

## FEBRUARY 28, 2019 – LAND USE HEARING

The Board of County Commissioners, Walton County, Florida held a Land Use Hearing on February 28, 2018 at 9:00 a.m. at the Walton County Courthouse Annex in Santa Rosa Beach, Florida.

The following board members were present: Commissioner Tony Anderson, Chairman; Commissioner W. N. (Bill) Chapman, Vice-Chairman; Commissioner Danny Glidewell, Commissioner Trey Nick, and Commissioner Melanie Nipper. Mr. Larry Jones, County Administrator; and Attorney Sidney Noyes, County Attorney; were also present.

Chairman Anderson called the meeting to order.

The Quasi-Judicial Hearing was called to order and Attorney Noyes administered the oath to those intending to speak. There were no objections to the advertisements. Attorney Noyes instructed the board to submit any Ex Parte communications to the clerk.

Mr. Mac Carpenter, Planning and Development Director, presented a request to approve by Final Order Bear Creek Phase 3, a Major Development Order application submitted by Morris-Depew Associates, Inc. on behalf of JMB Freeport, LLC. The applicant is requesting approval to subdivide four parcels into 351 residential lots on 219.15 +/- acres with a future land use of Rural Village. The project is located approximately 1,200 feet south of the intersection of Fluffy Landing Road and Bear Creek Blvd. (Parcel Nos.: 02-2S-19-24000-018-0000, 03-2S-19-24000-001-0000, 03-2S-19-24000-001-0050, and 03-2S-19-24000-001-0080). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. This a continuation of the project from the December 18, 2018 meeting. **(Staff Report-1)**

Mr. David Depew, Morris Depew Associates-representing the applicant, stated the technical portion of Phase 3A has been approved and discussed the request for conceptual approval for Phases 3B-3F.

Mr. Bill Morris, Morris Depew Associates-Project Engineer, discussed the review of the engineering of the stormwater design and basin analysis. He submitted a map of the existing watershed (**Exhibit 2**). He discussed the culverts on Fluffy Landing and reported they are scheduled for replacement. An extensive amount of modeling has been done for the project and research has found that the culverts are a sufficient size for stormwater drainage. He submitted a map of the existing watershed around Fluffy Landing Road (**Exhibit 3**). The map is based on the FDEP LIDAR (Light Detection and Ranging) mapping. He discussed the issues which have been raised regarding the stormwater collecting on adjacent properties and stated that Public Works has recommended that the cross slope of the road be used to direct the stormwater away from the adjacent property. This will be brought back during the technical approval stage. Commissioner Chapman asked if this diversion would push water into the part of the development that borders Fluffy Landing Road. Mr. Morris stated the lots are set off the road and there will be right-of-way dedicated to the county to widen Fluffy Landing and to accommodate drainage swells or berm. Commissioner Glidewell asked where the water will be diverted to. Mr. Morris stated it would be directed into Bear Creek. Commissioner Glidewell asked who owned that property. Mr. Morris stated that portion is owned by the applicant. A brief discussion was held regarding stormwater direction.

Commissioner Nipper questioned if the firm had worked with FDEP as previously directed. Mr. Morris stated there is currently an application to Northwest Florida Water Management District (NFWMD), but the permit has not been issued yet.

Chairman Anderson redirected the discussion stating the board was only to consider the conceptual plan and that the project would be brought back for technical approval.

Commissioner Nipper asked if the firm had worked with the City of Freeport on the conceptual plans to address their concerns. Mr. Morris said the submittal to Freeport has been modified and resolves most of the issues. The city still has concerns regarding the paving over of city utility lines on Fluffy Landing Road.

Commissioner Chapman asked Mr. Morris to give an overview of the specific conceptual plan requests. Mr. Morris briefly discussed the items of the request for conceptual approval of Phases 3B-3F. He listed the number of units per each phase: Phase 3B-54 units, Phase 3C-66 units, Phase 3D-31 units, Phase 3E-62 units, and Phase 3F-48 units. Commissioner Chapman asked if these numbers were a reduction of the previous submission. Mr. Morris stated this was the same number of units allowed with the 2006 approval. He said the current plan preserves more wetlands than the 2006 plan and briefly compared the two plans. Discussion continued on the comparison of the two plans in regards to the changes to wetland impacts and the redesign to allow the same number of units.

Commissioner Chapman encouraged the applicant to make sure that stormwater is addressed for the technical phase. Commissioner Glidewell questioned where the stormwater drainage would be located in Phases 3B-3F. Mr. Morris discussed the drainage and the outfalls. Commissioner Glidewell voiced concern that there would be lawn chemicals in the stormwater which would adversely affect the bay. Mr. Morris discussed the planned stormwater treatment which will be done according to the NFWMD requirements. Commissioner Nipper also voiced her concern with the stormwater drainage and addressing the issues raised by the City of Freeport. Attorney Noyes stated there have been discussions with City of Freeport, there are no requirements

in the Comprehensive Plan and Land Development Code to prevent the developer from moving forward because of the issues raised by the city. The previous approval required the developer to pave the road. She said the sewer availability will be solved when a Development Order is applied for. Commissioner Glidewell asked what method would be used to collect stormwater. Mr. Morris discussed the type of stormwater system which would be implement in the development.

Mr. Alex Rouchaleau, Dewberry Engineers Project Manager-representing the City of Freeport, briefly discussed the city's issues with Phase 3A which have not been addressed even though a Development Order has been issued. Mr. Carpenter stated before Phase 3A can proceed, concurrence of the utility design must be received from the appropriate utility companies. This has to be provided before the preconstruction conference can be completed. Commissioner Chapman asked if the technical concerns regarding Phase 3A can be approached by the board. Mr. Carpenter said Phase 3A has already received technical approval, but has not yet received Development Order inspection approval at the preconstruction conference. His comments do not relate to the issues being presented.

Mr. Rouchaleau continued discussing Bear Creek and stated that the city had outstanding utilities issues with the phases being presented for consideration. Commissioner Glidewell asked if the city would approve of the project with the relocation of the utilities. Mr. Rouchaleau said the city would approve as long as the developer pays for the relocation. A brief discussion was held regarding the types of utilities located underneath the roadway.

Chairman Anderson questioned who approved the utilities to be placed under the roadway. Mr. Cliff Knauer, Dewberry Engineering, after being sworn, discussed the utilities located on Fluffy Landing and stated due to no additional right-of-way there was no other place to put the utilities. He said the applicant is the owner of the adjacent land in which the utilities could be

placed. He recommended Regional Utilities should be contacted to determine who approved the placement of the utilities.

Mr. Steve Sametz, adjacent property owner, stated his only concern with the project is that the culverts on Fluffy Landing should be larger.

Mr. Depew stated the relocation of the utilities was not a part of the original approval, but the issues will be worked out prior to technical approval.

Commissioner Nipper questioned if there were other city concerns to be address prior to conceptual approval of the plan. Mr. Knauer stated there is a way to work out the issues with the city and will be addressed throughout the development process.

Motion by Commissioner Chapman, second by Commissioner Nick, to approve Bear Creek Phase 3 conceptual plan contingent upon conditions as stated in the Staff Report.

Commissioner Glidewell voiced concern regarding the approval of conceptual plans and the effects the stormwater drainage would have on the bay. Commissioner Chapman agreed the bay needed protecting; however the stormwater issues will be dealt with during the technical approval stage and the applicant will have to provide proof that stormwater drainage has been properly addressed for approval to be considered.

Ayes 3, Nays 2. Anderson Aye, Chapman Aye, Glidewell Nay, Nick Aye, Nipper Nay.

**(Exhibits: Staff Report-1; Petitioner Map-2; Petitioner Map-3)(Ex Parte: Nipper)**

Motion by Commissioner Chapman, second by Commissioner Glidewell, to continue Sunset Key Cottages as requested by Mr. Carpenter. Ayes 5, Nays 0. Anderson Aye, Chapman Aye, Glidewell Aye, Nick Aye, Nipper Aye. **(Exhibits: Staff Memo-1)(Ex Parte: None)**

Mr. Carpenter presented a request to approve by Final Order Santa Rosa Commerce Park, a Major Development Order application submitted by JP Engineering, LLC on behalf of R & M

Property Acquisition. The applicant is requesting approval to develop and construct an annex warehouse on 5.91 +/- acres with a future land use of Village Mixed Use. The project is located at the northwest corner of U.S. Highway 98 and Church Street (Parcel No.: 27-2S-20-33210-000-0480). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Staff Report-1)**

Mr. Matthew Parker, JP Engineering Civil Engineer-representing the applicant, reported all the technical issues and LDC requirements have been met. He briefly discussed the use of the property as a post office and distribution annex.

Commissioner Glidewell asked if this would be a replacement for the post office at Cano Square. Mr. Parker stated it would.

Commissioner Nipper noted semi-trucks would be coming in the area. Mr. Parker said there was a large turn around area behind the building.

There were no public comments.

Motion by Commissioner Glidewell, second by Commissioner Nipper, to approve by Final Order Santa Rosa Commerce Park contingent upon conditions being met as stated in the Staff Report. Ayes 5, Nays 0. Anderson Aye, Chapman Aye, Glidewell Aye, Nick Aye, Nipper Aye.

**(Exhibits: Staff Report-1)(Ex Parte: None)**

Mr. Carpenter presented a request to approve by Final Order Origins Crossings, a Major Development Order application submitted by O'Connell & Associates Consulting Engineers, LLC on behalf of The WaterSound Company, LLC. The applicant is requesting approval to develop 217 multifamily apartments on approximately 19.87 acres with a future land use of Coastal Village One. The project is located on the north side of U.S. Highway 98 approximately 0.25 miles east of

Watersound Parkway (Parcel No.: 26-3S-18-16000-001-0030). Staff found the project to be consistent with the Walton County Comprehensive Plan and Land Development Code contingent upon conditions being met as stated in the Staff Report. **(Staff Report-1)**

Mr. Robert Carroll, McNeil Carroll Engineering-representing the applicant, said McNeil Carroll took over the project from O'Connell and Associates. He briefly discussed the phases of approval the project has gone through and the details of the project.


Commissioner Chapman reported the project was in District 1 not in District 5 as stated in the Staff Report.


Commissioner Nipper recommended that mosquito control be taken into consideration.

There were no public comments.

Motion by Commissioner Chapman, second by Commissioner Nick, to approve by Final Order Origins Crossings contingent upon conditions as stated in the Staff Report. Ayes 5, Nays 0. Anderson Aye, Chapman Aye, Glidewell Aye, Nick Aye, Nipper Aye. **(Exhibits: Staff Report-1)(Ex Parte: None)**

There being no further items to present, the meeting was adjourned at 9:55 a.m.

Approved:   
Tony Anderson, Chairman

Attest:   
Alex Alford, Clerk of Courts and County Comptroller