



Freeport  
Planning & Development  
Review Board  
September 2, 2020  
Regular Meeting Package

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**FREEPORT PLANNING &  
DEVELOPMENT REVIEW BOARD**  
September 2, 2020 Regular Meeting Agenda  
6:00 pm Freeport Council Chambers

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**Social distancing guidelines are in effect for this meeting.**

- I. Meeting Called to Order
- II. Meeting Minutes to be Approved
  - A. July 8, 2020 PDRB Meeting Minutes
- III. Bluffs at Lafayette Mixed Use Planned Development Project
- IV. JAB Holdings Re-Zoning
- V. Refresher on Florida Sunshine Law-Clay Adkinson
- VI. Adjournment



**FREEPORT PLANNING &  
DEVELOPMENT REVIEW BOARD**  
July 8, 2020 Regular Meeting Minutes

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*In response to the City of Freeport's declared "State of Emergency" due to COVID 19 (Resolution 2020-04), the below meeting was held by conference call in compliance with the City of Freeport Telephonic Meeting Policy approved 3/26/2020*

**THIS MEETING WAS HELD BY CONFERENCE CALL IN COMPLIANCE  
WITH THE CITY OF FREEPORT TELEPHONIC MEETING POLICY  
APPROVED 3/26/20**

Chair Konopacki called the meeting to order at 6:05pm

I. Meeting Called to Order

Roll Call was taken by Latilda Hughes Neel

Board members present: John Konopacki/Chair, Steve Thomas/Vice Chair, Michael Gilley, Kevin Louthain, and Kyler Clark replacing Karen Cuchens who had resigned. Mr. Clark was appointed by Council Member Elizabeth Brannon and sworn in prior to the meeting by Mayor Russ Barley

Staff members present: Latilda Hughes Neel/Planning Director, Marge Gay/Planning Clerk, Clay Atkinson/City Attorney and Alex Rouchaleau/City Engineer

Other participants present: Jamie Eubanks/JEI representing Bayshore Roofing & Repair/Thomas Garrett, Owner and Melissa Espinoza, Notary for the State of Florida

Chair Konopacki announced that because the meeting was being held by teleconference, the invocation and the pledge would not be held.

II. Meeting Minutes to be Approved

A. February 5, 2020 PDRB Meeting Minutes

The motion to approve these minutes was made by Kevin Louthain and seconded by Steve Thomas. All were in favor and the motion passed.

B. April 15, 2020 PDRB Meeting Minutes

The motion to approve these minutes was made by Michael Gilley and seconded by Kevin Louthain. All were in favor and the motion passed.



C. June 3, 2020 Meeting Minutes

The motion to approve these minutes was made by Kevin Louthain and seconded by Michael Gilley. All were in favor and the motion passed.

City Attorney explained that because this was a quasi-judicial meeting that anyone making testimony would need to be sworn in and because the meeting was being held by conference call both Latilda Hughes Neel and Jamie Eubanks would be sworn in by a Notary of the State of Florida who was present with each.

Attorney Adkinson asked if there would be any others present who would give testimony during the meeting. No one spoke up.

Melissa Espinoza was present with Jamie Eubanks, advised that Mr. Eubanks was known to her and administered the following oath: "I do hereby swear or affirm that the testimony I present will be the truth, the whole truth and nothing but the truth" Jamie Eubanks did so swear.

Margaret Gay/Planning Clerk and Notary for the State of Florida was present with Latilda Hughes Neel, advised that Ms. Neel was known to her and administered the following oath: "I do hereby swear or affirm that the testimony I present will be the truth, the whole truth and nothing but the truth" Latilda Hughes Neel did so swear.

III. Garrett Small Scale Amendment

Latilda Hughes Neel presented the project:

Property was recently annexed into the city on May 28, 2020 via ordinance 2020-05.

Project: Bayshore Roofing & Repair

Parcel #: 18-1S-19-23000-014-0030

Location: South side of State Highway 20, east of HydroScout Company, and immediately across State Highway 20 from New Beginnings Church and First Steps Learning Academy Daycare

Future Land Use/Zoning: RV

Proposed Future Land Use/Zoning: UD/C2



Jamie Eubanks discussed the reasons for the requested changes: flexibility for owner and future widening of State Highway 20 by FDOT possibly causing the loss of the property, building/offices.

Chair Konopacki asked if Mr. Garrett had plans to make any changes to the property at this time and Mr. Eubanks denied any plans.

Kevin Louthain asked why the change of future land use and zoning was needed. Ms. Hughes Neel stated that the current land use and zoning on the property were very limiting and would not allow for him to rebuild his business if he loses land to the Highway 20 road widening. Attorney Adkinson advised that the city goal is to eliminate non-conforming uses as part of the comprehensive plan for Freeport.

Chair Konopacki requested a motion to approve the small scale amendment.

Steve Thomas made the motion to approve, Kevin Louthain seconded the motion. All were in favor and the motion passed.

#### IV. Garrett Re-Zoning

Chair Konopacki requested a motion to approve the rezoning.

Kevin Louthain made the motion to approve, Steve Thomas seconded the motion. All were in favor and the motion passed.

#### V. Adjournment

Chair Konopacki requested a motion to adjourn. Kevin Louthain made the motion to adjourn and Steve Thomas seconded the motion. All were in favor and the meeting was adjourned at 6:36pm.



## Freeport Planning & Zoning Department

Planning & Zoning/Development Coordination & Review/Building Permit Review  
Code Enforcement/Annexation/Grants Coordination/Floodplain Management  
Planning & Development Review Board/Freeport Recreation Board

P.O. BOX 339 \* FREEPORT CITY HALL \* 112 HIGHWAY 20 WEST \* FREEPORT, FLORIDA 32439

Date: August 5, 2020

To: Planning & Development Review Board (September 2, 2020 Hearing)  
Freeport City Council (September 24, 2020 Hearing)

From: Latilda Hughes-Neel AICP/Planning Director

Re: Bluffs at Lafayette Mixed Use Planned Development Project

### PROJECT SUMMARY

Parcel Numbers: 01-1S-19-23000-001-0000, 02-1S-19-23000-001-0030, 36-1N-19-17000-001-0000,  
36-1N-19-17000-002-0000

Acreage: 551.19

Location: east side of US 331 N, 2.4 miles north of State Road 20

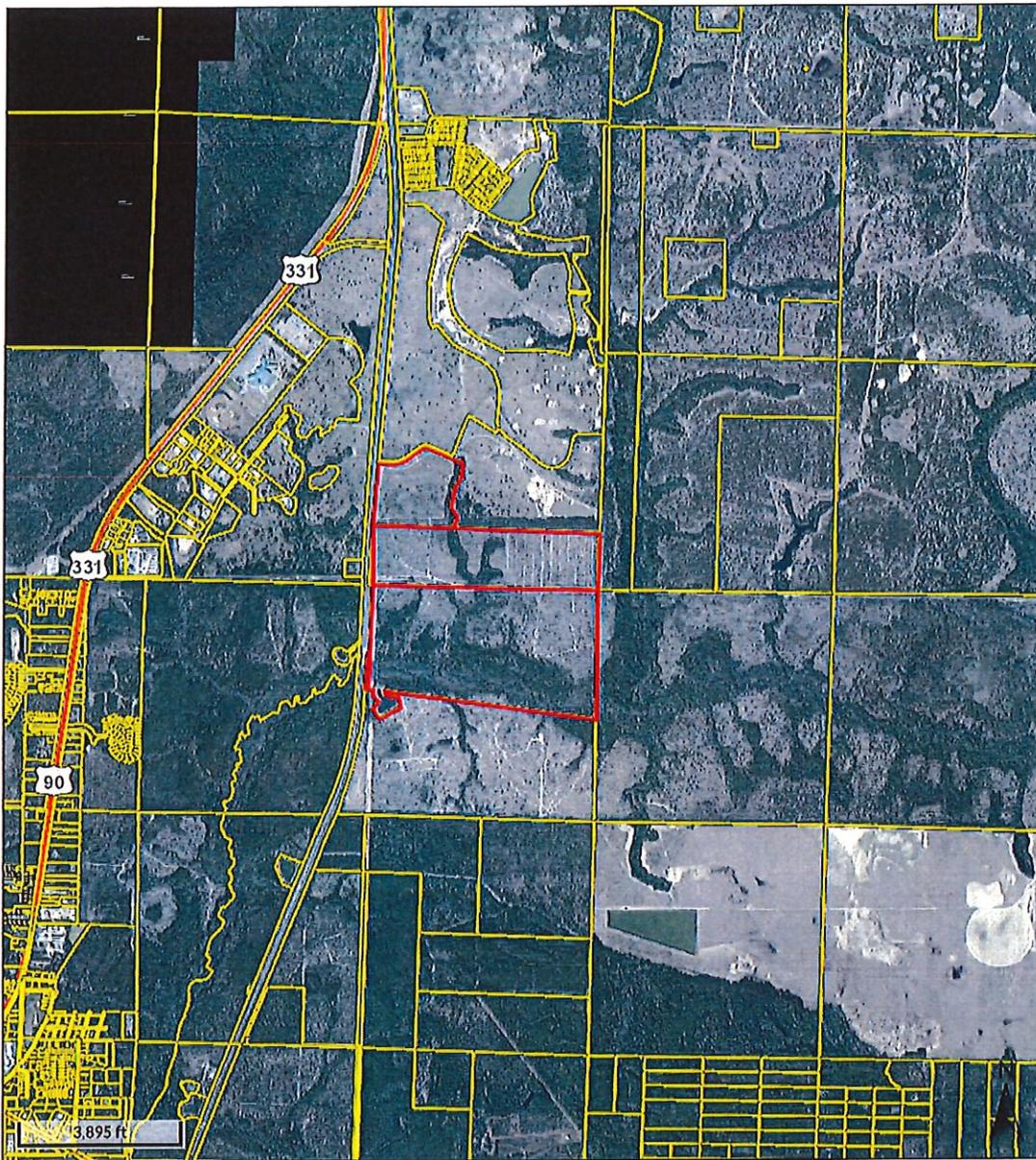
Project Owner: Edward Chandler Jr.

Project Agent: Matthew Parker PE/JP Engineering

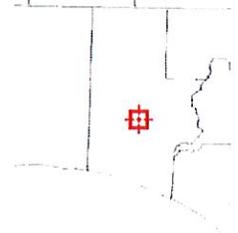
Residential Units: 1,546 single-family, 348 multi-family

Commercial Acreage/Square Footage: 593,446 sf commercial

Variances/Exceptions requested as conditions of this PDP: Building height of multi-family increased from 45 feet to 60 feet in multi-family portion of project.



Overview



Legend

-  Parcels
-  Roads
-  City Labels

Date created: 2/5/2020  
Last Data Uploaded: 2/4/2020 6:48:41 PM

Developed by  **Schneider**  
GEO SPATIAL

# MASTER DEVELOPMENT MAP

LAND USE	RESIDENTIAL DENSITY	COMMERCIAL DENSITY
SINGLE FAMILY RESIDENTIAL	365.93 A.C. / 4.22DU/1 A.C. / 1,546 UNITS	N/A
MULTI-FAMILY RESIDENTIAL	24.89 A.C. / 33.89DU/1 A.C. / 348 UNITS	N/A
HIGHWAY COMMERCIAL	N/A	593,446 S.F. / 0.28 F.A.R.
TOTAL	1,874 UNITS	593,446 S.F.

BUILDING TYPE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	IMPERVIOUS SURFACE RATIO	MAX BUILDING HEIGHT	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
SINGLE FAMILY DETACHED	4,000 SF	40 FEET	70%	30 FEET	20 FEET	5 FEET	15 FEET
SINGLE FAMILY ATTACHED RESIDENTIAL (DUPLX, TOWNHOME)	NONE	NONE	70%	50 FEET	20 FEET	5 FEET	15 FEET
MULTI FAMILY RESIDENTIAL	NONE	NONE	65%	50 FEET	20 FEET	10 FEET	15 FEET
HIGHWAY COMMERCIAL	NONE	NONE	75%	50 FEET	15 FEET	10 FEET	15 FEET

**BUILDING HEIGHT:** BUILDING HEIGHT SHALL BE MEASURED FROM FINISHED ADJACENT GRADE OF THE STRUCTURE.

**SINGLE-FAMILY DETACHED RESIDENTIAL NOTE 1:** ON CORNER LOTS, FRONT BUILDING SETBACK SHALL ORIENT WITH THE MINIMUM LOT WIDTH. SETBACK SHALL BE MET AT FRONT BUILDING SETBACK LINE. NOTE: BUILDING SETBACKS ARE FOR PRINCIPAL BUILDING. SETBACKS FOR GARAGES, PORCHES, PATIOS, DECKS, AND REAR SETBACK DISTANCE WILL BE ALLOWED FOR THE FRONT PORCH FACE OF THE BUILDING WITHOUT PARKING.

**SINGLE-FAMILY ATTACHED RESIDENTIAL NOTE 1:** THESE BUILDINGS WILL BE PERMITTED IN SINGLE-FAMILY RESIDENTIAL BUILDING TYPE. SINGLE-FAMILY ATTACHED RESIDENTIAL BUILDINGS SHALL ORIENT WITH THE FRONT DOOR OF THE BUILDING AND NOT WITH THE CORNER LOTS. BUILDING SETBACK SHALL ORIENT WITH THE FRONT WALLS OF THE STRUCTURE. INTERIOR COMMON FIRE WALLS BETWEEN UNITS SHALL BE PERMITTED. SETBACK DISTANCE IS MEASURED TO EXTERIOR WALLS OF THE STRUCTURE. INTERIOR COMMON FIRE WALLS BETWEEN UNITS SHALL BE PERMITTED. SETBACK DISTANCE WILL BE ORIENTED WITH THE PARKING AREA AND REAR SETBACK DISTANCE (10 FEET) WILL BE ALLOWED FOR THE FRONT DOOR FACE OF THE BUILDING WITHOUT PARKING.

**MULTI-FAMILY RESIDENTIAL AND HIGHWAY COMMERCIAL NOTE 1:** FRONT SETBACKS ARE MEASURED TO COLLECTOR AND MAIN DRIVEWAYS. SETBACKS FOR GARAGES, PORCHES, PATIOS, DECKS, AND REAR SETBACK DISTANCE WILL BE ALLOWED FOR THE FRONT DOOR FACE OF THE BUILDING WITHOUT PARKING. SETBACK DISTANCE SHALL INCREASE TO 60 FEET FOR MIXED USE BUILDINGS IN THE MULTI-FAMILY RESIDENTIAL PORTION OF THE PROJECT.

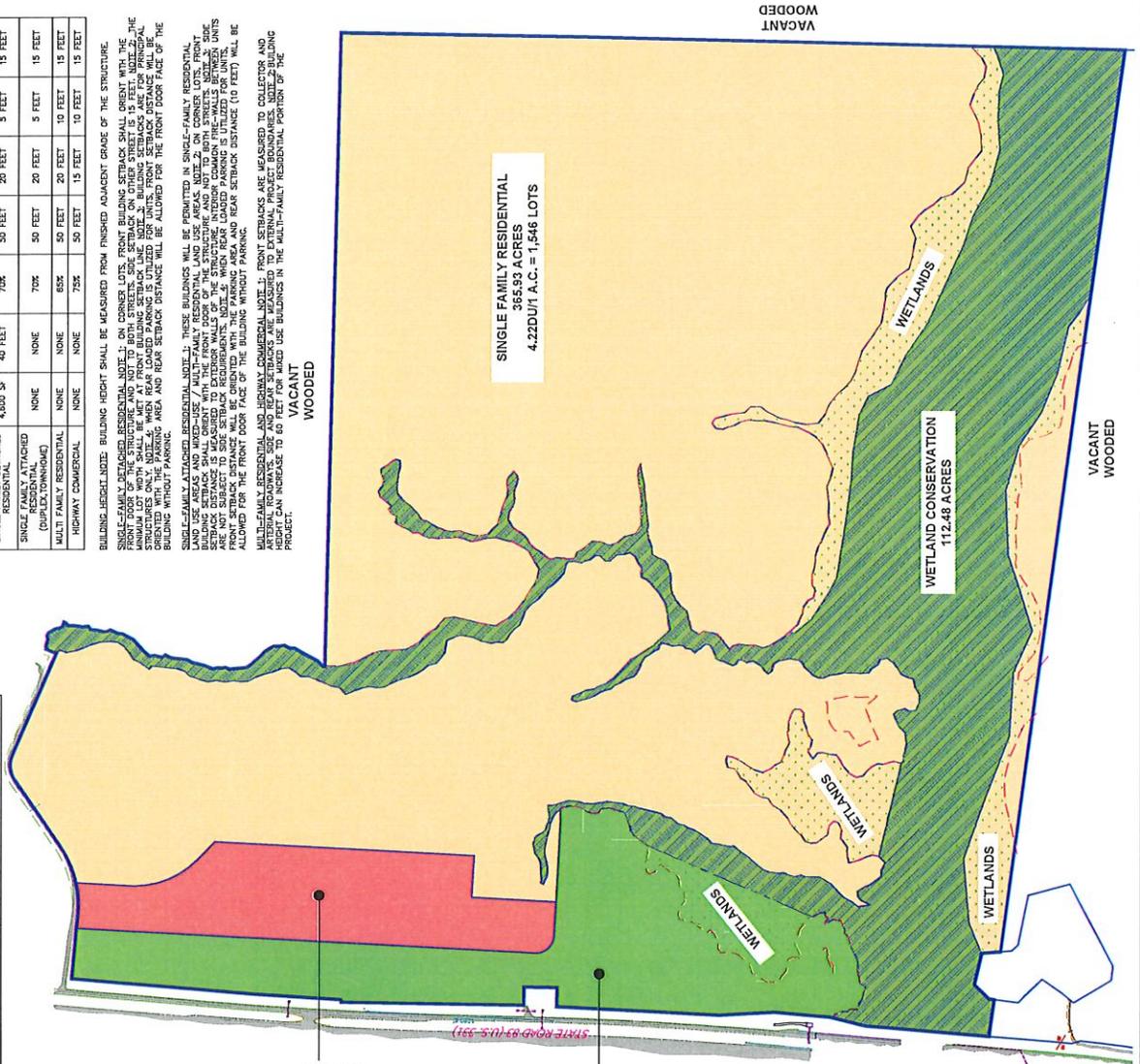
VACANT WOODED

MULTI-FAMILY RESIDENTIAL  
24.89 ACRES  
12.54DU/1 AC = 348 UNITS

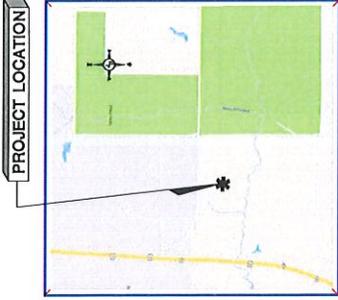
HIGHWAY COMMERCIAL  
47.89 ACRES  
593,446 S.F. / 0.28 F.A.R.

SINGLE FAMILY RESIDENTIAL  
365.93 ACRES  
4.22DU/1 A.C. = 1,546 LOTS

WETLAND CONSERVATION  
112.48 ACRES



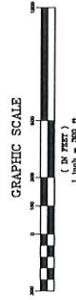
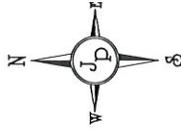
NOT RELEASED FOR CONSTRUCTION



VICINITY MAP

## NOTES

- BOUNDARY FURNISHED BY CUSTIN, COTHERN & TUCKER, INC.
- THIS PARCEL IS LOCATED IN FLOOD ZONE "X", FLOOD ZONE "A", NO FLOOD ELEVATION DATA IS AVAILABLE FOR THIS PARCEL. FLOOD ELEVATION DATA IS DETERMINED BY SCALE FROM FLOOD MAP NUMBER 123100406C, 123100407C, 123100408C AND 123100409C DATED SEPTEMBER 24, 2010, WALTON COUNTY, FLORIDA.
- WETLAND LINE SHOWN LOCATED BY WETLAND SCIENCE.



## LEGEND

- SINGLE FAMILY RESIDENTIAL
- MIXED USE (RESIDENTIAL COMMERCIAL)
- COMMERCIAL
- WETLAND CONSERVATION
- WETLANDS
- INGRESS/EGRESS EASEMENT
- INGRESS/EGRESS EASEMENT

August 3, 2020

City of Freeport  
Planning Department  
Attn: Latilda Hughes-Neel  
112 Highway 20 East  
Freeport, FL 32439

Re: Planned Development Project Application Criteria Letter

Edward E. Chandler, Jr. is the owner of a ±551.19-acre tract on US Highway 331 identified by Walton County parcel identification numbers 01-1S-19-23000-001-0000, 02-1S-19-23000-001-0030, 36-1N-19-17000-002-0000, & 36-1N-19-17000-001-0000. This tract of land is under contract for sale to Shivers Brothers Construction, LLC who is requesting to create a new mixed-use PDP to be known as The Bluffs at Lafayette. An application has been filed to amend the future land use to Urban Development and Environmental Preservation on a portion of this tract of land due to a recent annexation. Also, a zoning assignment and rezoning of the land is requested to change the zoning to R-3 which is consistent with a mixed-use PDP.

The tract of land is currently vacant. The Bluffs at Lafayette is mixed use project planned to include a variety of housing types and commercial areas to provide a range of retail uses, restaurants and services to support the internal needs of the development as well as the city as a whole. At total build-out the project is planned to have up to 1,546 single-family dwellings, 348 multi-family dwellings and 593,446 SF of commercial development.

The PDP change is consistent with the City's comprehensive plan and land development code. A consistency analysis is included with this application that shows the request is in conformance with and implements the goal and objectives of the City's plan. The proposed development would comply with the City's land development code. The change is compatible with the surrounding neighborhood area as is shown in a compatibility analysis included with this application.

The area of the City of Freeport in which this project will be built is changing. With the completion of the widening of US Highway 331 and the City's planned extension of water and sewer services along US Highway 331 from State Road 20 to Owl's Head, this portion of the city is prepared for development of an area mostly, previously inaccessible for this type of development. This large development tract is highly suitable to utilizing the master planning approach that the PDP process utilizes.

The PDP approval and proposed development will not result in significant adverse impacts on the natural environment. An environmental analysis is included with the application to show the environmental condition of the subject property. There is an area of wetlands on the site. These wetlands will be protected with buffers and minimal proposed uses (road crossings and stormwater management) that would result in degradation of the wetland areas is planned with the development.

The Bluffs at Lafayette follows an established development pattern taking shape along the US Highway 331 corridor between SR 20 and Owls Head. This area is comprised of large tracts of land which are ideally suited to master planning. Several adjacent parcels are already approved as PDP projects.

Sincerely,



Matthew R. Parker, P.E.  
Authorized Agent

August 3, 2020

City of Freeport  
Planning Department  
Attn: Latilda Hughes-Neel  
112 Highway 20 East  
Freeport, FL 32439

Re: The Bluffs at Lafayette – Planned Development Project Criteria Letter (Page 20 of Application)

The planned mixed-use PDP, The Bluffs at Lafayette, is large, ±551.19-acre development which is well suited to utilize the PDP process. A project of this size is typically master planned by the development team to best utilize the property in an efficient manner. Multiple land uses will be constructed in this project. The development tract has wetland areas which need protection, while identifying specific areas where wetland impacts are necessary to allow access to developable portions of the land. The length of time that it will take to build out this project is well suited to allow the City of Freeport to accordingly plan for future infrastructure needs. These factors are reasons that the PDP concept is ideally suited for this development.

Potable water and wastewater treatment will be provided by the City of Freeport. Water distribution lines and a wastewater collection system will be constructed and connected to the city's system. On site stormwater management facilities will be constructed to treat runoff from impervious surfaces developed areas and the road network that will provide access throughout the project.

The manner of financing will be through private investment and financial institutions.

Through his position in the corporation which owns the land, Owl's Head LTD is the owner of the land which comprises the project boundary. Said property is identified by Walton County parcel identification numbers 01-1S-19-23000-001-0000, 02-1S-19-23000-001-0030, 36-1N-19-17000-002-0000, & 36-1N-19-17000-001-0000. This tract of land is under contract for sale to IHTW, LLC.

For portions of the project planned to be single-family dwellings, subdivision plats will be created to subdivide the property into common areas and private road rights of way which will be owned and maintained by homeowner's associations. Individual lots will be available for purchase. All individual lot owners will be required to contribute to the association through lot assessments. Likewise, the multi-family and commercial area will utilize either owner associations or management companies to maintain their prospective portions of the project. A master owner's association will be created for which a unified controller of the entire project will be designated. All individual owners associations within the PDP boundary will be required to be associated to the master association. The association management will be responsible for maintenance of common open spaces areas, building and other facilities.

Upon approval of the PDP, design, permitting and construction is anticipated to commence immediately on the first phase of the development. The roadways, utilities and stormwater management facilities for an area which will include 242 single-family lots, will be built in this phase. Subsequent phasing is unknown and dependent on market conditions, but ultimate build-out of the entire project is anticipated to take 15 years. The size of subsequent phases will be market driven with the understanding that all phase will go through the City development review process subject to the land development regulations of the City.

Respectfully,



Matthew R. Parker, P.E.  
Authorized Agent

BUILDING TYPE	MINIMUM LOT AREA	MINIMUM LOT WIDTH	IMPERVIOUS SURFACE RATIO	MAX BUILDING HEIGHT	FRONT SETBACK	SIDE SETBACK	REAR SETBACK
Single-Family Detached Residential	4,600 SF	40 feet	70%	50 feet	20 feet	5 feet	10 feet
Single-Family Attached Residential (Duplex, Townhome)	none	none	70%	50 feet	20 feet	5 feet	10 feet
Multi-Family Residential	none	none	70%	50 feet	20 feet	10 feet	15 feet
Highway Commercial	none	none	75%	50 feet	15 feet	10 feet	15 feet

Building Height Note: Building height shall be measured from finished adjacent grade of the structure.

Single-Family Detached Residential Note 1: On corner lots, front building setback shall orient with the front door of the structure and not to both streets. Note 2: The minimum lot width shall be met at front building setback line. Note 3: Building setbacks are for principal structures only. Note 4: When rear loaded parking is utilized for units, front setback distance will be oriented with the parking area and rear setback distance will be allowed for the front door face of the building without parking.

Single-Family Attached Residential Note 1: These buildings will be permitted in single-family residential land use areas and mixed-use / multi-family residential land use areas. Note 2: On corner lots, front building setback shall orient with the front door of the structure and not to both streets. Note 3: Side setback distance is measured to exterior walls of the structure, interior common fire-walls between units are not subject to side setback requirements. Note 4: When rear loaded parking is utilized for units, front setback distance will be oriented with the parking area and rear setback distance will be allowed for the front door face of the building without parking.

Multi-Family Residential and Highway Commercial Note 1: Front setbacks are measured to collector and arterial roadways. Side and Rear setbacks are measured to external project boundaries. Note 2: Building height can increase to 60 feet for mixed use buildings in the multi-family residential portion of the project.

**The Bluffs at Lafayette**  
**Mixed-Use Planned Development Project**  
**Consistency Analysis**  
**And Project Narrative**

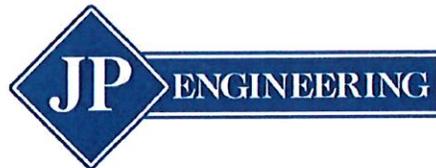
**CITY OF FREEPORT, FLORIDA**

**Parcel ID # 01-1S-19-23000-001-0000, 02-1S-19-23000-001-0030, 36-1N-19-17000-002-0000,  
& 36-1N-19-17000-001-0000**

Prepared for:

**Shivers Brothers**  
401 E. Verot School Road  
Lafayette, LA 70508

Prepared by:



June 20, 2020

## **Introduction**

This analysis pertains to a proposed planned development project (PDP) request in the City of Freeport. A mixed-use PDP called The Bluffs at Lafayette is proposed for a ±551.19-acre tract of land on the east side of US Highway 331 in the northern portion of the City. The project will contain a mixture of residential uses and commercial uses. This project will be built over a projected 15-year period in multiple phases. A proposed master plan is provided to illustrate the planned development patterns to include maximum densities of residential areas and maximum intensities of commercial areas.

It is the intent of this analysis to analyze this project for consistency with the goals and objectives of the City of Freeport Comprehensive Plan.

## **Site Description and Characteristics**

The project tract is located on the east side of US Highway 331 approximately 2.4 miles north of SR 20. The property is a partially wooded, vacant tract. Along and near the southern boundary of the parcel, Lafayette Creek meanders across the property in an east to west direction. The property is comprised of upland and wetland areas. A more thorough description of the property is available in the environmental analysis included in the PDP submittal package.

## **Project Description**

The Bluffs at Lafayette is mixed use project planned to include a variety of housing types and commercial areas to provide a range of retail uses, restaurants and services to support the internal needs of the development as well as the city as a whole. The predominant housing type will be single-family detached dwellings offered on a range of lot sizes. An area is devoted to provide mixed use buildings which will have limited commercial uses in buildings with residential units in a multi-family mixed use section of the project. Along the highway, commercial areas are planned to offer areas for highway commercial uses. Conservation areas are planned to protect natural features and most importantly to protect Lafayette Creek. Open space areas are planned throughout the project to provide areas for active and passive recreational opportunities of the residents of the development.

Access to the project will be provided through a series of driveway connections to US Highway 331. An internal roadway network will be built to serve the project.

**Adjacent Land Use and Zoning**

	<b>FLU</b>	<b>Zoning</b>	<b>Type of Use</b>	<b>Specific Use</b>
North - 1	Urban Development	R-1 Low Density Res.	Vacant	Vacant
North - 2	Industrial	I-2 General Industrial	Mining	Sand Mine
South	Walton Co. Large Scale Ag & Estate Residential	Walton Co. Large Scale Ag & Estate Residential	Vacant	Vacant
East	Walton Co. Conservation	Walton Co. Conservation	Vacant	NWF Water Management District Lands
West	Urban Development & Environmental Conservation	C-2 High Intensity Comm, R-3 High Density Res & RA Rural Agriculture	Vacant	Vacant across US Hwy 331

**Surrounding Area Compatibility**

The project tract is located on the US Highway 331 corridor near the northern portion of the City. This roadway corridor is an arterial highway which was recently widened to a four-lane divided highway. This property is located along a section of the corridor which was realigned in 2007 and 2008 through an area of agricultural and undeveloped lands. The western side of the highway corridor is completely within the city limits. Except for a 1.26-mile section, the eastern side of this corridor is within the City limits. A portion of the project tract is processing and annexation which is approximately 0.45 miles of frontage along this portion of the highway frontage outside the city boundary.

As mentioned, the subject property and the nearby properties along the realigned corridor of US Hwy 331 are largely undeveloped. This is partly due to these properties not having roadway access prior to the highway realignment. Currently the surrounding area is mostly undeveloped land comprised of large development tracts. A significant portion of the western side of the corridor is subject to a master planned development which was approved by the City in the recent past. As with that large development, the eastern side of the corridor is most likely to develop over time utilizing master development plans to guide the development along this corridor.

The change of land use on the subject parcel will follow this pattern that has shown itself to be compatible with the development patterns which are taking shape in this portion of the City of Freeport.

**Infrastructure Concurrency Analysis**

The following chart will provide an analysis of the maximum potential impacts to the infrastructure of the City of Freeport created by the proposed project. The comprehensive plan has adopted levels of service for the elements addressed in the chart. While this chart shows the maximum potential demand on city services from the development of the project, it is important to understand that build out of this project will take a projected 15 year time frame to complete which is beyond the current planning time frame considered by the City Capital Improvements Element of the Comprehensive Plan.

A benefit to the City of the PDP process for a project of the scope of The Bluffs at Lafayette is planning future improvements to City services can more clearly be analyzed. Analyzing full build out of a project of this scale against the existing availability of services and proposed availability (in current planning time frame) of services would show that the project would exceed the capabilities of City infrastructure. With planned improvements, in the current planning time frame, to upgrade City water and sewer services will allow development to commence with this project. Every phase of this project will be required to meet concurrency requirements for that individual phase based upon the availability of services during development review and approval process with the City.

	Overall Master Plan	Phase I
Single-family dwellings	1,546 units	242 units
Multi-family dwellings	348 units	
Commercial	593,446.01 SF	
<b>INFRASTRUCTURE ANALYSIS</b>		
Avg. Water Demand (gpd)	724,615.65 gpd	84,700 gpd
Avg. Sewer Demand (gpd)	724,615.65 gpd	84,700 gpd
Solid Waste Generation	22,621 pounds/day	2,989 pounds/day
Drainage (Stormwater)	Must meet 25 year/24-hour Design Storm Event with On-site Facility.	
Traffic Generation (P.M. Peak Hour Trips)	2,262 trips	466 trips
Recreation / Open Space (potential population)	6,503 people	1,939 people

**Potable Water**

The project is located in relatively close proximity to the City of Freeport water service system. The well located off of N. Nick Wilson Way, will provide potable water to the project. The City has a project to extend a water main extension to the east and service the Hwy 331 commercial corridor. At the estimated demands, the water system would have sufficient capacity to service the project.

Water mains would need to be extended to support the development of the subject parcel.

**Sanitary Sewer**

The project is located within the boundaries of the City of Freeport sewer service system. The system has a permitted capacity of 0.600 MGD. The maximum three-month average daily flow over the last 12 month period has been 0.416 gpd and the maximum monthly average daily flow over the last 12 month period has been 0.445 MGD. This system is operating under its permitted

capacity. At this demand the current sewer system has capacity to treat the first phase and would be able to treat approximately 21.3% of the full build out. The City of Freeport is currently expanding the sewer treatment capacity by more than double. Upon completion, the system will have sufficient capacity to treat the project's buildout.

Sewer mains would need to be extended to support the development of the subject parcel. Planned upgrades to the sewer treatment facility and sewer main extensions are currently being planned which would bring sewer to the highway corridor to support development in this corridor.

### **Solid Waste**

The solid waste generated in the City of Freeport is transported to the Walton County landfill for disposal. The Walton County Solid Waste department is contracted with a permitted facility with sufficient available capacity.

### **Stormwater Drainage**

All new development will be required to store and treat all post-development runoff, which exceeds pre-development runoff as stated in the Stormwater Management Sub-Element of the Comprehensive Plan. Any stormwater discharge facilities shall be designed to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification

### **Transportation Element**

With the anticipated 15-year period to achieve full build out, roadway improvements will likely be implemented which will increase capacity on roadway segments which will be impacted by this project. The Traffic Analysis Phasing consists of 242 single-family residential units, 312 multi-family units, and 39,316.97 SF of Commercial; Phase I has been analyzed by Joe Poole, P.E. and from a concurrency perspective, this portion of the project can be built without placing impacted roadway segments over LOS capacity.

The traffic impact analysis of the full build out of the master plan would impact roadway segments that would exceed their MSV. A review by Joe Poole, P.E. of the long-range planning for future transportation roadway improvements show that improvements are in process of being considered by the Transportation Planning Organizations and FDOT. Improvements to the transportation system will be necessary before full build out of the project.

With the anticipated 15-year period to achieve full build out, roadway improvements will likely be implemented which will increase capacity on roadway segments which will be impacted by this project.

As each phase of the project is designed and permitted through the City development review process, a traffic analysis will be prepared for that specific phase, Phase I is included herewith. The analysis will identify any deficiencies that exist at that point in time and provide solutions to mitigate the deficiency. Permits to build any phase cannot be issued unless the requirements of the City land development code are met.

## **Recreation and Open Space**

The increase in the number of housing units will eventually create a higher population that would utilize public recreation areas in the city. Based upon the adopted level of service of 6.25 acres of park space per 1,000 population, the current public park inventory in the City of Freeport would support a population of 11,904 people. Based upon estimates from the University of Florida, the 2019 population of Freeport was 4,316 people. The current acreage of parks in the City is ±74.4 acres.

The master plan indicates approximately 112.48 acres of wetland conservation area, along with open areas with plans for walking and multi-use paths. Areas are strategically placed throughout the project to enhance the aesthetics and enjoyment of its future residents. Active and Passive areas of recreation are interwoven within the single family areas, along with vehicular and pedestrian interconnectivity to the mixed use areas, including multi-family and commercial Uses.

## **Natural Resources**

An environmental analysis was prepared by Wetland Sciences, Inc. to analyze the subject property according to city guidelines in the Land Development Code. The identification and location of soils, vegetative communities, wetlands, threatened and endangered species, archeological and/or cultural resources, hazardous materials or contamination, protected trees, wellheads and surface water bodies have been addressed in this report.

Recommendations were provided in this report to address protection of natural resources identified on the subject property.

## **Freeport Comprehensive Plan Consistency**

### **Capital Improvements Element**

**Objective I.D** - Development Orders and Permits will not be issued based unless necessary public facilities needed to support such development and to maintain adopted levels of service at the time of the impact are or will be available.

**Policy I.D.2:** Proposed Comprehensive Plan amendments and requests for development or redevelopment permits shall be evaluated according to the following guidelines:

1. Will the project or amendment contribute to a condition of public hazard as described in the Infrastructure Element, the Traffic Circulation Element, or the Recreation and Open Space Element?

RESPONSE: No.

2. Will the project or amendment exacerbate any existing condition of public facility deficits, as described in the Infrastructure Element, the Traffic Circulation Element, or the Recreation and Open Space Element?

RESPONSE: Upon completion of the City's current utility expansion, No.

3. Will the project or amendment generate public facility demands that may be accommodated by capacity increases already planned in the Five-Year Schedule of Improvements?

RESPONSE: Yes, increased water and sewer demand that could be generated by the project will be accommodated by increased capacity planned for with expansion of water service and sewer treatment in the City.

4. Will the project or amendment conform to the future land uses as shown on the future land use map of the Future Land Use Element and service areas identified in the Infrastructure Element?

RESPONSE: Yes.

5. If the public facilities are developer provided, will the improvements accommodate public facility demands based upon the adopted LOS standards?

RESPONSE: Yes, all necessary infrastructure constructed in the project limits will conform to City Land Development Code regulations.

6. If the public facilities are provided in part or whole by the City, are they financially feasible subject to this Element?

RESPONSE: Yes.

7. Will the project or amendment affect state agencies' and water management districts' facilities plans?

RESPONSE: No.

### **Future Land Use Element**

**Objective I.B:** New development will be strongly encouraged to locate in areas with existing public services and in conformance with specific standards

**Policy I.B.3:** The City will utilize its adopted Urban Service Area Boundary Area Map of the Future Land Use Map Series as a guide when making planning decisions pertaining to land use changes and new development.

RESPONSE: The subject property is adjacent to the Urban Service Area Boundary along the northern and western boundary of the property.

**Public School Facilities Element**

**Objective PS-1.4: School Capacity**

It is the objective of Walton County to coordinate petitions for changes to future land use, zoning, subdivision and site plans for residential development with adequate school capacity. This goal will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final subdivision and site plans that generate students and impact the Walton County school system.

Manage the timing of comprehensive plan amendments and other land use decisions to coordinate with adequate school capacity.

**Objective PS-1.5: Implement School Concurrency**

Manage the timing of residential subdivision approvals, site plans or their functional equivalent to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

**Policy PS-1.5.1:** Consistent with the Interlocal Agreement, the County and School Board agree to the following standards for school concurrency in Walton County:

1. Level of Service Standard: Consistent with the Interlocal Agreement, the uniform, district-wide level-of service standards are initially set as follows, and are hereby adopted in the County's Public School Facilities Elements and Capital Improvements Element:

TYPE OF SCHOOL	LEVEL OF SERVICE
Elementary	100% of permanent FISH capacity
Middle	100% of permanent FISH capacity
K-8	100% of permanent FISH capacity
High	100% of permanent FISH capacity
Special purpose	100% of permanent FISH capacity

RESPONSE: An analysis of the 2016-2017 Work Plan available from the Walton County School District, the three schools zones (Freeport Elementary, Freeport Middle School and Freeport High School) which will serve the subject property are projected to be below FISH capacity for the 2020-2021 school year.

Approval of this PDP application will better allow the Walton County School District to plan for the needs of expanding the capacity of the schools which serve the Freeport area.

# Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.: (850) 425-2207

August 24, 2020

**Via U.S. Mail and Email**

Freeport Planning & Zoning Department  
c/o Latilda Hughes-Neel  
PO Box 339  
Freeport, FL 32439  
cityplanner@freeportflorida.gov

RE: Notice of Development Proposal by Owls Head, LP  
Freeport Planning & Development Review Board September 2, 2020

Ms. Hughes-Neel:

My firm represents CW Roberts Contracting, Inc. who owns properties (Parcel no. 34-1N-19-17000-002-0010 and 36-1N-19-17000-001-0010) within close proximity to the Owls Head's property being proposed for development. We received the attached Notice from JP Engineering, LLC as an owner of a property within 400 feet of the proposed development relating to the Planning Board's consideration of Owls Head's various requests. CW Roberts has utilized one of its properties as an asphalt mixing plant for many years and the other property as a borrow pit. CWR plans to continue to use the properties in the same manner in the future.

While CW Roberts has no objection to the proposed development, CW Roberts submits these comments so that the industrial use of its properties, including such things as noise, lights, and odors, is known to the City and the developer. Accordingly, CW Roberts provides these comments such that the record is clear that the developer who seeks to development their adjacent property with residential uses (as well as the future homeowners to whom they sell lots) are well aware of the pre-existing industrial uses of the CW Roberts properties in the area and accepts such uses.

I also attach a similar and previous letter we sent earlier this year regarding development of some other adjacent Owls Head property. If your office requires any additional information or comment from my client, please don't hesitate to contact me at the number listed above.

Sincerely,



D. Kent Safriet

cc: JP Engineering, LLC  
c/o Matthew Parker  
18596 US Hwy 331 S  
Freeport, FL 32439

Enclosures



## Freeport Planning & Zoning Department

P.O. BOX 339 \* 16040 HWY 331 BUSINESS \* FREEPORT, FLORIDA 32439

Date: August 14, 2020

To: Freeport City Council  
Freeport Planning & Development Review Board

From: Latilda Hughes-Neel AICP, Planning Director

Re: JAB Holdings RZ

### Application Summary

#### Historical/Current Property Use/Area:

- This property is vacant, currently under consideration for the development of apartments
- The property to the north has two different owners. Alabama Electric and Zargari Holdings. The Alabama Electric parcel is being utilized as a utility substation. The Zargari property is vacant.
- The property to the south is the Verandas Townhome development project.
- This property fronts Highway 331 Business. Across the highway:
  - EPORT LLC/vacant
  - Jimmy's Paint & Body Shop
  - Robert & Pamela Smits/vacant
  - American Towers LLC/cellular tower
  - Freeport Village Apartment Complex

Future Land Use designation: UD Urban Development

This Future Land Use district for this property and all parcels adjacent to it is UD Urban Development.

#### Zoning Amendment:

Parcels: 10-1S-19-23000-004-0010 & 10-1S-19-23000-004-0020

Acreage: 11.45 +/-



## Freeport Planning & Zoning Department

P.O. BOX 339 \* 16040 HWY 331 BUSINESS \* FREEPORT, FLORIDA 32439

Current Zoning: RC Residential Commercial

This zoning category allows R3 High Density Residential but requires the first floor of apartments be developed as commercial.

Proposed FLU: R3 High Density Residential

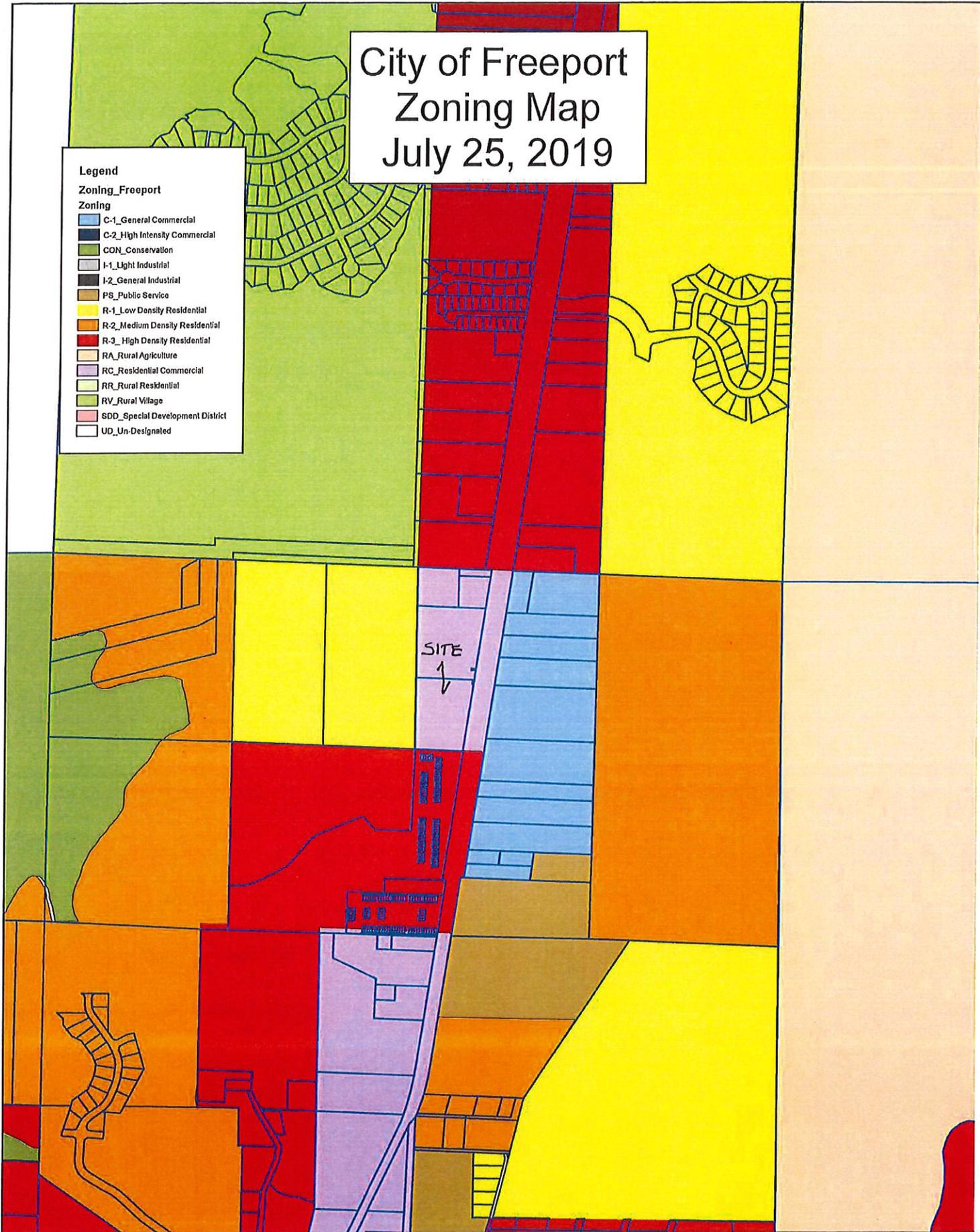
This zoning category allows apartments without the requirement of commercial on the first floor.

- The property to the north is zoned RC Residential Commercial
- The property to the south is zoned R3 High Density Residential
- The property to the east is zoned C Commercial
- The request as proposed is consistent with the zoning currently in place in this area.

# City of Freeport Zoning Map July 25, 2019

**Legend**  
Zoning\_Freeport  
Zoning

- C-1\_General Commercial
- C-2\_High Intensity Commercial
- CON\_Conservation
- I-1\_Ught Industrial
- I-2\_General Industrial
- PS\_Public Service
- R-1\_Low Density Residential
- R-2\_Medium Density Residential
- R-3\_High Density Residential
- RA\_Rural Agriculture
- RC\_Residential Commercial
- RR\_Rural Residential
- RV\_Rural Village
- SDD\_Special Development District
- UD\_Un-Designated



Produced by the Planning Department of the City of Freeport.  
This map is for general reference only.  
Data layers that appear on this map  
may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT A SURVEY AND**

00.02B.05 0.1 Miles



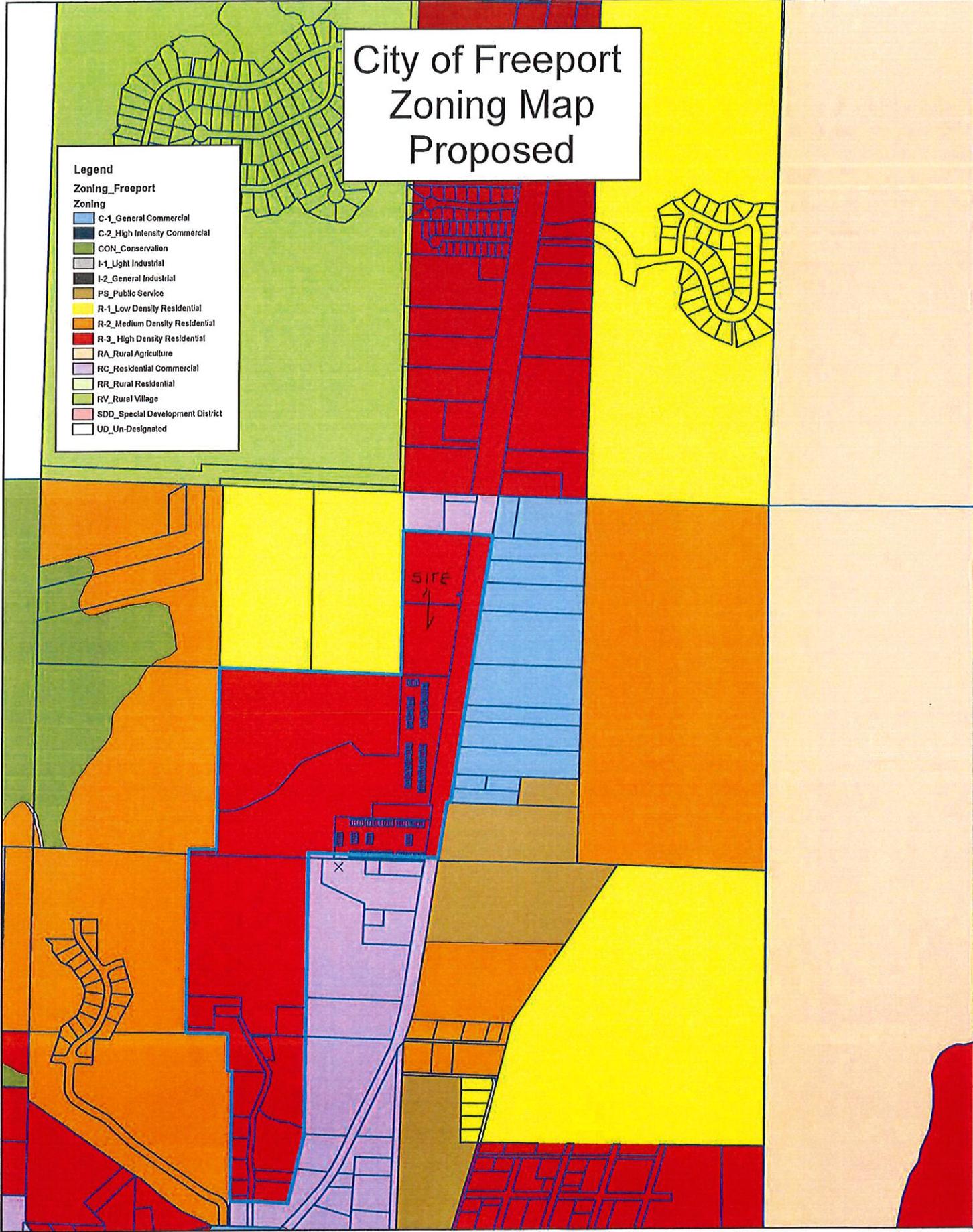
# City of Freeport Zoning Map Proposed

**Legend**

**Zoning\_Freeport**

**Zoning**

	C-1_General Commercial
	C-2_High Intensity Commercial
	CON_Conservation
	I-1_Light Industrial
	I-2_General Industrial
	PS_Public Service
	R-1_Low Density Residential
	R-2_Medium Density Residential
	R-3_High Density Residential
	RA_Rural Agriculture
	RC_Residential Commercial
	RR_Rural Residential
	RV_Rural Village
	SDD_Special Development District
	UD_Un-Designated



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**THIS MAP IS NOT A SURVEY AND**

0 0.025.05 0.1 Miles



June 9, 2020

Latilda Hughes- Neel AICP, Planning Director  
City of Freeport - Planning & Zoning Department  
16040 Hwy 331 Business  
Freeport, Florida 32439  
Phone: 850-835-2340

**Re: Business 331 @ Sunflower – R3 Rezoning  
Zoning Amendment  
Parcels 110-1S-19-23000-004-0010 & 110-1S-19-23000-004-0020  
Data & Analysis Summary**

Dear Latilda,

Please accept this narrative as a summary of the proposed Zoning Amendment for the subject property. This narrative will summarize the applicant's intentions with this rezoning request and the proposed Amendment's conformance with the City of Freeport Land Development Code.

**Background & Intent**

This request is in response to the Pre-application meeting held on 4/29/2020 in which it was discussed that the RC zoning district permits all uses permitted under the R-1, R-2, and R-3 zoning district, however the "uses permitted as variances" category under LDC 3.05.07.C states "*Apartment complex when located above at least one story of commercial uses, providing each dwelling unit has a minimum floor area of 500 square feet and that parking requirements for the residential use are met.*" This provision seems to conflict with LDC 3.05.07.B.1 permitting all uses of R-1, R-2, and R-3 as these districts do not contain such a provision requiring commercial development along with apartments. A rezoning is being requested from RC to R-3 to remove this provision. This will allow for a potential apartment development without the requirement to construct a more intense mixed-use development with 1<sup>st</sup> floor commercial. All residential densities will remain the same with this rezoning, however commercial uses will no longer be permitted.



The following summarizes the development standards between the existing (RC) and proposed (R-3) districts:

	Existing	Proposed
<b>Future Land Use</b>	Urban Development	Urban Development
<b>Zoning</b>	RC	R-3
<b>LDC Section</b>	3.05.07	3.05.06
<b>Residential Types Permitted</b>	Single Family, Multi-family (Townhomes, Apartments, Condominiums)	Single Family, Multi-family (Townhomes, Apartments, Condominiums)
<b>Allowable Residential Density</b>	8 units/acre (Single Family) 14 units/acre (Multi-family)	8 units/acre (Single Family) 14 units/acre (Multi-family)
<b>Min. Residential SF per unit</b>	500 sf	700-750 sf
<b>Minimum Lot Area</b>	No minimum	5,000sf (Single Family) 3,000sf (Platting Multi-family)
<b>Maximum Lot Coverage</b>	70% of Lot Area	50% of Lot Area
<b>Commercial Uses Permitted?</b>	Yes	No
<b>Allowable Intensity (ISR)</b>	0.85	0.85
<b>Allowable FAR</b>	3.0	N/A
<b>Max Building Height</b>	Single-Fam: 2.5 stories, 35ft Multi-Fam: 3 stories, 45ft Non-Residential: 4 stories, 50ft	Single-Fam: 2.5 stories, 35ft Multi-Fam: 3 stories, 45ft Non-Residential: 4 stories, 50ft
<b>Uses by Variance</b>	1. One single family dwelling which is accessory and attached to a permitted principal building actively engaged in a permitted use  2. Apartment complex when located above at least one story of commercial uses, providing each dwelling unit has a minimum floor area of 500 square feet and that parking requirements for the residential use are met.	Hospitals and Clinics, nursing homes, convalescent homes
<b>Prohibited Uses</b>	1. Billboards and off-premises signs.  2. Outside storage  3. Vehicle or equipment dealerships and repair facilities except minor filling station servicing  4. Wholesale trade establishments	1. Manufactured housing not meeting the standards of the Florida Manufactured Building Act  2. Any non-residential use

Table 1 - Zoning District Tabular Comparison



### **Traffic Concurrency Considerations**

The proposed rezoning has potential to provide either a net zero change traffic generation or a net reduction when considering development potential.

When considering a residential-only development, RC contains the same density potential as R-3. In this case, no change in traffic generation potential will result from this rezoning.

When considering potential for commercial or mixed-use development in the current RC zoning, a change to R-3 would reduce the traffic generation potential as high-traffic generating commercial development would no longer be permitted under R-3.

### **Stormwater Concurrency Considerations**

The proposed rezoning will have no bearing on stormwater management requirements. Any proposed development under RC or R-3 will require the same level of service for stormwater management.

With the loss of commercial use potential from RC to R-3, the proposed rezoning does have potential to reduce the development intensity in terms of impervious surface. In general, commercial developments tend to have a greater square footage of rooftops, parking spaces, and loading zones, which translate to greater stormwater runoff generating impervious surfaces.

### **Environmental Considerations**

The project site contains a significant amount of wetlands on the center portion of the site, and any development will be subject to avoidance and mitigation of these environmentally sensitive areas. The change from RC to R-3 does not change the local, state, and federal requirements for wetland avoidance and mitigation.

With the loss of commercial use potential from RC to R-3, the proposed rezoning does have potential to reduce the development intensity in terms of impervious surface and site lighting, both of which are environmental considerations.

### **Water and Sewer Considerations**

The proposed rezoning will have no discernible effect on the potential for water and sewer demands. Typically residential development carries a greater demand for water and sewer than commercial development. Since the residential densities between RC and R-3 are the same, no change in demand potential is anticipated with this proposed rezoning.

### **Development Pattern Considerations**

This proposed rezoning will effectively result in no change to the residential development potential and will remove commercial development potential. The surrounding neighborhood along Business 331 consists mainly of townhomes, apartments, schools, churches, and relatively small neighborhood commercial uses. The R-3 zoning district fits in well with the surrounding zoning categories, as R-3 currently extends from the Palms of Freeport and Verandas developments (south of the subject site) northward for 1.5 miles to the Industrial Park. Figure 1 below illustrates the surrounding neighborhood zoning with R-3 in red and RC in pink.



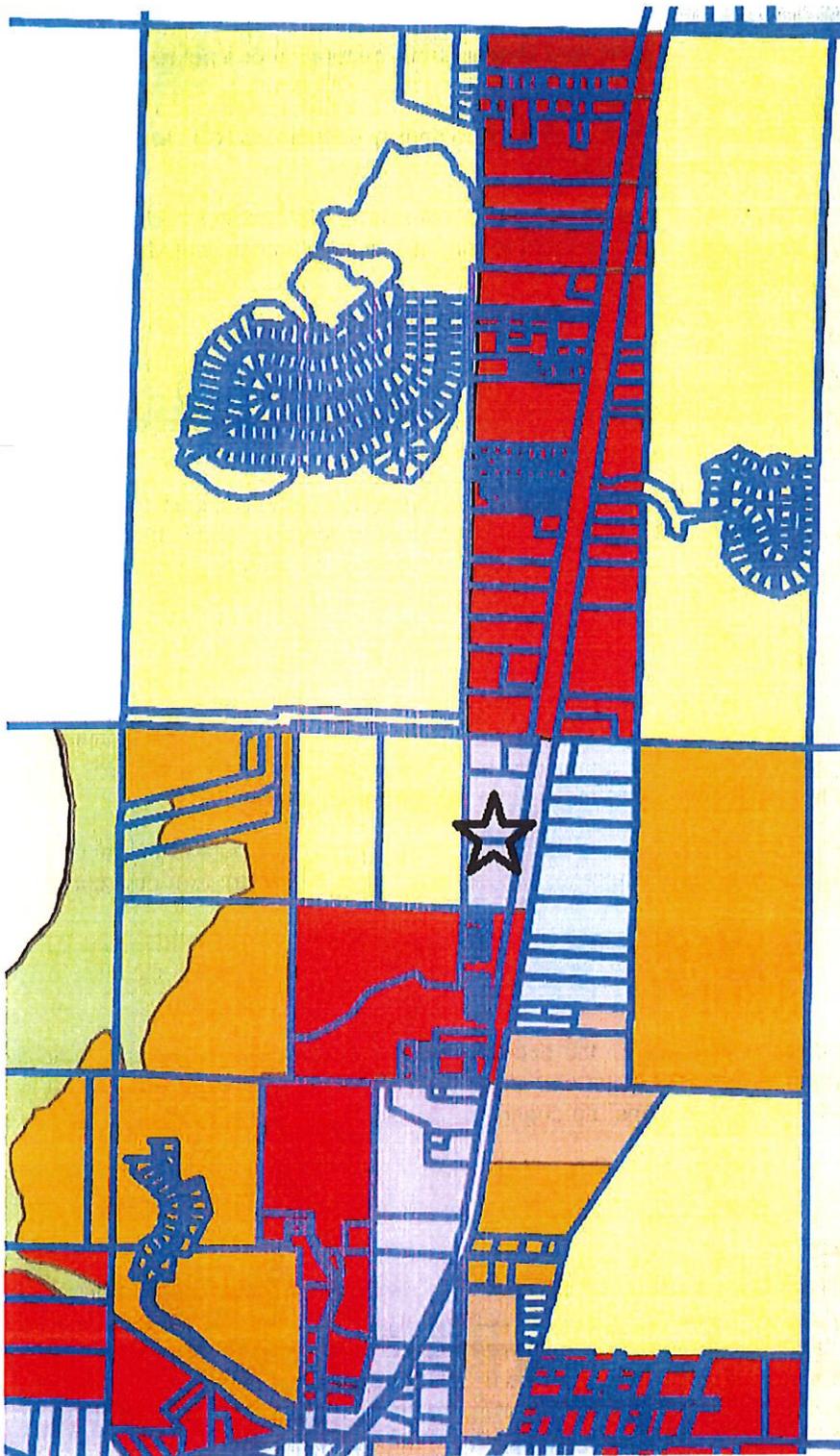


Figure 1 - Surrounding Neighborhood Zoning



**Conclusion**

The current RC zoning allows for the same residential uses as R-1, R-2, and R-3 zoning districts. However, it includes a provision under "Uses Permit by Variance" that states the following: *"Apartment complex when located above at least one story of commercial uses, providing each dwelling unit has a minimum floor area of 500 square feet and that parking requirements for the residential use are met."* The proposed rezoning intent is to remove this apparently conflicting use requirement such that apartment development(s) can be proposed without 1<sup>st</sup> floor commercial. The rezoning will effectively keep the residential density and intensity unchanged, and it will remove commercial development potential of the land.

The proposed rezoning is compatible with the surrounding neighborhood and is consistent with both the Land Development Code and Comprehensive Plan.

Maximum traffic generation potential will be decreased by removal of potential commercial uses with this rezoning.

The rezoning will result in no adverse impacts environmental, stormwater, and utility infrastructure demands of the project site.

