



THE COUNTY OF ESCAMBIA
PENSACOLA, FLORIDA

SITE PLAN DEVELOPMENT ORDER
with Concurrency Certification

Project: Denny's Restaurant
Location: 535 W. Nine Mile Road
Property Reference #: 10-1S-30-1102-000-040
Flood Zone: X

Future Land Use: C
Zoning District: C-2
Development Review #: 07031270

PROJECT DESCRIPTION

Development of the 0.92-acre Parcel "D" of Home Depot Center commercial subdivision (PB 18, Pg 18 & 18A) for a 3976 sq.ft. restaurant with a minimum of 35 paved parking spaces. The restaurant will share access to the Home Depot Center's internal drive aisles with an adjoining parcel and will have indirect access to surrounding public streets through the center's paved driveways on Nine Mile Road, Fowler Avenue, and Untreiner Avenue. The existing subdivision stormwater management system will accommodate the site impervious cover. Eight "protected" trees will be removed from the site, with one replacement tree provided on-site and the remainder provided through payment to the county tree fund. Frontage trees, parking lot trees, and other required vegetation will be provided within site landscape areas. Potable water and sanitary sewer will be provided through connections to ECUA systems.

This project is a revised design of a previously approved site plan (DRC #06121730) for the purpose of reducing the restaurant floor area and decreasing on-site parking. **This County approval voids the Development Order for Denny's Restaurant, approved 2-7-07, and fully replaces the 7-sheet site development plan, its drawings, specifications, and requirements.**

STANDARD PROJECT CONDITIONS

1. This Development Order with concurrency certification shall be effective for a period of 18 months from the date of issuance. Site plan approval and concurrency shall expire and become null and void if a permit for the approved development has not been obtained from the Building Inspections Department (BID) within the effective period and no extension has been applied for. After issuance of such permit, site plan approval and concurrency shall only terminate upon permit expiration or revocation by the BID. The Board of Adjustment may grant one extension for a maximum of 12 months to the original effective period of the Development Order, but application for such extension must be submitted before termination of the initial 18-month period. If the Development Order expires or is revoked, allocated capacity will be withdrawn and made available to other applicants. If the applicant chooses to proceed with development of the project site, a new site plan application must be submitted for review, approval, and capacity allocations subject to Code provisions and Level of Service conditions at the time of the new application.
2. This Development Order alone does not authorize site development to commence. A valid Escambia County Building Permit must be obtained prior to any building

construction. Site development as described on the approved site plan, including protected tree removal and grading, may occur under the authorization of the Building Permit. However, commencement of such activity prior to issuance of a Building Permit will require a separate **Pre-construction Site Work Permit**, or if no Building Permit is applicable will require a separate **Parking Lot Permit**, obtained from the Building Inspections Department, with erosion control, tree protection, and all other provisions of the approved site plan fully applicable and enforced.

3. All specifications and requirements, expressed or implied by note or drawing, in the site development plans approved with this Development Order must be fulfilled.
4. All state and/or federal permits or proof of exemption must be obtained prior to the issuance of an Escambia County Building Permit, with a copy provided to the County.
5. Proof of application from the Emerald Coast Utilities Authority (ECUA) for connection to the sewage system, or from the Escambia County Health Department for an Onsite Sewage Treatment and Disposal System (OSTD), must be obtained prior to issuance of an Escambia County Building Permit.
6. After issuance of this Development Order, it shall be unlawful to modify, amend, or otherwise deviate from the terms and conditions without first obtaining written authorization through the Development Review Committee (DRC) departments. Approval of such modifications shall be requested in writing and obtained prior to initiating construction of any requested change. The applicable review process for the proposed modification shall be determined based on the applicant's written description of such modifications. Escambia County may require submittal of a new or revised plan and impose additional requirements and/or conditions depending upon the extent of any proposed modifications. The applicant has a continuing obligation to abide by the approved plan. Initiating construction of plan modifications without written County approval shall automatically terminate and render null and void this Development Order, and shall be subject to penalties and/or increased fees specified by the BCC.
7. A copy of this Development Order and the approved site development plans must be maintained and readily available on site once any construction activity has begun, including clearing and grading. The approved building construction plans must also be on site once any building construction has begun.

SPECIAL PROJECT CONDITIONS

1. Total Denny's site signage, wall and freestanding, was apportioned by the Home Depot Center's developer from the total signage available to the subdivision. Per the attached Revised Master Sign Plan, Parcel "D" was allocated 110 sq.ft. The developer limited wall signage to 77 sq.ft. and the Land Development Code additionally limits total wall sign area to 10% of the area of wall surface facing Nine Mile Road. Freestanding signage was limited to one 33 sq.ft. tenant space among four panels on the subdivision's primary pylon sign at the northeast corner of Parcel "F". The freestanding sign is also limited to a minimum 10-foot setback from rights-of-way and must maintain visual clearance along rights-of-way and at driveways and intersections. A valid Escambia County Sign Permit must be obtained prior to erecting, constructing, altering, or relocating any site signage.

REVISED HOME DEPOT SUBDIVISION MASTER SIGN PLAN

Overall Zone Lot Development Information

Zone: C-1 & C-2 Acres: 23.78, 8 parcels Property Frontage (Nine Mile Road): 1285 feet
Total Sign Area Allowed: 1927 square feet Total Sign Area Proposed/Allocated: 1603 square feet

Per Parcel Allocation by Developer (based on acres) Note: Allocated parcel wall signage is also limited by actual buildings constructed, with total wall signage for each building additionally limited to 10% of the area of its wall surface facing Nine Mile Road.

Parcel "H", The Home Depot, allocated 498 square feet
Proposed Wall Signs: 302 square feet (variance required for individual wall sign exceeding 200 sq.ft.)
Proposed Freestanding Sign: 196 square feet (major tenant on primary pylon sign)

Parcel "D" allocated 110 square feet
Allocated Wall Sign(s): 77 square feet
Proposed Freestanding Sign: 33 square feet (tenant on primary pylon sign)

Parcel "E" allocated 135 square feet
Allocated Wall Sign(s): 102 square feet
Proposed Freestanding Sign: 33 square feet (tenant on primary pylon sign)

Parcel "F" allocated 110 square feet
Allocated Wall Sign(s): 77 square feet
Proposed Freestanding Sign: 33 square feet (tenant on primary pylon sign)

Parcel "A" allocated: ~~160~~ 215 square feet
Allocated Wall Sign(s): ~~118~~ 152 square feet
Proposed Freestanding Sign: ~~42~~ 63 square feet (tenant on secondary pylon sign)

Parcel "B" allocated: ~~140~~ 165 square feet
Allocated Wall Sign(s): ~~68~~ 102 square feet
Proposed Freestanding Sign: ~~42~~ 63 square feet (tenant on secondary pylon sign)

~~**Parcel "C"** allocated: 110 square feet~~ **Note: Parcel "C" eliminated in partial replat of subdivision.**
~~Allocated Wall Sign(s): 68 square feet~~ **"C" Signage divided between parcels "A" and "B"**
~~Proposed Freestanding Sign: 42 square feet (tenant on secondary pylon sign)~~

Parcel "G" allocated: 370 square feet
Allocated Wall Signs: 272 square feet
Proposed Freestanding Sign: 98 square feet (tenant on secondary pylon sign)

Proposed Primary Pylon Sign



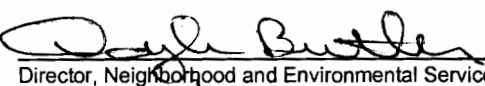
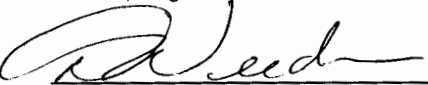
295 square feet per side (4 tenants) and 35 feet overall height, located within sign easement at northeast corner of parcel "F" (variance required for area exceeding 300 square feet or height exceeding 35 feet)

Proposed Secondary Pylon Sign

224 square feet per side (3 tenants) and 26' overall height, located within sign easement on west side of main entrance, parcel "C" (variance required for area exceeding 300 square feet or height exceeding 35 feet)

Development Review Committee (DRC) Final Determination

Having completed development review of the revised **Denny's Restaurant** site plan application referenced herein, in accordance with requirements of applicable Escambia County regulations and ordinances, the DRC members make the following final determinations regarding the specific provisions they are individually charged with administering:

<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 Assistant County Administrator for Planning and Zoning Department	<u>4-4-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 Director, Engineering Department	<u>4-4-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 Director, Neighborhood and Environmental Services Department	<u>4-4-07</u> Date
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Denial	 Director, Building Inspections Department	<u>4-4-07</u> Date

In consideration of the individual determinations of the Development Review Committee members as recorded herein above, the final determination by the Committee for the site plan application referenced herein is:

- Approved All DRC members approved the application. The applicant may proceed with the development subject to the project description and project conditions noted herein. Use other than that described, or conditions not satisfied, constitute a violation of this Development Order and render it void. Further, this approval does not constitute approval by any other agency.
- Denied One or more of the DRC members denied the application. The applicant may appeal the members' decision within 15 days from the date above to the Board of Adjustment (BOA) under the provisions of Section 2.04.00 of the Escambia County Land Development Code, and/or submit a new or revised site plan application for review.

Attachment: Revised Home Depot Subdivision Master Sign Plan, Exhibit A