



Walton County Technical Review Committee Staff Report

August 5, 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

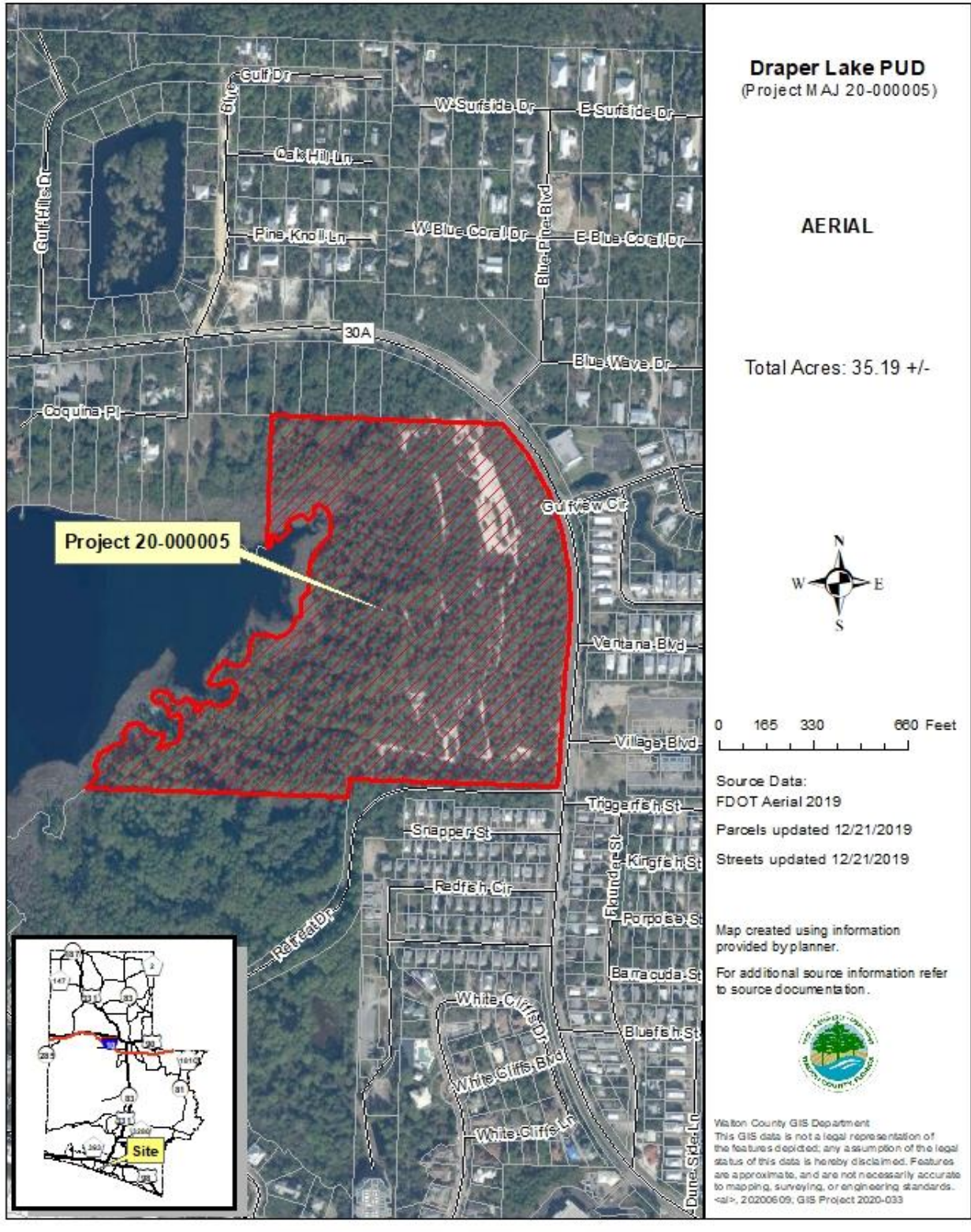
Requested Action: Approval of
the proposed Conceptual Planned
Unit Development to include 138
dwelling units and appurtenances.

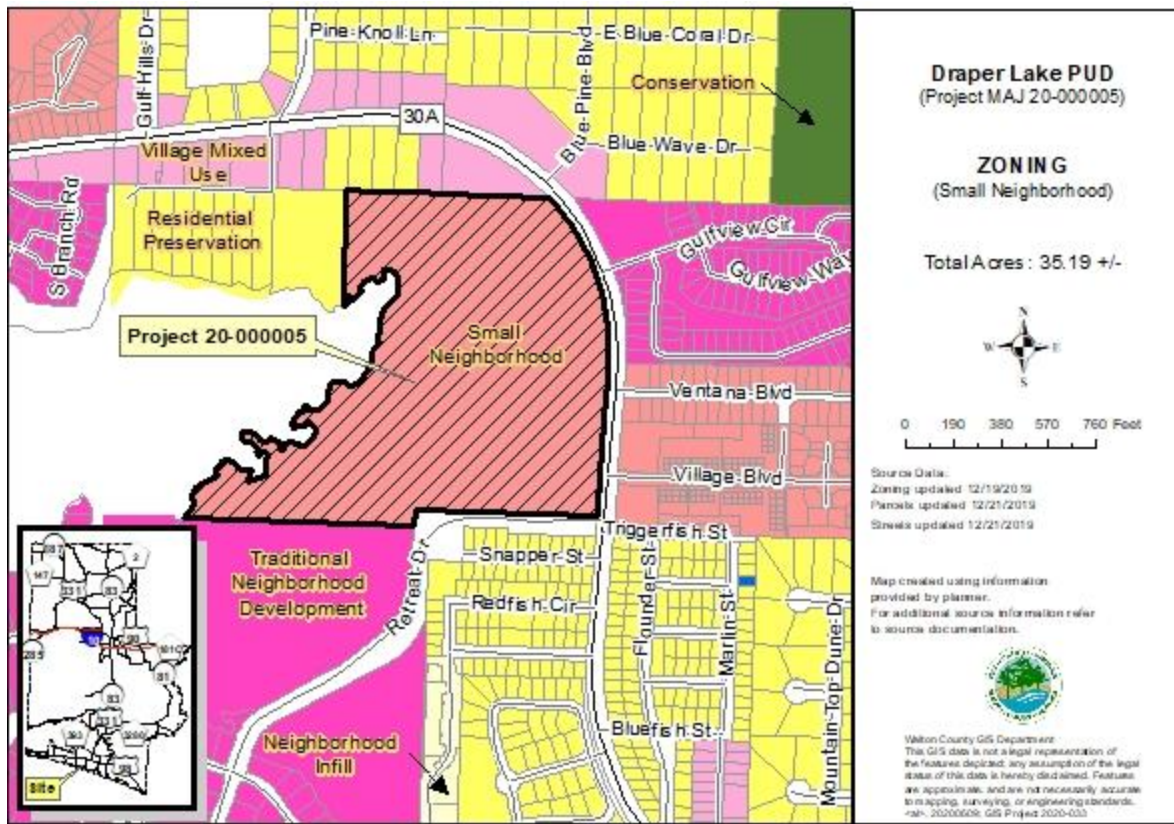
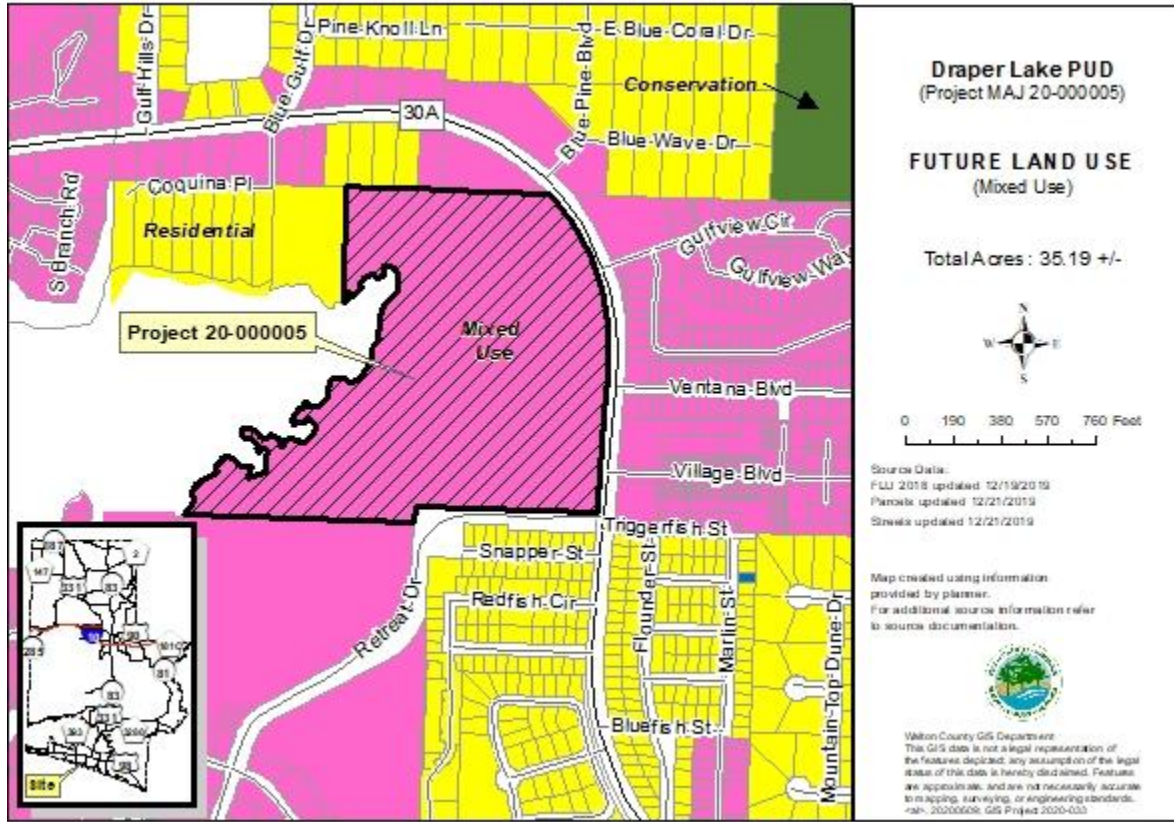
Recommendation: To
conditionally approve the
application and forward to the
Planning Commission.

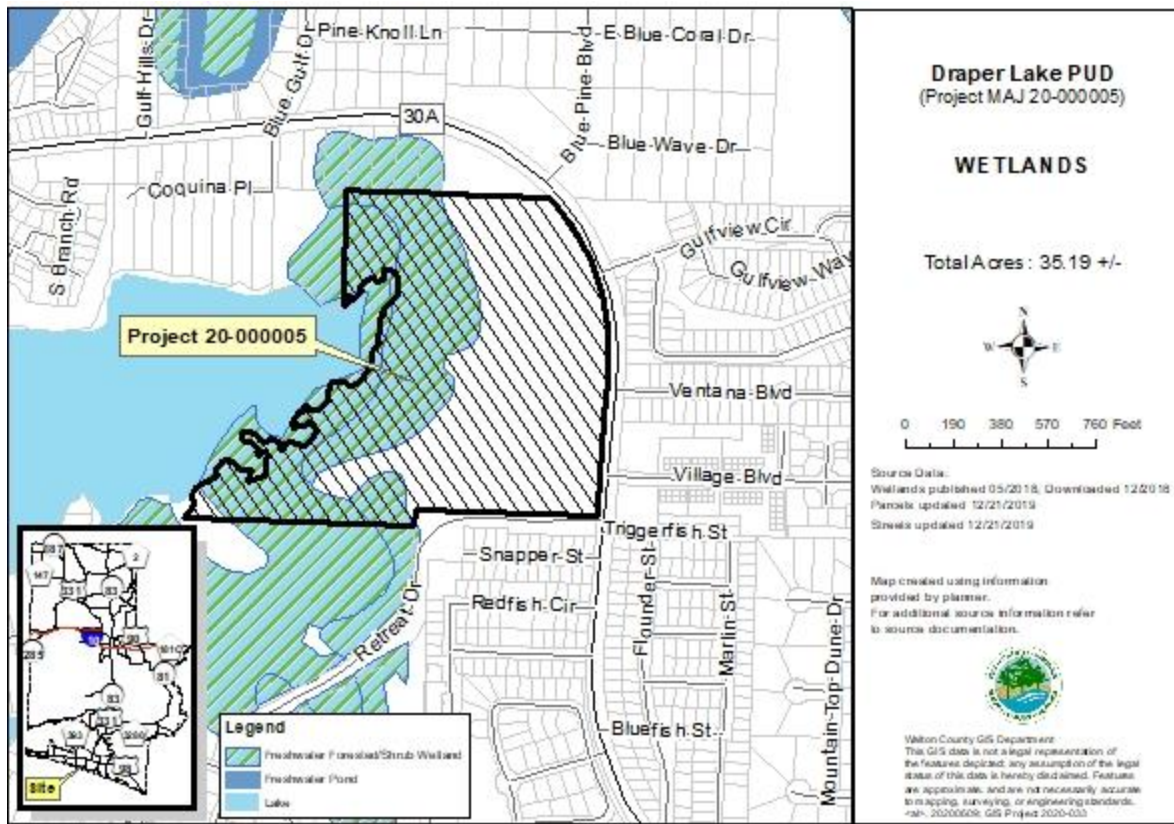
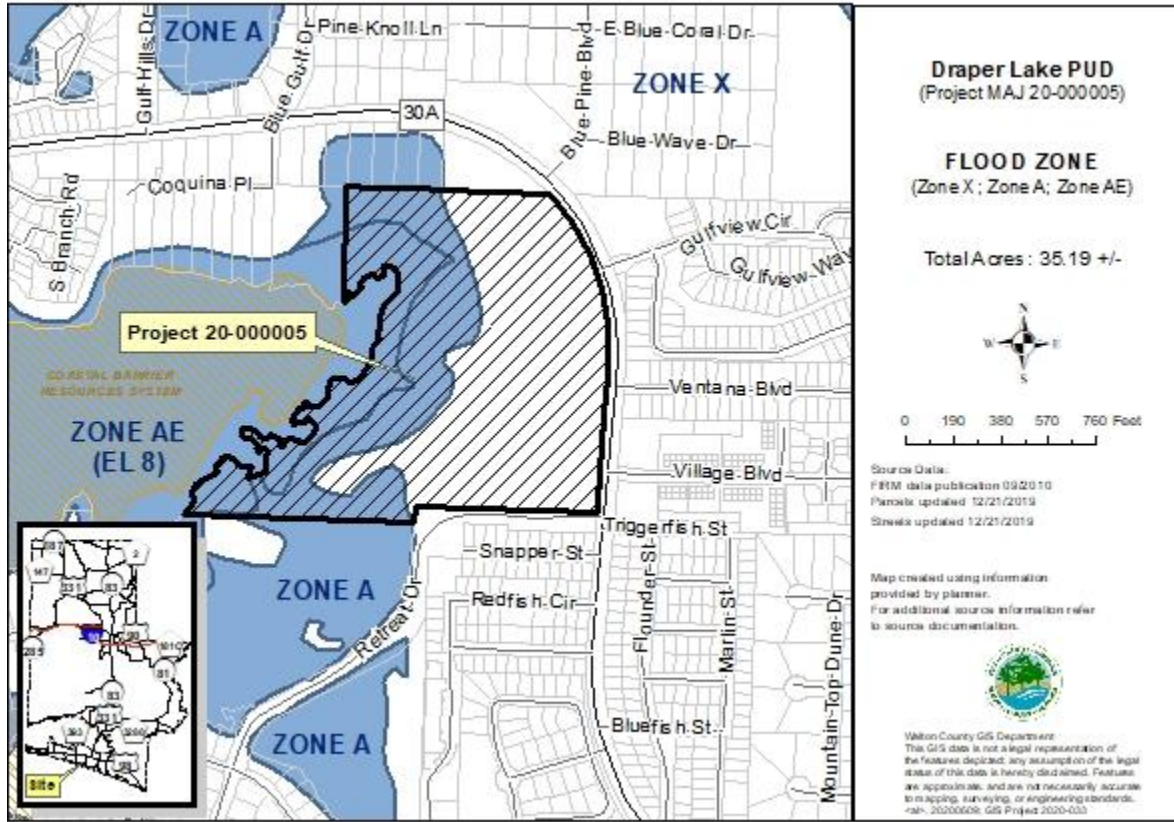
Project Planner: Stephen Schoen,
AICP, Senior Planner

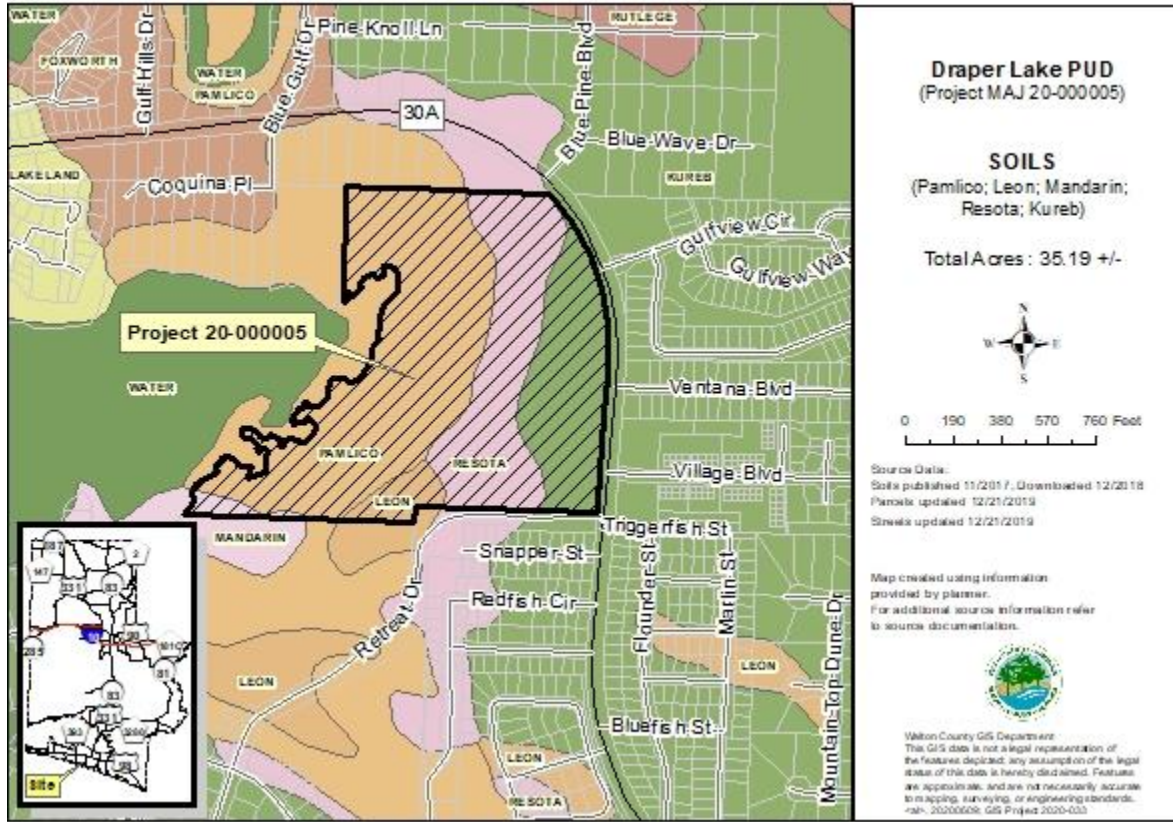
This is a major development order application submitted by David E. Smith or James A. Martelli of Innerlight Engineering Corporation, on behalf of the D.R. Horton, Inc., requesting the approval of a conceptual Planned Unit Development (PUD) Plan and Overlay to construct a primarily residential community 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 - 01-3S-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. 4 dwelling units per acre. This figure is based on a development site of 34.52 +/- acres.

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

ISR - *Required/Allowed*: Small Neighborhood = 60%; *Provided*: 17.86%. (Based on entire site.)

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

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: 7 spaces at one space per 200 square feet of floor area.

Proposed: 10 spaces and 24 golf cart spaces.

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.

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 1% Civic/Recreation use requirement be applied to the development area instead of the total site area. The deviation request references Section 2.02.18(5).
7. That the minimum 10% interior planting of surface parking areas be waived entirely. The deviation request references LDC Section 5.01.02(B)(1).
8. 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).
9. 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. – The following is included as the applicant's response to the Policy requirements:

(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) Recreation: There is 0.16 acre proposed for recreational use with the Planned Unit Development.
- 2) Mixed Use: The site is primarily residential to suit the surrounding area. The commercial use will be 0.51 acre and will be a neighborhood commercial use. This phase of commercial development will consist of small neighborhood uses and will complement the existing overlay district and not disturb through noise or waste what is predominantly a residential community.
- 3) Buffering: The unique layout of the triplexes (as mentioned above) is intended to conserve the natural scrub habitat within the buildable area. There is a 20 FT buffer on the frontage that will remain in its natural state. This will create privacy for the development as well as leave the view of the property undisturbed from County Hwy 30-A.
- 4) Landscaping: The site-specific landscaping efforts will be to preserve 36.46% of the natural scrub habitats.

(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: Surrounding areas are residential in nature. As stated before, the intent is to keep the perimeter natural so that nothing appears different from what exists.
- 2) Maximize preservation of natural features: The PUD succeeds in preserving the Coastal Dune Lake.
- 3) Protection of threatened or endangered species or species of special concern: This site is not native to any threatened, endangered or species of concern for vegetation or animals. Please refer the Environmental Assessment report for more details.
- 4) Common Open Space: Once common space has been established it will be preserved through either the plat process and or will be part of the overall Owners' Association's covenants, conditions and restrictions for future generations to enjoy.
- 5) At no time shall the overall density and intensity exceed the density and intensity of the underlying land use or allow a use not included in the underlying land use. Per Section 2.06.01 of the Walton County Land Development Code, the proposed development will not exceed the allowable density and intensity associated with the zoning district – Small Neighborhood. Please see calculations in (B) above.

(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 PUD will incorporate an allowable amount of neighborhood commercial to keep the residential feel in balance with the surrounding communities.
- 2) The intent of the specific planned unit development: The PUD primarily sets out 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: Please see ratios above. The maximum allowances and the minimum requirements have been met.
- 4) Permitted uses: The neighborhood commercial will be designed during the technical development order process and will comprise of a minimum of 5 % of the development area. Chapter 2.03.00 of the Walton County Development Code defines the various uses that fall under Neighborhood Commercial. This use will be part of the PUD.
- 5) Access and interconnectivity by car, foot, bicycle, and transit: This PUD is strategically located along County Highway 30-A where a public pedestrian / bike path exists interconnecting all

neighborhoods along scenic CR30-A. As well, internal sidewalks will add safety and make vehicle / pedestrian interactivity a non-issue.

- 6) Trip generation and trip capture: The developer will contribute a proportionate fair share of fees if traffic concurrency is not available on adjacent roadways.
- 7) Identification and protection of environmental features: The corresponding protection zones from the Coastal Dune Lake will be delineated and preserved in their entirety.
- 8) Common open space: 36.46% of natural scrub habitat will be conserved as open space. 4.31 acres of natural scrub will contribute to 25.21 acres of total open space proposed.
- 9) Buffering of adjacent uses when necessary: Buffer requirements will be met with existing natural conditions.

Staff Comments:

Planning and Development Comments as of July 24, 2020:

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

1. Comprehensive Plan Policy L-1.1.1(C) requires that density is based on residential area only. As the Small Neighborhood Zoning district requires the Civic/Recreation component, that area cannot be counted as residential area. Please separate the 0.16-acre amenity area from the residential component and correct all data to reflect this separation.
2. The proposed development does include recreational areas, buffering and landscaping, and is a mixed-use development as per the Comprehensive Plan.
 - a. The abundance of environmentally sensitive lands on the property limits the development's size and configuration and though the design of the development is not necessarily unique in that respect, the applicant has proposed features that appear to reduce impervious surface area, infrastructure needs and the applicant is not seeking the full scrub habitat buyout. Additionally, the increased buffers from the 30-A right-of-way and the applicants' proposal to place the entire wetland area of the site into a conservation easement seeks to further satisfy the overall intent of the PUD policy of the Comprehensive plan.

B. *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. Regarding the requested 5' setback on all sides, for the proposed commercial structure. Section 6.10.01(A)(1) of the LDC allows for reduced front and corner lot side yard setbacks. However, staff concerns remain regarding the compatibility of the neighborhood commercial structure and the adjacent residential structures.
3. In regard to the deviation requests from the Small Neighborhood zoning districts' five percent (5%) commercial area and the one percent (1%) requirement. Staff has concerns that allowing the density (residential component) to be calculated based on the entire development site (35.19 acres) while allowing the intensity (commercial area) to be calculated based on the proposed development area (9.98 acres) would be inconsistent with the intent of the Land Development Code.

4. In regard to the request for no minimum internal parking lot landscaping - this commercial component 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.
5. In regard to 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.

C. General Planning and Development Comments.

1. The applicant has proposed placing the entire wetland area (14.98 acres) into a conservation easement and dedicating it to Walton County. This dedication will require further discussion and action outside of technical review.
2. Additional plantings within any required buffer areas may be needed to satisfy Section 5.01.08 of the Land Development Code.
3. Staff strongly recommends that the Covenants and Restrictions adopted by the association restrict golf cart parking to designated parking areas only.
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. Any potential preservation buyout is reviewed and approved by the Board of County Commissioners; it is not guaranteed.
6. The private pool amenity will not count as credit toward the recreational fees due at platting.

D. 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 July 23, 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. All comments have been addressed at this time.

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:

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

2. 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.
3. Access roads shall be accessible to fire apparatus once construction of structures begins.
4. Once access roads are developed, street signs shall be installed identifying each access road
5. 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. The applicant has provided a revised environmental assessment that includes a Phase I cultural resource assessment by Caleb Curren of ArcheologyInk. The assessment found no evidence of cultural resources within the proposed project site. Conditions of approval will be applied at time of technical review of the development.
2. The environmental assessment conclusions section provides old and inaccurate code and comprehensive plan citations regarding the preservation of vegetative communities and coastal dune lake protection zone regulations.
 - a. These code and comprehensive plan citations should be updated or removed from the environmental assessment.
3. The proposed privacy fence location along the upland-most boundary of the secondary wetland protection zone appears to be within 10 feet of the preservation areas. 4.05.02(B)(H) doesn't allow preservation within 10 feet of a structure to be included within the percentage of preserved natural community vegetation identified in order to meet the preservation requirements. A fence is included in the definition of a structure within the glossary of the Land Development Code.

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
 - a. The proposal will utilize public water and sewer.
 - b. 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.

Coastal Dune Lake Advisory Board dated June 17, 2020:

Dear Board of County Commissioners, Planning Commissioners, and Walton County Planning Department Staff:

RE: Draper Lake PUD

The Coastal Dune Lake Advisory Board respectfully recommend that the Draper Lake PUD application no. MAJ20-000005 on Parcel No. 01-3S-20-34000-008-0000 be denied according to Walton County Comprehensive Plan Policy C-1.3, which requires the enhance and improve stormwater management systems to protect water quality in receiving water bodies and limit flooding potential and Policy C-1.7.3, which requires all new development be required to comply with native vegetation preservation requirements.

The Florida Department of Environmental Protection and the US Environmental Protection Agency has an extensive report of non-point source discharges in Florida caused by the applicant for the Draper Lake PUD, DR Horton, Inc. In Walton County alone, there has been 12 documented complaints of violations over the past five (5) years. See attached spreadsheet of violations.

Walton County has also received numerous code case complaints regarding DR Horton, Inc. properties. These cases ranged from clearing preservation areas to illicit discharge on their properties.

The coastal dune lakes are rare and imperiled ecosystem found only in a few locations in the world. The watershed and surrounding ecosystems protect these valuable and vulnerable resources and should be protected as such. Should the proposed project get approved, the watershed and ecosystems of Draper Lake have a risk for being impacted. It is the Coastal Dune Lakes Advisory Board's opinion that the proposed project does not provide the assurances that these types of risks will not occur.

We thank you for considering our recommendations.

Public Comment:

1. All public comments received up to July 27, 2020 have been attached and made part of this staff report as Exhibit A.

Conditions of Approval:

1. Conditions of approval will be applied at the time of technical review of the development.

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

1. Planning Commission – Public hearing
2. PUD Overlay Ordinance – Public Hearing
3. Final order (BCC) – Public Hearing
4. Development Order