



# Walton County Technical Review Committee Staff Report

March 4, 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

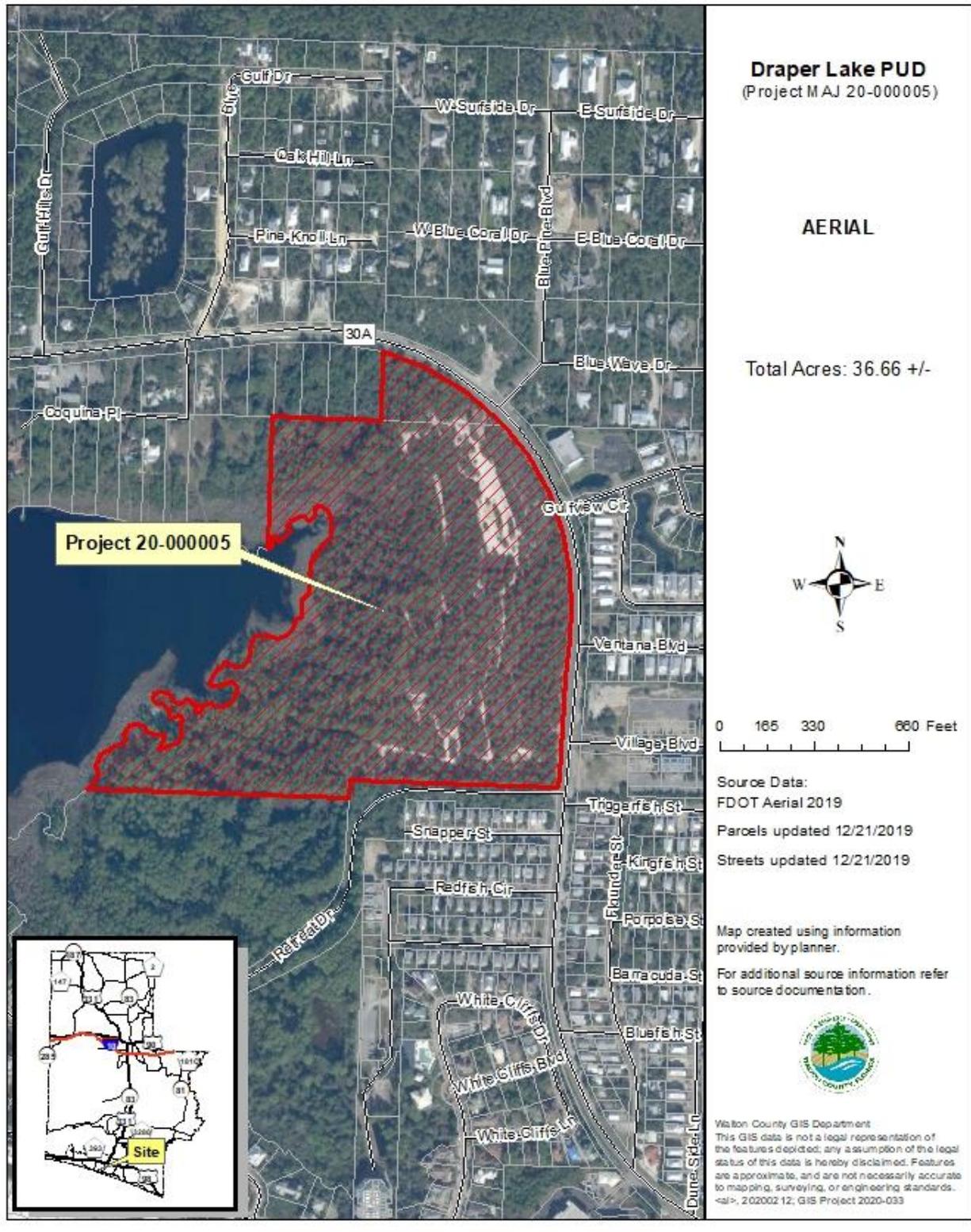
**Requested Action:** A motion to  
continue the project to provide the  
applicant and staff ample time to  
ensure compliance with the  
Comprehensive Plan and Land  
Development Code.

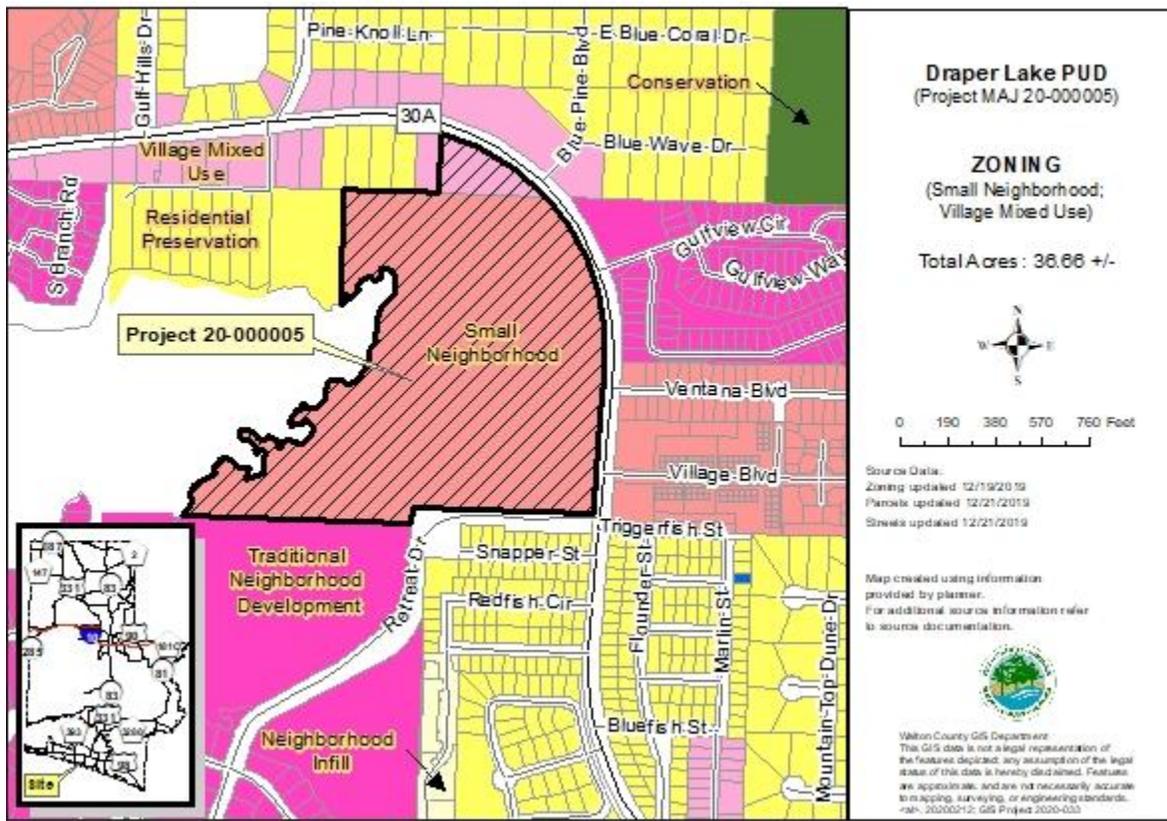
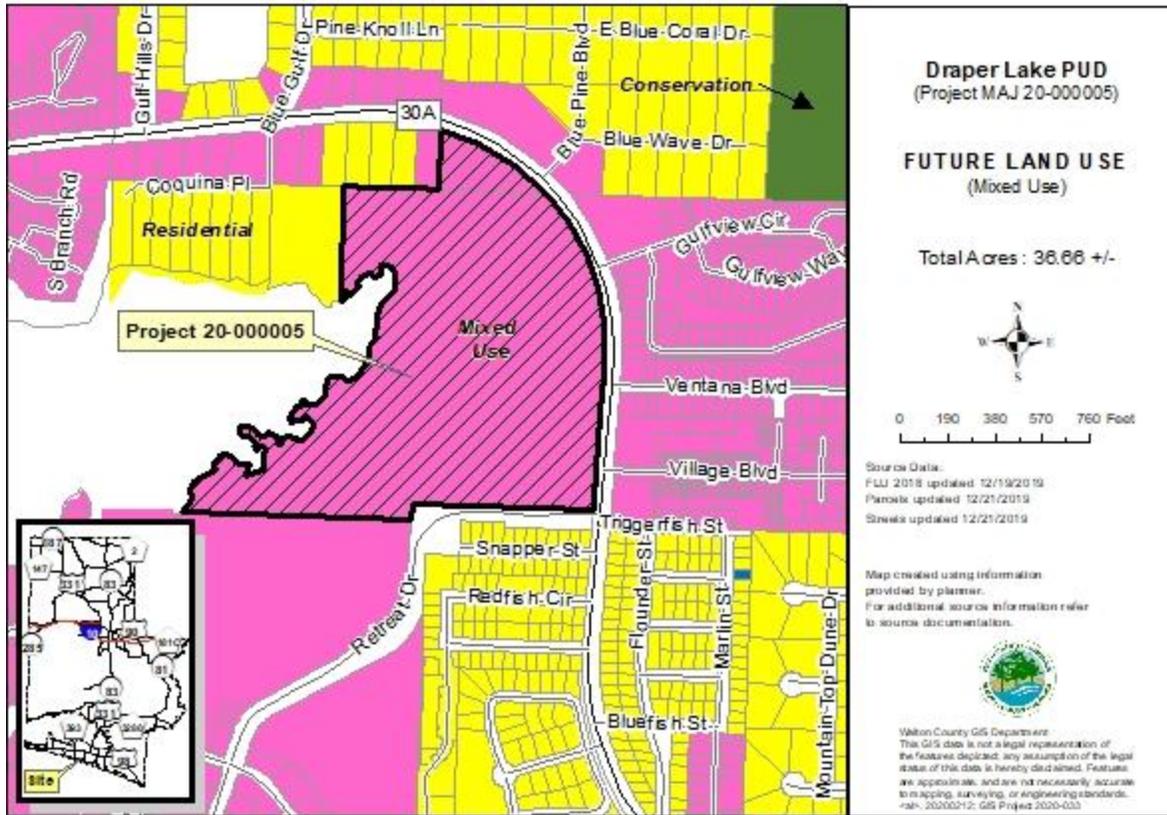
**Recommendation:** A motion to  
continue the project to provide the  
applicant and staff ample time to  
ensure compliance with the  
Comprehensive Plan and Land  
Development Code.

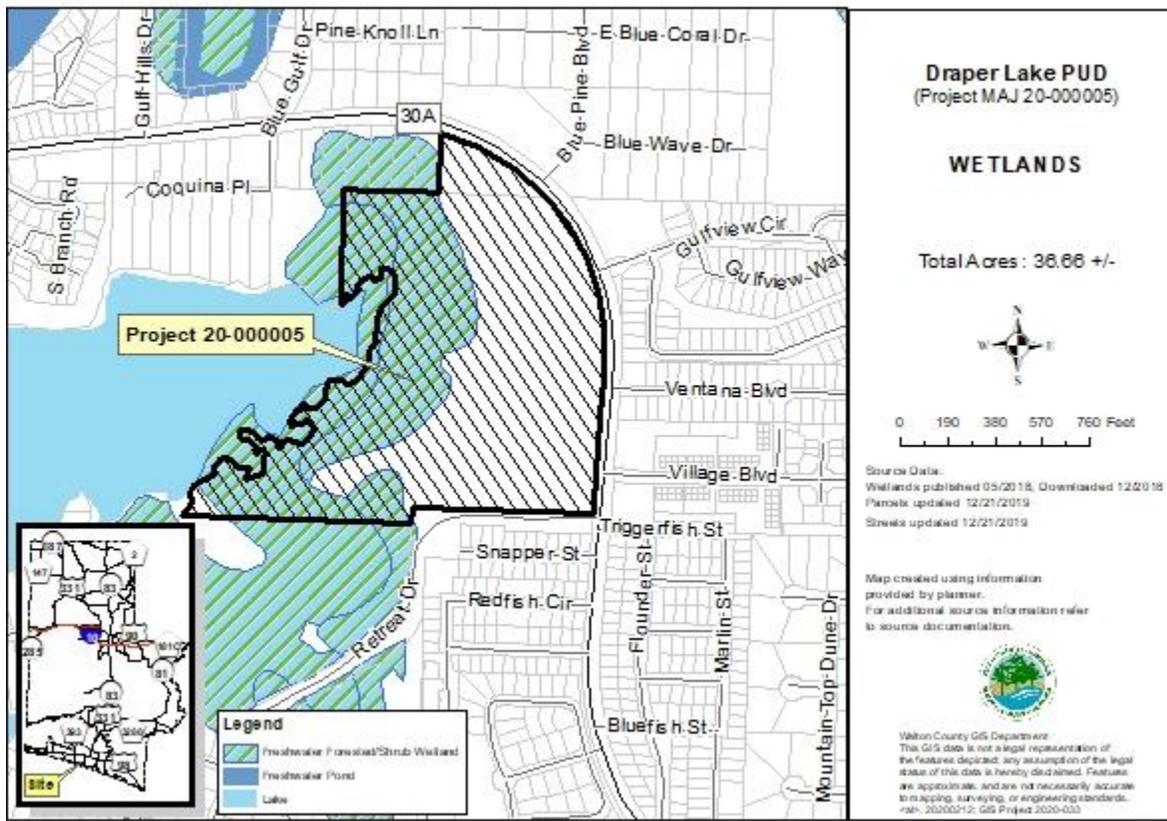
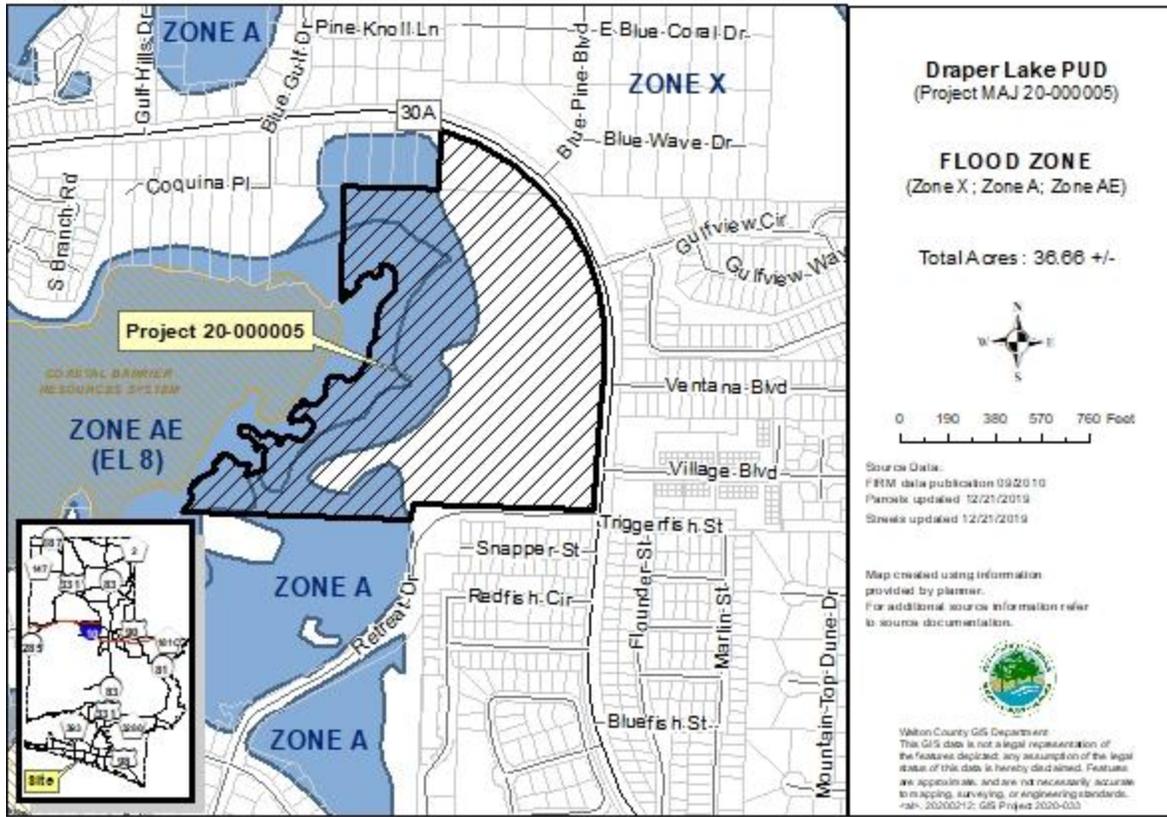
**Project Planner:** Stephen Schoen,  
AICP, Senior Planner

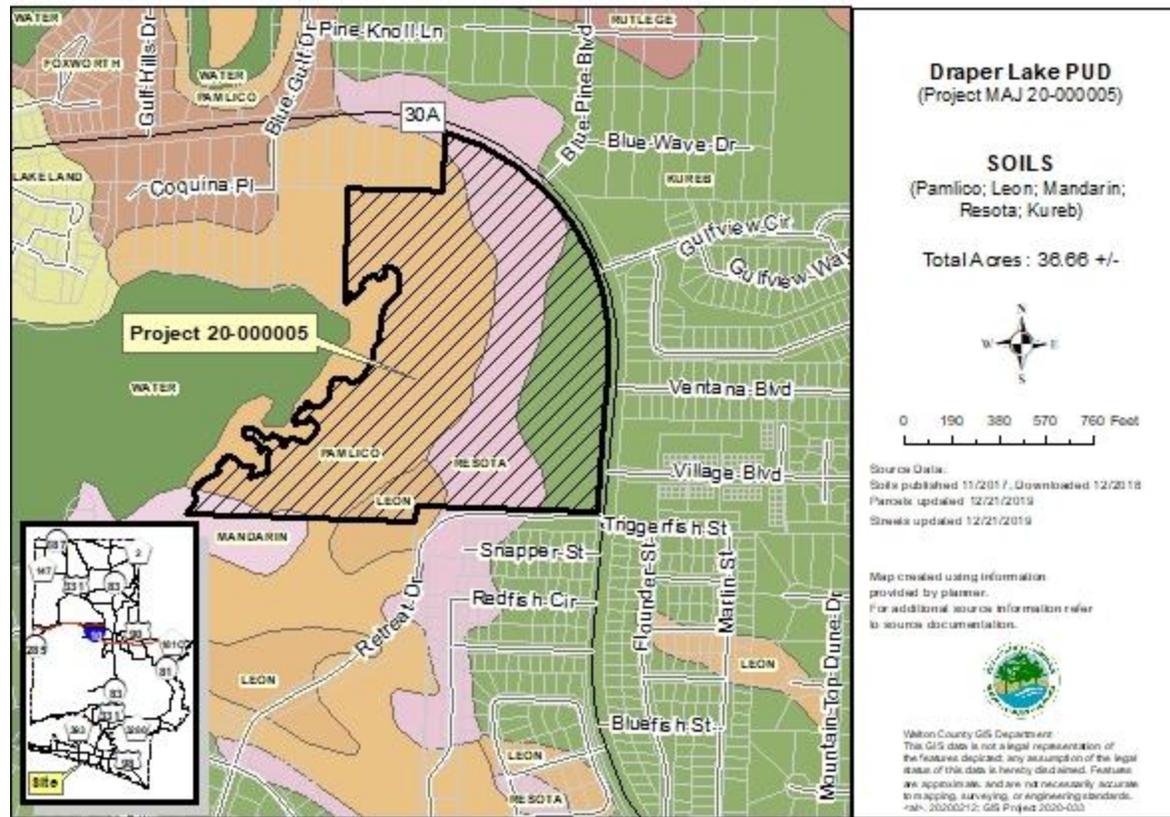
This is a major development order application submitted by David E. Smith or James A. Martelli of Innerlight Engineering Corporation, on behalf of the D.R. Horton, Inc., requesting the approval of a conceptual Planned Unit Development (PUD) Plan and Overlay to construct a primarily residential community consisting of a 186 unit residential tri-plex development with an amenity center, sidewalks and a future neighborhood commercial component, on 36.66 +/- acres with a Future Land Use of Mixed Use and Zoning designations of Small Neighborhood and Village Mixed Use. 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(s) 01-3S-20-34000-008-0000 and 01-3S-20-34030-000-00C0.











### Project Analysis:

**Parcel Number** - 01-3S-20-34000-008-0000 and 01-3S-20-34030-000-00C0

**Acreage** - 36.66 +/- 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); and Village Mixed Use (1.47 acres) = Eight (8) dwelling units per acre. Based on the above minimum allowed density a total of 152 dwelling units could be constructed. If the development is subject to the maximum allowable density of 10 DU/Acre, a total of 363 dwelling units could be constructed. (These figures do not take into consideration the required mixed-use percentages.) *Provided:* 5.07 dwelling units per acre. This figure is based on a development site of 36.05 acres. There is a 0.61-acre area proposed for a neighborhood commercial component.

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

**ISR - Required/Allowed:** Small Neighborhood = 60%; Village Mixed Use = 75%. *Provided:* 20.52%.

**FAR - Required/Allowed:** 50%; *Provided:* Page 18 of the proposed PUD Document calls out a 6000 square foot neighborhood commercial structure; based on the 0.61-acre commercial portion of the site, the FAR is approximately 22.6%.

**FLU** - Mixed Use

**Zoning Designation** - Small Neighborhood (35.19 acres) and Village Mixed Use (1.47 acres)

**Parking** - The PUD documents are proposing the following parking design:

Multi-Family Dwelling:

Efficiency or 1 Bedroom Units = Requesting 1 space / unit.

2-3 Bedroom Units = Providing two spaces / unit.

The PUD documents call out 372 residential parking spaces (186 [2-3 bedroom] units). Additionally, the documents indicate that 310 of the required spaces will be garage spaces while the remaining 62 will go elsewhere.

**Previous Actions:**

There are no development orders active for these parcels. 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 appears to be 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 order. 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 and that the requirement of the one-half foot (1/2') setback for each one foot in height above 36 feet not be required for the exterior buildings and proposes a 20' setback only. 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 10% interior planting of surface parking areas be waived. The deviation request references LDC Section 5.01.02(B)(1).
6. That the tree island requirement at a maximum of 10 parking spaces in a row be waived. The deviation request references LDC Section 5.01.02(B)(2).
7. That the minimum one and one half (1.5) spaces per single bedroom unit in a multi-family development be decreased to one (1) space per unit. The deviation request references LDC Section 5.02.02.
8. That the minimum one (1) space per 200 square feet of floor area as designated for convenience and grocery uses be reduced to the general business and personnel service establishment minimum of one (1) space per 350 square feet of floor area.

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:

- (A) The land development regulations shall create a procedure for the adoption by ordinance of planned unit development overlays to the official Zoning Map, upon application by a landowner or agent, to allow the consideration of unique, innovative, or narrowly defined land use proposals that, because of the specificity of the applied regulatory conditions, can be found compatible with the character of the surrounding land uses and the environmental conditions of the subject land.
- (B) Overlay districts may include all of the uses allowed in the Future Land Use Map Categories of the development parcels but may not exceed the total allowable densities and intensities for each of those uses, other regulatory provisions may be varied as specified within the PUD Ordinance.
- (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 provided on 0.37+/- 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 186 dwelling units, a future commercial component on 0.61 +/- acres and pool amenity on 0.31 +/- acres.*
  - 3. Buffering. *The conceptual site plan proposes a 20' natural vegetative buffer 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.*
  - 4. Landscaping. *The applicant proposes to preserve a minimum of 25% of the existing scrub habitat.*
- (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 should not detract from the surrounding lands which also primarily residential.*
  - 2. Maximize preservation of natural features. *The concept plan does not show any wetland impacts. However, the PUD documents do indicate the possibility of future wetland impacts.*
  - 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+/- 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 5.07 dwelling units per acre. However, the density allowed within the Small Neighborhood district ranges from four (4) dwelling units per acre to, ten (10) dwelling units per acre. Development proposing a density in excess of four (4) units an acre is required to satisfy Section 2.02.18(G) which, among other things, requires a detailed plan submittal identifying screening, building articulation and heights at the edge of the property.*
- (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 0.61-acre portion of the site for future commercial development.*
  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 but also calls out portions of this area as residential area within a different section of the plan.*
  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. Please include the term "Conceptual" on the proposed conceptual plan.
  2. Please ensure that all uses are labeled on Sheet A1.
  3. Section 2.06.02(A)(3) requires building heights to be identified within the conceptual plan submittal. Less than maximum is not sufficient.
  4. Open space is "the amount of the site that is devoted to recreation, resource protection, amenity, and/or landscaped buffers." Sheet A3 identifies the space between the proposed structures as open space. These areas are not devoted to recreation, resource protection, amenity, or landscape buffers. Please correct the labeling and area calculations regarding the open space component of the concept plan.
  5. Please identify all required buffers. Please identify the width of all buffers on the conceptual plan.
  6. Please ensure all portions of the PUD documents and Conceptual Plan coincide with one another. The Plan identifies a 6,000sqft commercial space, as do some portions of the documents. However, there are other areas of the document that indicate the commercial space will be determined during the technical phase. The Code requires parking space counts and ratios for each land use during conceptual plan review, if 6,000 is being proposed conceptually, please ensure that all portions of the plan and documents agree. (See comments relating to the area of the commercial component in subsection B.)
  7. Please provide the required parking for the pool amenity. Identify this area within the Conceptual Plan.
  8. Please provide the projected timeframes for the various development phases as identified within the Conceptual Plan.
  9. Identify all surrounding existing uses, densities and Future Land Use Map categories, including those lands across CR 30A.
  10. Show preservation areas to include acreage and percentages. Any potential buy-out for preservation is reviewed and approved by the Board; it is not guaranteed.
  11. Any potential wetland impacts must be discussed/addressed in greater detail. This could impact the allowable density/intensity of the development site.
- B. Relating to Zoning and Land Use: Small Neighborhood and Village Mixed Use and PUDs.*
1. Please provide additional information relating to buffering of uses, in particular the commercial component and the abutting residential uses to the West.
  2. Please provide additional building articulation and height information.
  3. Please speak more to the pedestrian "scale" of the development within the documents.
  4. The Small Neighborhood zoning district requires 5% of the development project area be devoted to commercial uses. The development project area is 36.66+/- acres, not 12.14 acres. Developable area should not be considered an expression in the calculation. Please address the required commercial area within the Conceptual Plan and PUD documentation to include all applicable calculations/ratios and plan sheets.
  5. The Small Neighborhood zoning district requires 1% of the development project area to be devoted to civic, recreational, or community facilities. A private pool amenity does not satisfy the intent of the Comprehensive Plan or the LDC as it relates to the provision of a mixture of uses. The various required mix percentages reflect uses that can be utilized by the community at large not just the owners within the neighborhood. Additionally, the private pool amenity will not count as credit toward the recreational fees due at platting.
  6. The Small Neighborhood district allows up to an additional six (6) dwelling units an acre provided the development includes a mixture of uses, utilizes a form-based code or urban

design code and undergoes the Planned Unit Development process. Please show/discuss either the form-based or urban design features of this development in greater detail.

7. Please show/discuss how the buildings and landscaping will contribute to the physical definition of streets as public spaces.
8. The Comprehensive Plan requires unique design features as an integral component of Planned Unit Developments. Conservation of the natural characteristics of this specific site is not unique, nor is required parking, regardless of layout. Please show/discuss additional design elements that will set this development apart from similar developments.

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

1. Please discuss in greater detail the requested 0' setback deviation for the residential structures in relation to Sections 5.00.03(A)(1). Staff has concerns about the height of the structures adjacent to CR 30A. Additionally, what would be the "bare" minimum setbacks that will be provided, when considering parking, building separation, etc.
2. 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 has concerns about the compatibility of the neighborhood commercial structure and the proposed residential structure to the West, especially considering the requested deviations from Section 5.01.02.
3. Please discuss the requested deviations from Section 5.01.02, in particular, how the proposed commercial development will ensure compatibility with abutting residential uses without the required parking lot landscaping and the requested 0' side setback for the residential use.
4. Please clarify the requested deviation from Section 5.02.02 relating to proposed one-bedroom units, in particular, the documents indicate that there will only be two- and three-bedroom units.
5. Please provide additional commentary on the deviation requesting reduced commercial parking. In particular, please discuss a "shared parking" concept relating to potential neighborhood commercial uses or other mechanisms for ensuring against parking conflict between neighboring uses. Additionally, any requested deviations from the parking requirements will necessitate additional specificity prior to review/approval.

*D. General Planning and Development Comments.*

1. Show the Coastal Dune Lake Protection zones (CDLPZ) and associated buffers. Additionally, ensure that Section 4.02.03(F), in its entirety, is achieved, i.e., "Vegetative clearing within this preserved area shall be limited to that which is necessary to accommodate the 40 percent impervious development that is permitted."
2. Show the proposed portions of the impacted Scrub Habitat areas and discuss in greater detail how its removal is being kept to a minimum in accordance with Section 4.05.02(B)(2). If the applicant is proposing to remove greater than 50% of the Scrub Habitat onsite, please discuss this removal in consideration of Section 4.05.02(E) – (J).
3. This submittal is Conceptual and though there is additional detailed information being requested by staff, please ensure that the submitted documents do not refer to this plan as "detailed."
4. The PUD documents are calling out an allowable density of 9.77 dwelling units/acre. Please clarify how this figure was calculated.

5. Additional plantings within any required buffer areas may be needed to satisfy Section 5.01.08 of the Land Development Code.
6. Ensure that the Environmental Assessment involves the entire development area.
7. The "future" commercial development timeline must be further defined and construction should coincide with the residential portion of the development.
8. Consider alternative street alignment with Retreat Drive.
9. Consider a more Urban design with vertical mixed-use structures adjacent to 30A.
10. Ensure that all figures, ratios, areas as identified in the conceptual plan and documentation agree, i.e., the commercial area, is it 0.61, 0.56, or 0.55 acres? If the difference in this particular instance is related to the scrub habitat, please include a statement indicating as much when the figures do not align.
11. The proposed ordinance refers to Comprehensive Plan Objective L-1.17 and Policy L-1.17.1. These references are to Scenic Corridor signage while the statements surrounding the reference do not. Additionally, there is already a Section 2.06.06 within the LDC. Please ensure that the proposed ordinance language references the appropriate portions of the Comprehensive Plan and/or Land Development Code.
12. Submit recorded deed(s) on the subject property identifying DR Horton as the current landowners and/or a revised agent affidavit signed by the currently identified property owners as per the Walton county Property Appraiser.
13. Submit a valid water and sewer service availability letter from Regional utilities. The letter on file expires February 29, 2020.
14. 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.

*E. Planning and Development Conditions for Approval.*

1. Provide a mechanism to ensure compatibility between the commercial and abutting residential portions of the site.
2. Provide a Form Based Code or Urban Design Code taking into consideration the entire development project.
3. Provide a commercial component that satisfies the minimum 5% commercial use on the full development site not the developable area.
4. Provide a Civic component that satisfies the minimum 1% Civic use for the development.
5. Provide specific commercial use information and consider limiting the neighborhood commercial uses to those that can operate under a shared parking agreement that would further support the requested parking reductions.

*F. Development Related Fees.*

1. Recreation Fee. To be determined.
2. Preservation Fee. To be determined.
3. Traffic Fee. To be determined.

**Emergency Management dated February 6, 2020.**

It appears that this is located in Evacuation Zone A.

**Engineering Comments dated February 11, 2020.**

The Walton County Public Works Department has reviewed the engineering plans for the aforementioned project in regards 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.

**Transportation Comments dated (Pending as of February 25, 2020).**

**South Walton Fire District comments dated (Pending as of February 25, 2020).**

**South Walton County Mosquito Control District comments dated (Pending as of February 25, 2020).**

**Code Enforcement dated February 13, 2020:**

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

**Environmental comments dated February 25, 2020.**

1. Provide revised EA that includes the northern parcel.
2. Please provide a detailed plan showing the location of the different vegetative species identified in the EA the 300-foot Coastal Dune Lake Protection Zone, and 100 foot shoreline buffer.
  - a. This can be accomplished in an existing conditions page.
3. The site is located within the White Sands Protection Zone. All development shall comply with the requirements of Chapter 4.07.00, Walton County LDC.
4. On site preservation will need to meet the requirements of 4.05.02(E) through 4.05.02(J). Please address these requirements within the PUD.
  - a. A few observations (not a comprehensive list) based on the current conceptual plan provided:
    - i. 4.05.02(H): Natural vegetation located within 10 (10) feet of any proposed structure may not be included in the on-site preservation percentage.
    - ii. 4.05.02(I): For new residential development, in order to utilize the preservation buy out option, all remaining preservation areas must be placed in common areas and defined as such within a recorded subdivision plat and also have appropriate protective restrictive covenant language.

**Flood Plain Management Comments dated February 20, 2020:**

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

**911 Addressing comments dated (Pending as of February 25, 2020).**

**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.

**Public Comment:**

No comments received as of February 25, 2020.

**Conditions of Approval:**

1. Provide a mechanism to ensure compatibility between the commercial and abutting residential portions of the site.
2. Provide a Form Based Code or Urban Design Code taking into consideration the entire development project.
3. Provide a commercial component that satisfies the minimum 5% commercial use on the full development site not the developable area.
4. Provide a Civic component that satisfies the minimum 1% Civic use for the development.
5. Provide specific commercial use information and consider limiting the neighborhood commercial uses to those that can operate under a shared parking agreement that would further support the requested parking reductions.

**Recommendation:**

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

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