



Walton County Technical Review Committee Staff Report

July 15, 2020

Project # MAJ20-000005

Project Name: Draper Lake
Planned Unit Development

Applicant: David E. Smith or
James A. Martelli of Innerlight
Engineering Corporation, on
behalf of the D.R. Horton, Inc.

Project Type: A Major
Development Order to be
approved by final order and PUD
Overlay Ordinance.

Location: The project is located
near the intersection of County
Road 83 and County Road 30-A.
Travel west approximately 0.6
miles on County Road 30-A to
Retreat Drive, the subject property
is on the northwest corner.

Commission District: 5

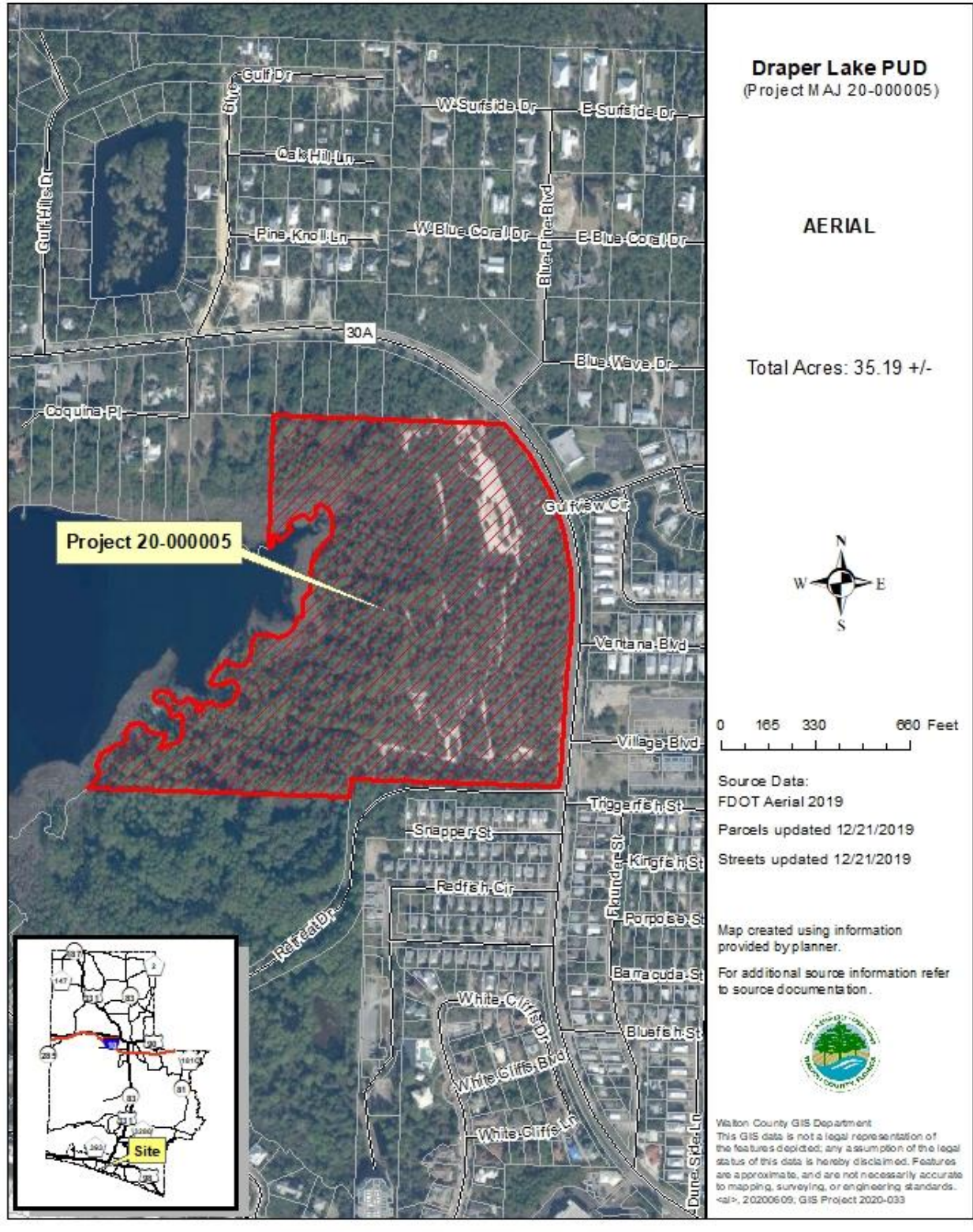
Requested Action: Continue the
project to provide the applicant
and staff ample time to ensure
compliance with the
Comprehensive Plan and Land
Development Code.

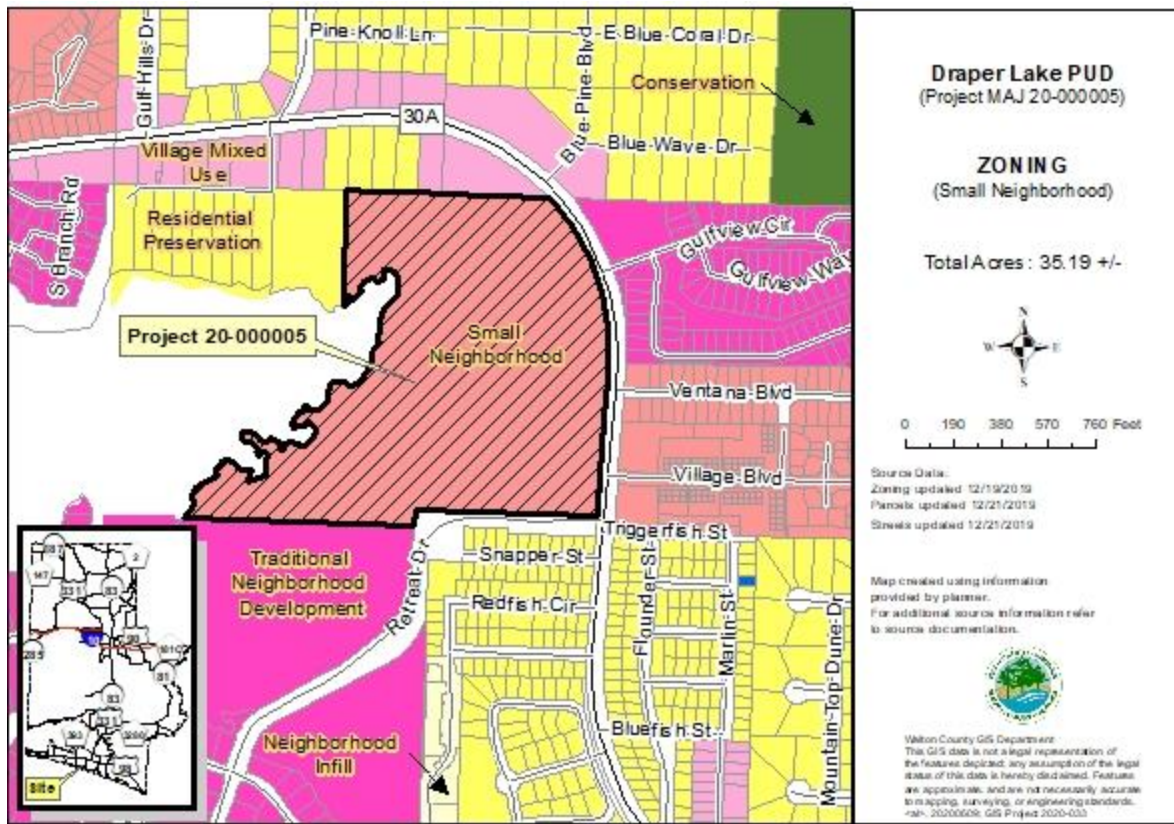
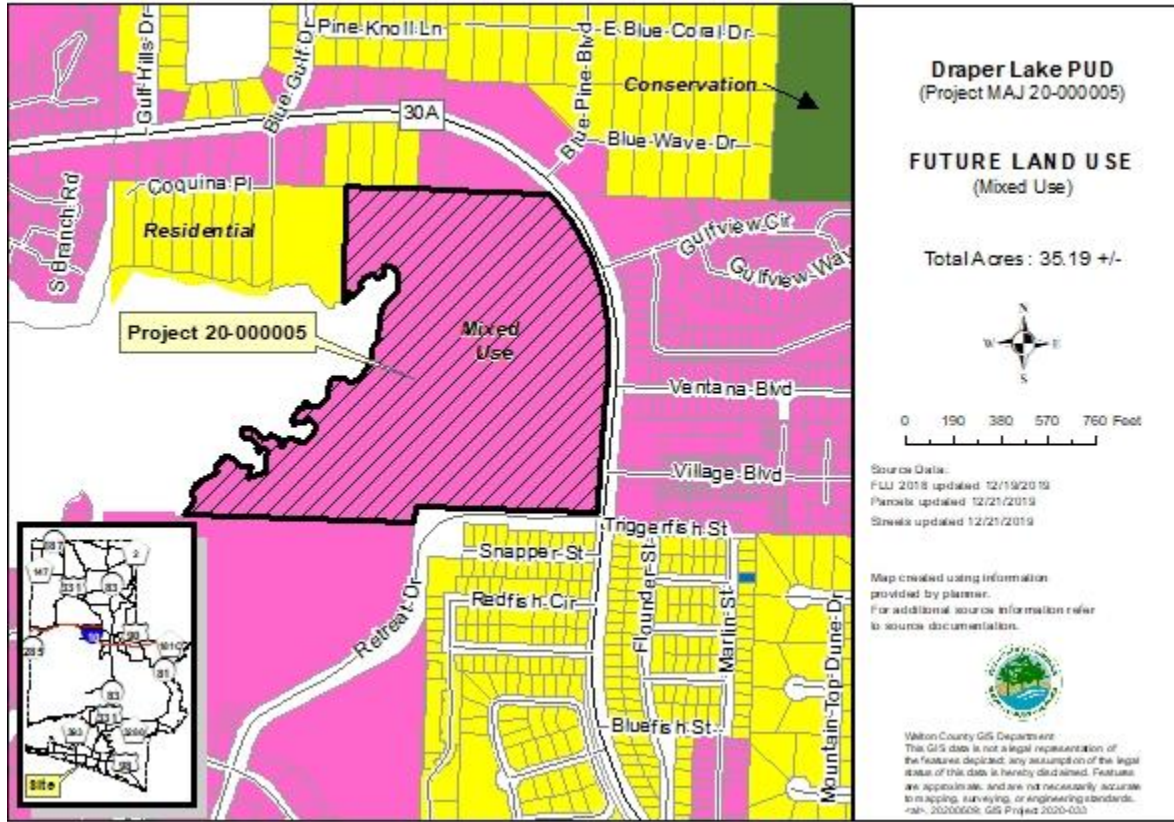
Recommendation: A motion to
continue the project to provide the
applicant and staff ample time to
ensure compliance with the
Comprehensive Plan and Land
Development Code.

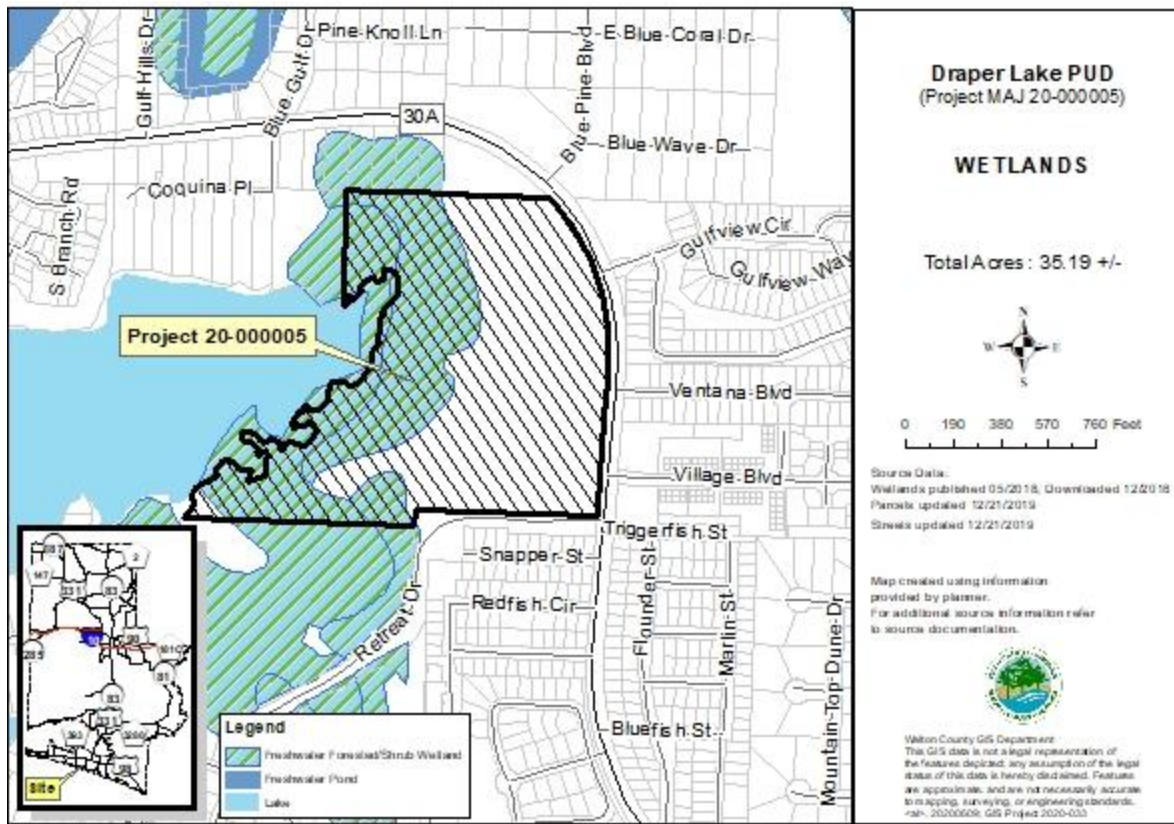
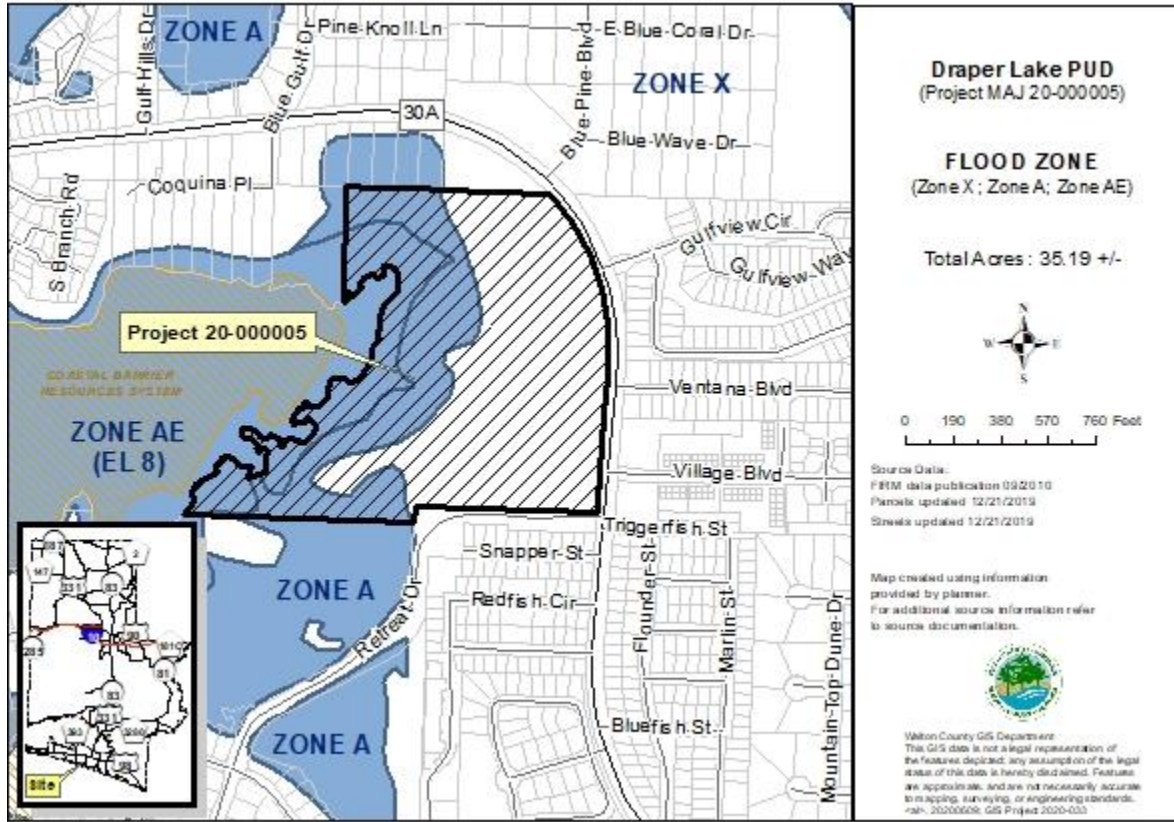
Project Planner: Stephen Schoen,
AICP, Senior Planner

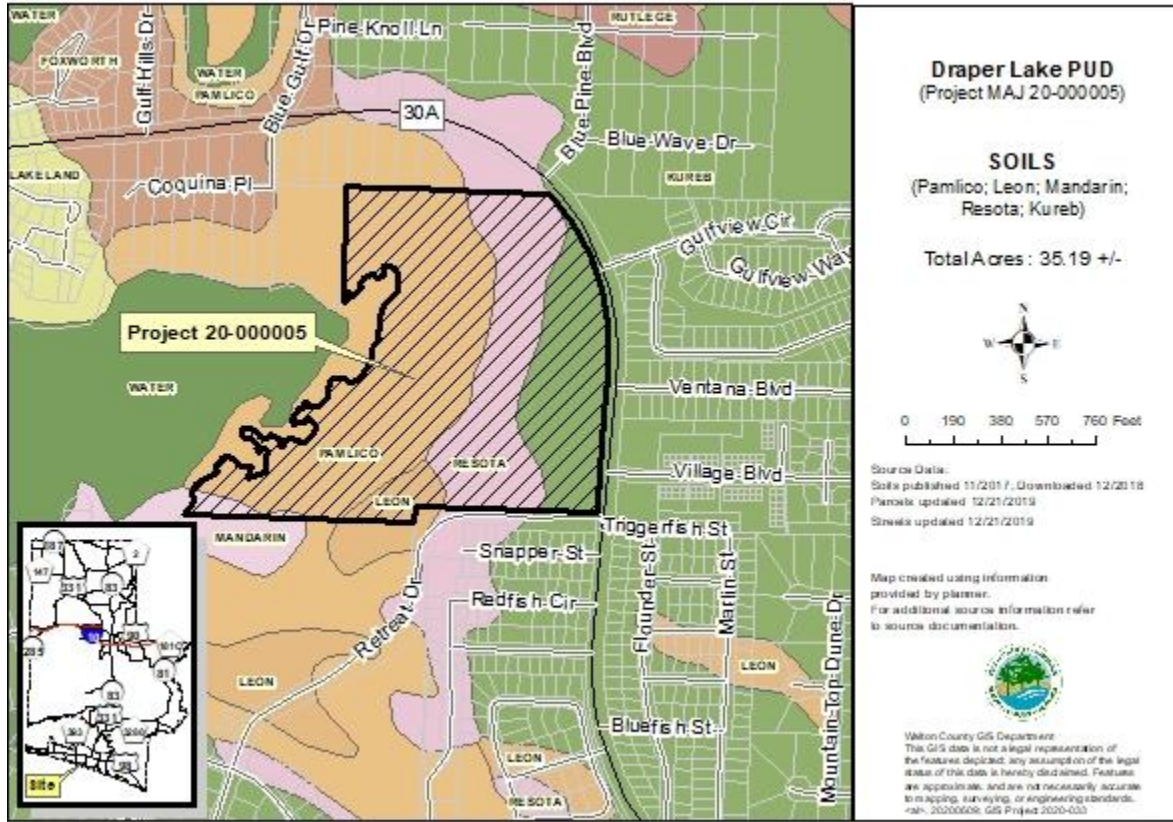
This is a major development order application submitted by David E. Smith or James A. Martelli of Innerlight Engineering Corporation, on behalf of the D.R. Horton, Inc., requesting the approval of a conceptual Planned Unit Development (PUD) Plan and Overlay to construct a primarily residential community consisting of a 138 unit residential tri-plex development with an amenity center, sidewalks and a future neighborhood commercial component, on 35.19 +/- acres with a Future Land Use of Mixed Use and a Zoning designation of Small Neighborhood. The project is located near the intersection of County Road 83 and County Road 30-A. Travel west approximately 0.6 miles on County Road 30-A to Retreat Drive; the subject property is on the northwest corner and is identified by parcel number 01-3S-20-34000-008-0000.











Project Analysis:

Parcel Number - 01-35-20-34000-008-0000

Acreage – 35.19 +/- acres

Density - Required/Allowed: Small Neighborhood (35.19 acres) = Up to Four (4) dwelling units per acre with an additional six (6) units dependent upon applicability of Section 2.02.18(G)(8). Based on the above minimum density, a total of 140 dwelling units could be constructed. (The above figures do not take into consideration the required mixed-use percentages.)

- Provided: 138 dwelling units. 3.99 dwelling units per acre. This figure is based on a development site of 34.55 +/- acres.

Building Height - Maximum Allowed: 50' (4 STORIES); Provided: 32'

ISR - Required/Allowed: Small Neighborhood = 60%; Provided: 17.73%.

FAR - Required/Allowed: 50%; Provided: There is a proposed 6,000 square feet over 0.51 acres (22,215+/- square feet) = 27%

FLU - Mixed Use

Zoning Designation - Small Neighborhood (35.19 acres)

Parking - The PUD documents are proposing the following parking counts:

Residential Parking: 138 (2 – 3 bedroom) dwelling units. Required: 276 spaces; Provided 460 spaces.

Commercial Parking: 6,000 square feet. Required: Varies based on use. Provided (Based on requested deviation) one space per 350sqft. at 18 spaces.

Amenity (Pool) Parking: *Unknown Gross Floor Area*. Required: One space per 200 square feet of floor area.

Previous Actions:

There are no development orders active for this parcel. The property is currently vacant though there appears to be some form of primitive camping or squatting occurring onsite.

TRC Pending.

PC Pending.

Consistency with Land Development Code and/or Comprehensive Plan:

Deviations from the Land Development Code Requested with PUD - The applicant is requesting a number of deviations from the Land Development Code. *Page eight (8) of the PUD documents contains a summary table of the requested deviations*, staff has provided a brief synopsis below:

1. That all technical phases of the Draper Lake PUD be reviewed as a minor development not subject to the public hearing process. The deviation request references LDC Section 1.13.11 for Major Development Orders and LDC Section 1.13.10 for Minor Development review.
2. That the detailed Draper Lake PUD be reviewed as a minor development order. The deviation request references LDC Section 2.06.02(B)(5).
3. That the setback requirements are removed entirely. The deviation request references LDC Section 5.00.03(A).
4. That the minimum setbacks for "all other primary structures" be reduced as follows: Front - from 25' to 5'; Rear - 20' to 5'; Side - from 10' to 5'. The applicant proposes a 25' setback adjacent to CR 30A. The deviation request references LDC Section 5.00.03(A).
5. That the minimum 5% Commercial use requirement be applied to the development area instead of the total site area. The deviation request references Section 2.02.18(G)(4).
6. That the minimum 10% interior planting of surface parking areas be waived entirely. The deviation request references LDC Section 5.01.02(B)(1).
7. That the tree island requirement at a maximum of 10 parking spaces in a row be waived entirely. The deviation request references LDC Section 5.01.02(B)(2).
8. That the required commercial parking, which varies dependent upon the use, be reduced to (1) space per 350 square feet of floor area regardless of the use(s) contained in the development. The deviation request references Section 5.02.02.

There are no known code violations or fees on the subject property, as confirmed by email correspondence from the Walton County Code Enforcement, dated February 13, 2020.

Unless other evidence is presented to the contrary, once all staff comments have been satisfied, the requested development should meet the requirements of the Walton County Comprehensive Plan and Land Development Code.

Comprehensive Plan Objective L-1.19: Planned Unit Development Overlay

"The County shall promote innovative development plans that conserve natural features of the land, promote compact development, encourage interconnectivity within the development and to the surrounding areas, maximize open space, and include unique design features."

Policy L-1.19.1: To promote innovative planned development, Walton County shall implement the Planned Unit Development Overlay program as follows:

...

(C) The PUD overlay must include unique design features and other regulatory conditions adopted to promote compatibility with adjacent areas including but not limited to:

- 1) Recreational areas. *A pool amenity is proposed on 0.13+/- acres within the conceptual plan. The Small Neighborhood zoning district requires that a minimum of 1% of the development site be dedicated to civic uses.*
- 2) Mixed use development. *The applicant is proposing a primarily residential development with 138 dwelling units, a commercial component on 0.51 +/- acres and pool amenity on 0.13 +/- acres.*
- 3) Buffering. *The conceptual site plan proposes a 20' natural vegetative buffer with an additional, approximately 40' preserved Scrub habitat adjacent to CR 30A within the residential portion and a 25' natural vegetative buffer between the commercial component and CR30A. Additionally, there is a 25' wetland buffer identified throughout the site and a 20' uncomplimentary land use buffer made up of natural vegetation, against a portion of the north west property line adjacent to a residential land use.*
- 4) Landscaping. *The applicant proposes to preserve approximately 40% of the existing scrub habitat. Additional landscaping improvements will be installed throughout the site.*

(D) This overlay district may allow clustering of residential and non- residential densities and intensities to achieve the following:

- 1) Enhance the internal design of the district and its relationship to surrounding uses. *The proposed development does not internally connect to other developments within the district. The PUD is primarily residential in nature and is proposing significant additional buffering from 30A.*
- 2) Maximize preservation of natural features. *The proposed PUD shows the preservation of approximately 40% of the Scrub Habitat onsite. There are no wetland impacts proposed.*
- 3) Protection of threatened or endangered species or species of special concern. *The PUD documents indicate that the site is not native to any threatened, endangered, or special concern species. This statement does not preclude their presence onsite.*
- 4) Common open space. *The conceptual plan identifies 28.12 +/- acres of open space on site. The PUD documents indicate that common open space will be preserved, either through the platting process or within the HOA's covenants and restrictions.*
- 5) At no time shall the overall density and intensity exceed the densities and intensities of the combined underlying land uses or allow a use not included in the underlying land uses. *The PUD documents propose a density of just less than 4 units an acre.*

(E) In addition to the criteria listed above, the County shall adopt land development regulations which require each adopted Planned Unit Development to address the following:

- 1) An integrated plan of development. *The concept plan identifies a 0.51-acre portion of the site for commercial development and 0.13 acres for the pool amenity.*
- 2) The intent of the specific planned unit development. *According to the PUD documentation, "The PUD primarily sets out [to the] preserve the uniqueness of the Coastal Dune Lake and the natural scrub habitats through the design of the triplex units on uplands."*
- 3) Density and intensity. *See the Project Analysis section of this report for the proposed. See Planning and Development Comments below.*
- 4) Permitted uses. *The PUD documents identify a neighborhood commercial use on the proposed commercial site of the development.*

- 5) Access and interconnectivity by car, foot, bicycle, and transit. *The conceptual plan identifies two points of vehicular access to CR 30A with accompanying pedestrian ways that are proposed on both sides of all streets through the development and connect to the existing sidewalk facilities offsite.*
- 6) Trip generation and trip capture. *The PUD documents indicate the developer's responsibility to pay any applicable fees associated with traffic concurrency on adjacent roadways.*
- 7) Identification and protection of environmental features. *The conceptual plan identifies the wetlands and wetlands buffer onsite. It also identifies the areas of scrub habitat that is to remain. The plan does not identify the pre-existing scrub habitat, the Coastal Dune Lake protection zones, nor the dune lake buffer zones. Additionally, the plan should identify that the site is situated within the white sands' protection zone as well.*
- 8) Open space. *The conceptual plan provides for 28.12 acres of open space.*
- 9) Buffering of adjacent uses when necessary. *The applicant has indicated that all buffering requirements will be accomplished through the use of natural conditions.*
- 10) Unique design features. *The applicant has indicated that, "The clustering of the triplex units with 5 garage spaces for each triplex will keep street parking at a minimum. Balconies and patios will allow increased enjoyment of the natural characteristics the site has to offer."*

Staff Comments:

Planning and Development Comments as of February 24, 2020:

A. *Relating to requirements for Conceptual Plan Approval -*

1. The Open Space area provided at 28.12 acres cannot be recreated with the figures provided within the conceptual plan. Please clarify the calculation(s).
2. Subsection (E)(8) on page 16 of the PUD documents refers to a minimum of 25% of the scrub habitat as being conserved as open space. The conceptual plan refers to 39.1% of the scrub habitat not being impacted. There are 12.46 acres of scrub habitat, 25% is 3.12 acres not 4.87. Please clarify how much scrub habitat will be impacted and preserved.
3. Please provide the projected timeframes for the various development phases as identified within the Conceptual Plan. The response letter provided with the resubmittal, outlines the projected time frames, they are not however identified within the PUD application.
4. Clarify how the number of parking spaces for the amenity was calculated. The code requires 1 space per 200 square feet of gross floor area. Gross floor area for a pool facility includes the pool, pool deck including any additional seating area, and any other covered areas.

B. *Relating to Zoning and Land Use: Small Neighborhood and PUDs.*

1. Small Neighborhood projects shall submit a detailed plan to demonstrate effective alternatives to buffering and separation of land uses. Please provide additional information on how the development will seek to affectively mix uses. This may be accomplished within the technical review phase of the PUD.
2. The Small Neighborhood zoning district requires 1% of the development project area to be devoted to civic, recreational, or community facilities. 1% of 35.19 acres is .35 acres.
3. The private pool amenity will not count as credit toward the recreational fees due at platting.

4. The Comprehensive Plan requires unique design features as an integral component of Planned Unit Developments.
 - a. Due to the nature of this site, i.e., the proximity to the Coastal Dune Lake, the abundance of wetlands, and the extent of Scrub habitat and in turn the difficulties the developer would face in seeking to develop these delicate areas, the levels of preservation does not appear to be unique on this particular site.
 - b. Sidewalks are required components of residential developments, as are connections to adjacent pathways.
 - c. The roadway design, the building footprints and underground stormwater system, though somewhat distinctive in general, in light of the delicate nature of this property, appear more as mechanisms to stay out of the wetlands and in turn are not considered unique design features.

C. Relating to the Proposed Deviations from the Land Development Code.

1. In regard to the deviation requests concerning the minor development review to forgo the public hearing processes of the technical review components of this project, staff has determined that because of the delicate nature of the site and its degree of importance to the community, it would be a disservice to the public to support this deviation request. The Director does not support this deviation.
2. Please discuss in greater detail the requested 0' setback deviation for the residential structures in relation to Section 5.00.03(A)(1). The applicant's response to staff's initial comments clearly identifies the reasoning behind the deviation request, the PUD documents do not.
3. Please discuss in greater detail the requested 5' setback for the proposed commercial structure in relation to Section 6.10.01(A)(1) of the LDC. Staff concerns remain regarding the compatibility of the neighborhood commercial structure and the adjacent residential structures. Staff does not support this deviation request.
4. Please discuss the requested deviations from Section 5.01.02, in particular, how the proposed commercial development will provide buffering alternatives between uses.
5. In regard to the deviation request from the Small Neighborhood, five percent (5%) commercial area requirement, staff has determined that it would be inconsistent with the intent of the zoning district to allow for the density (residential component) to be calculated based on the entire development site but allow the intensity (commercial component) of the commercial area to be calculated based on the proposed development area only. Staff does not support this deviation request.
6. In regard to the request for no minimum internal parking lot landscaping, this commercial development will be located at the main entrance of the development and will be highly visible from CR 30A. Staff does not support the requested deviation.
7. Please provide additional commentary on the deviation requesting reduced commercial parking. Staff is concerned that the requested reductions in the various parking requirements that would typically apply to commercial development could prove to create insurmountable parking issues at buildout. Staff does not support the requested deviation.

D. General Planning and Development Comments.

1. Additional plantings within any required buffer areas may be needed to satisfy Section 5.01.08 of the Land Development Code.
2. Consider a more Urban design with vertical mixed-use structures adjacent to 30A.

3. Submit a valid water and sewer service availability letter from Regional utilities. The letter on file expired June 15, 2020.
4. Changes to the Concurrency Management System (CMS) have recently been approved and will be applicable as it pertains to the concurrency review of this project.
5. To reiterate and expand upon comment C5 as it relates to the development's entitlements to density and intensity as well as the Code's mixture requirements concerning the civic/recreational uses, it would run counter to staffs current interpretation of the Comprehensive Plan and Land Development Code to allow different portions of the development site to be utilized to calculate the development's responsibilities.
6. Consider placing all portions of the site outside of the lands being utilized for development into a conservation easement.
7. Staff strongly recommends that there be designated golf cart parking and that the Covenants and Restrictions adopted by the association restrict golf cart parking to these designated parking areas only.
8. Any potential preservation buyout is reviewed and approved by the Board of County Commissioners; it is not guaranteed.

E. Development Related Fees.

1. Recreation Fee. To be determined.
2. Preservation Fee. To be determined.
3. Traffic Fee. To be determined.
4. Other, as appropriate.

Emergency Management dated February 6, 2020.

It appears that this is located in Evacuation Zone A.

Engineering and Public Works Comments.

Engineering Comments Pending:

Public Works dated June 9, 2020:

The Walton County Public Works Department has reviewed the engineering plans for the aforementioned project in regard to our area of review, which is typically limited to impacts to the County right-of-way. We have coordinated with the Planning Department's consultant, Dewberry Engineering, with any comments or concerns we have regarding this project and those comments are provided as part of their engineering letter.

South Walton Fire District comments dated June 12, 2020:

The following are comments regarding fire/life safety concerns after review of the site plan:

This proposed project appears to meet our technical review approval at this time contingent on the following:

Fire Hydrants shall be listed /located no more than 500 ft (driving distance) from the furthest firefighter access point on any and all structures.

Dead-end roads more than 150ft shall be equipped with an approved fire department turn around for emergency apparatus. Access roads shall be 20ft unobstructed width.

Access roads shall be accessible to fire apparatus once construction of structures begins.

Once access roads are developed, street signs shall be installed identifying each access road

A more detailed review shall be required for final SWFD approval.

South Walton County Mosquito Control District June 22, 2020:

The South Walton County Mosquito Control District has reviewed the plans for this project regarding its impact on our ability to implement effective mosquito control. Based upon our review, the development does not appear to impact an existing mosquito control ditch. However, should environmental disturbances take place on one of the area's mosquito control ditches, it is understood that all required permits will be in place and that best management practices will be implemented.

Code Enforcement dated February 13, 2020:

There are no active code violations or fees for this parcel.

Environmental comments dated June 18, 2020.

1. There is a documented historic resource shown on the Florida Master Site File on this property (Site ID: WL00836) that was not disclosed by the provided environmental assessment. Provide an archeological assessment and correspondence from the state Division of Historic Resources, Compliance Division, that the archeological site is appropriately considered in the PUD design.
2. Below are the code and comprehensive plan requirements regarding historical resources:
 - a. 4.08.01(A) requires that the applicant notify the Florida Division of Historical resources and shall enter a binding agreement with the County in which the developer agrees to comply with the recommended course of action or mitigation requested by the Division prior to the development order being issued.
 - b. Objective C-1.5: To protect and preserve historic and archaeological resources. The County shall protect and preserve historical and archaeological resources within the County, by regulating development that may impact such resources.
 - i. Policy C-1.5.1: The County shall coordinate with the Division of Historic Resources to establish historic preserves or parks at sites of known historical or archaeological significance.

Flood Plain Management Comments dated June 18, 2020:

The proposed development appears to meet the minimum Floodplain requirements of the Land Development Code.

911 Addressing comments Pending.**Health Department dated November 12, 2019.**

1. Draper Lake conceptual P.U.D. – MAJ20-000005
 - b. The proposal will utilize public water and sewer.
 - c. Any proposed swimming pools may be considered a public swimming pool as per s. 514.011(2) Florida Statutes. Before construction of any swimming pool begins, the pool contractor will need to contact the Walton County Building Department and the Escambia County Health Department to determine if pool needs to be permitted and for approval of pool plans. The Escambia County Health Department phone number is (850) 595-6700. The address for the Escambia County Environmental Health Office is: 1300 West Gregory Street, Pensacola, FL 32501.

Eglin dated February 19, 2020.

No comment.

Walton County School District dated June 10, 2020.

Draper Lake PUD, Permit #MAJ20-000005, is a proposed development with 138 multi-family, triplex homes within the South Walton County School Concurrency Service Area.

To estimate the impacts that proposed projects may have on the School District's educational facilities, the District uses student generation multipliers. The most recent multipliers were developed in 2019. The multi-family units are calculated at an overall 0.08 per unit according to the South Walton County 2019 multiplier. This multiplier is comprised of three smaller multipliers: 0.04 for elementary schools; 0.02 for middle schools; and 0.02 for high schools.

According to the multiplier, if the 138 multi-family, triplex units are developed the total estimated impact would be adding approximately twelve (12) student stations to the School District.

Based on the most recent student enrollment numbers, the current capacity for each school in the south end is as follows:

- ~ Van R. Butler Elementary currently at 104% (nearest elementary school to development)
- ~ South Walton High School at 92%
- ~ Emerald Coast Middle School at 80%
- ~ Dune Lakes Elementary School at 75%

The School District continues to collaborate with Walton County and developers to help address the rapid student growth across the district.

Public Comment:

All public comments received up to June 19, 2020 have been attached and made part of this staff report as Exhibit A.

Conditions of Approval:

1. Satisfaction of Planning and Development Comments subsections (A) and (B).
2. Satisfaction of Environmental comments dated June 18, 2020.

Recommendation:**Review/Approval Process – Next Steps:**

1. Resubmittal
2. TRC
3. Planning Commission
4. PUD Overlay Ordinance
5. Final order (BCC)
6. Development Order