surface infiltration areas and catch basins, and b) maintenance of vegetative cover in surface infiltration areas. Owner shall regrade swale/retention areas as required to maintain approved design cross-section(s), line(s), and grade(s).


Gerald F. Mucci, AICP Date 1-28-03
Community Development Director


Shanri Holdings Corp. Date 3/4/03
Owner
~~Leon A. Berlin~~ ALTON R. BROWN III
~~President~~ VICE PRESIDENT

COMPATIBILITY ANALYSIS: DOWNTOWN DESTIN SHOPPING CENTER A MAJOR DEVELOPMENT: SP-02-47

FOR CITY OF DESTIN, FLORIDA

PURPOSE OF THIS REPORT

This Compatibility Analysis addresses redevelopment and expansion of the Downtown Destin Shopping Center. The proposed redevelopment includes the addition of 22,816 square feet of retail space on a 20.07 acre site located northwest of the intersection of U.S. 98 Highway and Main Street within the Community Redevelopment Area. This report addresses the compatibility of the proposed expansion 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 [Policy 7.A.4.6 (p)]; 2) analyzes whether the proposed development complies with those requirements; and 3) provides an opinion regarding the compatibility of the proposed additional storage units with the surrounding area.

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's 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 consistent with accepted planning principles and practices.

The LDC 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 LDC 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.

DESCRIPTION OF SURROUNDING AREA

The surrounding properties are as follows:

LOCATION RELATIVE TO SUBJECT SITE	FUTURE LAND USE	ZONING	EXISTING LAND USE
North	MDR and Commercial	BT and RIA	Post Office and medium density residential
South	Commercial	BT	Old Destin Bank and fast food restaurants
East	Commercial	BT	New Destin Bank and Shores Shopping Center
West	Commercial	BT	Vacant land and site of future mini-warehouse

ANALYSIS OF COMPATIBILITY

A. Type of Land Use, Zoning District, and Land Use Category.

SUBJECT SITE	FUTURE LAND USE	ZONING	PROPOSED LAND USE
Existing shopping center	Commercial	BT	Retail shopping center, including restaurants, specialty stores, and a cinema.

Retail sales is a permitted use within the “Commercial” Comprehensive Plan Future Land Use Map (FLUM) designation provided the intensity of the use complies with the height, area, and bulk restrictions of the Land Development Code [Section 7.A.4.6 (m), Destin Comprehensive Plan]. Such uses also are permitted uses within the BT zoning district [Section 7.12.01(I)(1)(a), LDC]. Retail land uses are consistent with the Comprehensive Plan and LDC provided compatibility criteria are met.

B. Location of Structure, Dimensions, Height, and Floor Area Ratio.

The shopping center and proposed addition have a substantially differing land use, function, and design when contrasted with the residential land designated “MDR” that directly abuts the property to the north. The purpose of this compatibility analysis is to ensure that the proposed development, including will not negatively impact neighboring residential properties. In addition, the analysis is intended to prevent any nuisance impacts occasioned by noise, glare, odor, traffic generation, or other negative impacts that may be generated by the shopping center. In order to accomplish the intent of the compatibility analysis the applicant shall be required to maintain the existing six (6) foot privacy fence.

The proposed development includes a the addition of 22,816 square feet of retail space to a pre-existing shopping center containing 174,880 square feet located on a 20.07 acre site. The proposed overall floor area ratio (FAR) is 0.23 [197,696 sq. ft. of floor area ÷ 874,249 square feet of land = 0.23 FAR]. The floor area ratio is consistent with existing floor area ratios within the vicinity and substantially below the 1.07 maximum FAR allowed within the district.

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

1. **Pedestrian Safety.** The walkway should connect to the sidewalk along the west side of Main Street.
2. **Design of the Parking Facilities and Access Drives.** The City Engineer and Community Development Department shall address these issues.
3. **Service Areas.** The City Engineer shall address this issue.

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

1. **Traffic Generation.** This analysis does not address traffic generation and related impacts.
2. **Noise Levels.** The existing and proposed development generates noise from internal traffic circulation and delivery/service vehicles that is distinctly different from the noise levels occasioned in the residential area abutting the site to the north. This noise can be mitigated by requiring the applicant to maintain the six (6) foot privacy fence along the north boundary of the subject property.
3. **Outdoor Lighting.** No outdoor lighting plan has been submitted. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans 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. The source of all illumination shall not be visible from off-site.

E. Alteration of Light and Air. The plan does not alter light and air.

F. Setbacks and Buffers. Sections "B" and "D (2)" address the need for the maintenance of the fence along that portion of the north property line abutting the "MDR" designated residential property.

OPINION. The site plan complies with the City of Destin Comprehensive Plan Policy 7.A.4.6 (p) and Section 7.09.01 of the LDC, subject to compliance with the following conditions:

1. **Location of Structure, Dimensions, Height, and Floor Area Ratio.** The applicant shall be required to maintain the existing six (6) foot privacy fence along the north property line pursuant to comments herein under Section B and D (2).
2. **Location and Extent of Parking, Access Drives, and Service Areas.**
 - a. **Pedestrian Safety.** The walkway should connect to the sidewalk along the west side of Main Street.
 - b. **Extent and Design of Parking Facilities and Access Drives.** The City Engineer and Community Development Department shall address these issues.
 - c. **Service Areas.** The City Engineer shall address this issue.

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

- a. **Traffic Generation.** This analysis does not address traffic generation and related impacts.
- b. **Noise Levels.** The existing and proposed development generates noise from internal traffic circulation and delivery/service vehicles that is distinctly different from the noise levels occasioned in the residential area abutting the site to the north. This noise must be mitigated by requiring the applicant to maintain the six (6) foot privacy fence along the north boundary of the subject property.
- c. **Outdoor Lighting.** No outdoor lighting plan has been submitted. Prior to installing any outdoor lighting, the applicant must first submit plans for such outdoor lighting to the City for review and approval. The plans 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. The source of all illumination shall not be visible from off-site.

4. **Setbacks and Buffers.** See Section "1" above.

Any future revisions to the site plan must be reviewed and approved by the appropriate Technical Review Committee members and may 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].