

March 3, 2020

The Nassau County Planning and Zoning Board met in regular session this 3rd day of March 2020 at 6:00 p.m. at the Commission Chambers, James S. Page Governmental Complex, Yulee, Florida. The Deputy Clerk called the roll. Present were Board Members Betsie Huben, Jimmy L. Higginbotham, Wayne Arnold, Bruce Jasinsky, Charles "Billy" Rogers, John Stack, Barry Holloway, Charles "Charlie" Gressman, Linda Morris, and Chair Nick Gillette. Absent Board Member was Jeff Gray. Michael Mullin, County Attorney was present. Valerie Feinberg, Interim Director; Kailey Saver, Senior Planner; and Doug McDowell, Principal Planner representing the Planning Department. Also present was Heather Nazworth, Deputy Clerk.

Chair Gillette called the meeting to order at 6:00 p.m. Board Member Arnold led the Invocation and Chair Gillette led the Pledge of Allegiance to the American Flag.

It was moved by Board Member Holloway to approve the minutes from the January 27, 2020 workshop session and the February 18, 2020, regular session. Motion to approve seconded by Board Member Stack. The vote unanimously carried.

Mr. Mullin discussed Tab J: proposed revisions to Article 13 of the LDC, Residential General-2 (RG-2) zoning district. He informed that the Planning and Zoning Board is not going to make any recommendations tonight. The Board of County Commissioners voted at their meeting on February 24, 2020, by 3-2 vote, to have staff review building height issues for all of the districts to include Residential General-2 (RG-2). Mr. Mullin stated that once completed, it will come back before the Planning and Zoning Board for review of all districts and whether any changes are needed. He informed that the emails received have been provided to staff and members of the Planning and Zoning

Board. Notifications will be sent to the individuals that have provided their email addresses informing them of the time and date this matter will be heard by the Planning and Zoning Board. Mr. Mullin commented that notification will be advertised in the newspaper. He stated that every property owner in the Residential General-2 (RG-2) district will have to be notified that staff is considering potential changes to allowable building height allowed in the Residential General-2 (RG-2) district; as well as, every other zoning district in Nassau County. Mr. Mullin stated that Open Rural (OR) and Recreational and Open Space (ROS) districts do not have building height limitations. Mr. Mullin responded to an inquiry from the audience reiterating that Tab J would not be heard this evening.

It was moved by Board Member Higginbotham, seconded by Board Member Rogers to strike Tab J from the agenda and the vote unanimously carried.

Chair Gillette advised that Tabs C and D are legislative matters. Mr. Mullin read the rules and procedures for conducting a Non-Quasi-Judicial hearing.

It was moved by Board Member Arnold, seconded by Board Member Stack, and unanimously carried to open the floor to public discussion for Tabs C and D.

The Board considered Tab C, application LDC20-003, consideration of an Ordinance amending Article 1, Section 1.02 of the Land Development Code (LDC), relating to the Comprehensive Plan, amending Article 1, Section 1.07 of the LDC, Official Zoning Map; providing that the official Future Land Use Map (FLUM) and Official Zoning Map of Nassau County are maintained in electronic format through the Nassau County Property Appraiser's Office and available to the public through that office's website, or by contacting the County's Planning Department.

Mr. McDowell came forward to provide staff's presentation. The application is for the consideration of a proposed Ordinance regarding a small amendment to the LDC. He advised that meetings were recently held with the Property Appraiser's Office in order to review the LDC. The amendment's purpose is to affirm within the Land Development Code; and, to clarify that the GIS maps made available to the public online, are the Official Zoning Map and the official Future Land Use Map for the County. Both the Zoning and Future Land Use Maps are currently maintained by the Property Appraiser's Office through their GIS mapping section. Mr. Mullin reiterated that the amendment will clarify that the GIS and FLUM maps are official and that the Property Appraiser maintains them. He explained the proposed language to be adopted for LDC, Article 1, Sections 1.02 and 1.07.

There being no one in the audience wishing to speak for or against this application, it was moved by Board Member Rogers, seconded by Board Member Arnold and unanimously carried to close the floor to public discussion for Tab B.

Mr. McDowell responded to an inquiry regarding the official status other jurisdictions' maps, such as Fernandina Beach and Callahan, for zoning and land use purposes. McDowell stated he assumes that such official maps exist, but cannot confirm. He reiterated that the amendment addresses the unincorporated areas of Nassau County, which they have control over.

It was moved by Board Member Holloway that based upon the record and testimony received, he recommends to the Board of County Commissioners approval of Tab C, application LDC20-003, consideration for Ordinance amending Article 1, Section 1.02 of the Land Development Code (LDC), relationship to Comprehensive Plan, amending Article 1, Section 1.07 of the LDC, Official Zoning Map; providing

that the Official Future Land Use Map (FLUM) and Official Zoning Map of Nassau County are maintained in electronic format through the Nassau County Property Appraiser's Office and available to the public through that office's website or by contacting the County Planning Department. The motion was seconded by Board Member Rogers and roll call vote on the motion carried unanimously.

The Board considered Tab D, application CPA20-004, consideration for FLUM amendment, to change the classification of 479 acres located on the north and south side of William Burgess Boulevard, between the Robert M. Foster Justice Center and Harvester Street, from Agriculture (AGR), High Density Residential (HDR), Medium Density Residential (MDR) and Conservation 1 (CSV-1) to Transect Districts defined in the William Burgess District Context and Connectivity Blueprint as T-4, Urban Edge/Urban General Zone; T-3.5, Urban Transitional Zone; T-3, Sub-urban Zone; and T-1, Conservation Zone.

Mr. McDowell came forward to provide staff's presentation for Tab D application: a FLUM amendment for property located within the William Burgess Mixed-Use Overlay District approved in 2019. In the proposed application, zoning will be changed to the Transect Districts that are part of the Comprehensive Plan and LDC.

Ms. Saver, Senior Planner, came forward to provide background information: Policy FL.02.05 was amended on July 8, 2019 by Ord. 2019-19 to include the lands east of I-95, south of SR-200, generally west of US-17, and north of the Nassau River, and adopted transect zones as future land use categories with associated densities and floor area ratios. The comprehensive plan amendment was coupled with the addition of Article 43 to the Land Development Code, Ord. 2019-20. This Article, The William Burgess District Mixed-Use Activity Center Overlay District (WBD), adopts, by reference, the William Burgess District Context and

Connectivity Blueprint (WBCCB) to govern development within the overlay district. The proposed amendment to the Future Land Use Map (FLUM) of the Comprehensive Plan is comprised comprises eight parcels totaling 479 acres within the WBD. This application requests to change the existing FLUM designation from Agricultural (AGR), High Density Residential (HDR), Medium Density Residential (MDR), and Conservation 1 (CSV-1) to Transect Districts defined in the WBCCB as T-4 Urban Edge/Urban General Zone, T-3.5 Urban Transitional Zone, T-3 Sub-urban Zone, and T-1 Conservation Zone. A proposed rezoning for this site from Open Rural (OR), Commercial Judicial (CJ) and Residential Judicial (RJ) to the identical transect zones has been filed conjunction with this application (R20-003).

In her presentation, Saver discussed the following key points regarding the application:

1. The population is expected to double in 25 years. This application addresses the need to proactively plan for transportation and population/community support.
2. In transects zoning, mixture of uses are allowed.
3. Article 43 adopted the district and blueprint.
4. Transportation purposes intersection/road connectivity and shared use paths.
5. Historical architecture styles (mercantile, railroad, etc.) will be a focus of design.
6. Civic Support facilities include reserving land for schools and parks. A need for three elementary schools, one middle school, and one high school is estimated.

Mr. McDowell came forward to provide staff's presentation. The application is for the consideration of a FLUM amendment of approximately 479 acres located on

the north and south sides of William Burgess Boulevard. The current FLUM is a mixture of Agriculture (AGR) and High Density Residential (HDR), Medium Density Residential (MDR), Conservation 1 (CSV-1), and wetlands. The amendment will change zoning to Transect Districts as previously discussed which will be T-4, Urban Edge/Urban General Zone; T-3.5, Urban Transitional Zone; T-3, Sub-urban Zone; and T-1, Conservation Zone. The T-4, Urban Edge/Urban General Zone is a district that encourages a mix of uses with residential density of 8-15 dwelling units per acre; T-3.5, Urban Transitional Zone consists of 5-10 dwelling units per acre including mixed-use commercial and civic uses; T-3, Sub-urban Zone, a single-family district with densities of 2-5 dwelling units per acre. T-1, Conservation Zone areas are to be kept natural. He referenced the location of the T-4 transect zone is centered-on the intersection of Main Street and William Burgess Boulevard which has lesser densities. Located near the river there will be large conservation areas, there will be several areas set aside for recreation. Mr. McDowell referenced the PowerPoint Map of the existing FLUM and zoning. Mr. McDowell mentioned a zoning district, known as Commercial/Residential Judicial, approved ten (10) years ago has specific concerns surrounding the Judicial Complex and development in the area. The standards for the William Burgess Overlay District far exceed what was proposed in those zoning districts, therefore recommending the change. The proposed FLUM would duplicate the transect map, previously provided. Mr. McDowell pointed out that an important part of the approval process, for any amendment, is the inclusion of a Unified Development Plan (UDP). A UDP is included in this application.

The plan is similar to the other map of the transects districts; however, the entitlements are labeled differently and includes a chart for the entitlements for each parcel. The Unified Development Plan also references the major improvements such as roadways, trails, parks, and schools that the developer

will be responsible for on the site. He stated that the Unified Development Plan is imperative to be included as part of the ordinance. The Unified Development Program will consist of the maximum of 1798 residential dwellings units consisting of multi-family and single-family; 885,000 square feet of non-residential uses; over fifty (50) acres of parks that will be developed at the time of the Site Engineering Plan; ten (10) acre school site that will be negotiated with Nassau County School Board; and over one-hundred (100) acres that will be preserved in their natural state. Mr. McDowell, in response to inquiry, referenced cross sections of streets proposed for the development plan include main streets and boulevards and detailed notes available online.

The William Burgess Overlay District's proposed FLUM and zoning will be identical in describing entitlements within and improvements required. All development will comply with the UDP attached to the Ordinance. Upon review, the action was found consistent with the Comprehensive Plan, criteria for FLUM amendment, and the standards of the William Burgess Mixed-Use Activity Center. It was found, public service and access to facilities will not be reduced as a result of improvements required in Comprehensive Plan. Based on the findings, application approval is recommended with the condition that Nassau County School Board (NCSB) and applicant execute an agreement on impacts to NCSB and a 10-acre joint use school-site. McDowell requests that the board's motion includes attaching the Unified Development Plan, as an exhibit, to both the current Ordinance and subsequent rezoning ordinance.

Mr. McDowell responded to an inquiry, from Board Member Huben, requesting an expansion of information on the NCSB agreement; as to, what is included in the agreement and the progress made. McDowell noted a deficiency of school capacity and the developer's responsibility for contacting the Nassau County School Board in order to negotiate money and facilities that will address school capacity

deficits. A portion of the agreement would likely include a donation of a proposed school site. As of now, there is not a Propitiate Share Agreement to address school capacity.

Board Member Jasinsky inquired regarding the thresholds for when parks have to be completed as the development moves through the process and where is it defined. Mr. McDowell understood that parks will have to be constructed when Site Engineering Plans or that section of the development begins. Ms. Saver expanded; as Unified Development Programs are implemented, land must be reserved to meet park requirements. Furthermore, she explained that as individual developments are submitted, improvements to each park site is required including the dedication of land and construction of entities. Simultaneously as home sites are opened, recreation for the community is provided. When asked from the Board who owns the park, Saver iterates that the park will have been dedicated to Nassau County. Saver confirms that the County will be responsible for all park maintenance and repair.

Ms. Saver responded to an inquiry that parking will be addressed on the Site Engineering Plan, dependent upon cross-sections and additions of individual neighborhoods.

Chair Gillette inquired of the differences and/or changes in transect designation in comparing the Overall Master Plan to the application. He also questions if there is a need to modify the Overall Master Plan for the William Burgess District. Ms. Saver responded that there is not a need for modifications; due to, language in the UDP allowing the applicant the ability to request a different transect provided that all the requirements for the William Burgess Context and Connectivity Blueprint are met. In addition, she informed that a component of the change includes the applicant dedicating all

"River Village" riverfront property to the County for a park that will then connect to others creating a regionally park.

Chair Gillette then questioned allocation for parks and recreation for assisted living use being required of applicant. Ms. Saver responded that this is an ongoing discussion with staff; and, the LDC mandates require that recreation impacts are addressed with residential use. Ms. Saver explained that they have requested that the Parks and Recreation Master Plan address the recreation impacts as the assisted living facility development commences. Saver continues, if it is determined by the Recreation Master Plan that the assisted living facility should not have to address their own recreational impacts, then the UDP can be adjusted as engineering plans begin. Chair Gillette, in reply, opined that the developer should know this information up front to plan for required park acreage. He noted, assisted living does not take away residential density, and he is not sure there should be park allocation for commercial-type use. Discussion followed between the board and Ms. Saver regarding potential need of park allocation for assisted living.

Chair Gillette inquired if the Unified Development Plan is similar to the PDP for a Planned Unit Development. Ms. Saver stated that the UDP is not exactly the same as a PDP or PUD in that it is just zoning. As the Engineering Plans are submitted lot size and connectivity/component requirements components will be reviewed. Ms. Feinberg responded that this is the first Unified Development Plan a conceptual plan. More detailed plans will come as the process moves forward. The William Burgess Overlay District is to identify transects and components there will be no specifics at this point. When asked by the board if they will see "a plan," Mr. McDowell explained, that the William Burgess Context and Connectivity Blueprint is the plan, as within it are the conditions under which everything must be developed. McDowell further deduces that these

conditions and processes become, essentially, the Development Order. Chair Gillette stated, he does not view the submitted plan as a UDP but that it is more comparable to a Development of Regional Impact (DRI) level color schematic used to assign certain land uses. Ms. Saver responded that the UDP is for zoning reclassification and that at each phase of the development standards within the William Burgess Context and Connectivity Blueprint will be reviewed. Chair Gillette consented he does not know the full process either as Ms. Saver described; in addition, he perceives the UDP is the Development of Critical Concern (DOCC) discussed at a previous meeting was intended for further analysis. Mr. McDowell responded that the purpose was to complete a district-wide plan. The adoption of the development standards, review of potential impacts, and plans to address are already in the book (William Burgess Context and Connectivity Blueprint). The change, in the UDP, is to the land use and zoning only. Chair Gillette explained that the 1800 unit plan should show where development is occurring; where roads, lots, multi-family and open space are located similarly to a PDP. Ms. Saver answered Board inquiry iterating the current purpose is to create a zoning area with components and cross connectivity. As projects are begun, they will be reviewed on a case-by-case basis to ensure they meet all the requirements. Ms. Saver indicated that the William Burgess Context and Connectivity Blueprint addresses the specificity the Board is requesting. Discussion followed.

Board Member Huben questioned how fluid are the transects going forward. Ms. Saver responded that the adoption would be the official zoning for the transect districts. Any changes in the future would have to be by request and demonstrate consistency with the William Burgess Overlay District. As the developments are reviewed, staff would make sure that the Level of Service (LOS) is met.

Greg Matovina, applicant, came forward to point out that the Board has previously approved a "form-based code" and within said code are extremely detailed requirements. In exchange, the applicant is not required to produce a site plan for a ten (10) year project as this is likely to be. The development will come back before the Board several times due to possible changes over ten (10) years. He pointed out that the William Burgess Overlay District indicates that the detailed site plan approval process is delegated to staff and will be completed on a phase-by-phase basis. Mr. Matovina commented that currently presented to the Board is the requested approval for a land use transmittal with transects districts and minor variations to the transects. In his opinion, this plan complies with the overlay. The transmittal goes to the State for comment and will have to move forward from there. He requested that the transmittal move forward tonight due to the tight time frame of the overlay process.

Mr. McDowell explained that the request is to receive a recommendation on both applications. He continued to explain, that due to land use amendment's submission for State review, the zoning application will not be submitted to the Board of County Commissioners until; late April. Mr. McDowell stressed that his recommendation is for approval of the applications contingent on the condition that the Unified Development Plan is attached to both ordinances.

Mr. Matovina addressed the inquiries regarding the school concurrency. He stated that the school concurrency is determined by the Nassau County School Board. There are several developments cemented due to school concurrency since February 2019; however, the rejection notices permits thirty (30) days to decide to proceed with the Proportionate Share Development agreement and a subsequent 30-45 days to form the agreement. Some of the terms were impossible to comply with. Consequently, Mr. Matovina informed the Board that there must be a school

concurrency in place before the Board of County Commissioners will vote on the zoning application. He detailed the impossible terms of the proposed school concurrency agreement requesting all of the money to be paid upfront when the agreement was signed. Resulting, in the hope that the Board of County Commissioners approves the zoning and land use once paid in full. Assuming the Board of County Commissioners did approve the applications, there is a six (6) month period to have the Engineering Plans approved for 1800 homes and 855,000 square feet of commercial uses, including two (2) years to pull the building permits. Mr. Matovina stated on this application that the rejection letter was just received. The concern was then reiterated for discussion; the applicant cannot get the Board of County Commissioners approval without the concurrency letter being received from the Nassau County School Board, and the concurrency letter cannot be received until the Proportionate Share Agreement is negotiated and agreed to. Mr. Matovina's goal is to have all this accomplished within sixty (60) days.

Justin Clark, agent representing land owners north of William Burgess - a commercial zone, came forward to speak in favor of the application. Mr. Clark expressed concerns regarding the implementation of the general transect plans. He questioned the unknown costs of connectivity components in the Unified Development Plan; as opposed to, a Master Plan that details such. Mr. Clark wants to ascertain if the presented plan is final or open to change. Mr. McDowell responded that when the Site Engineering Plans are reviewed, staff will broadly also review the connectivity on the map. He mentioned that within the site engineering process, there will be some flexibility in terms of how things actually workout. Mr. Mullin clarified that as these questions don't have anything to do with the transmittal of this application, it would be better heard at another time.

Mr. Clark expressed that while communication with Mr. Matovina concerning property on the south side of William Burgess is productive/positive, he remains confused about park construction of the north side of William Burgess. Chair Gillette responded that after the transmittal occurs and the planning develops, there should be a notification instrument built so adjacent property owners can understand the process.

There being no one else in the audience wishing to speak for or against this application, it was moved by Board Member Rogers, seconded by Board Member Stack and unanimously carried to close the floor to public discussion for Tab B.

Board Member Jasinsky stated that he did not see a problem with what the County has created, outlining specifics on transects, road types, and density per section. He felt comfortable with the Unified Development Plan, as coming back would not be productive. Chair Gillette opined, he wished PUD's were like this.

It was moved by Board Member Higginbotham, that based upon the record and testimony received, he recommends to the Board of County Commissioners approval of Tab D, application CPA20-004, consideration for FLUM amendment, to change the classification of 479 acres located on the north and south side of William Burgess Boulevard, between the Robert M. Foster Justice Center and Harvester Street, from Agriculture (AGR), High Density Residential (HDR), Medium Density Residential (MDR) and Conservation 1 (CSV-1) to Transect Districts defined in the William Burgess District Context and Connectivity Blueprint as T-4, Urban Edge/Urban General Zone; T-3.5, Urban Transitional Zone; T-3, Sub-urban Zone; and T-1, Conservation Zone. Board Member Gressman added that the requested condition (by Mr. McDowell) will be attached to the UDP. According to the condition, the Nassau County School Board and the applicant will execute an agreement for the impact of the development on the Nassau County School District

which includes the joint use facility ten (10) acre school site/ ten (10) acre public park. The Unified Development Program, attached as Exhibit A, is the implementation mechanism for all recreation lands, and reserved public school site. Substantial variations from the Unified Development Program, including, but not limited to, relocation of roadway or park lands shall require Board of County Commissioner approval and condition of the agreement between the applicant and the Nassau County School Board be executed prior to the adoption. The motion was seconded by Board Member Gressman and roll call vote on the motion carried unanimously.

Chair Gillette advised that Tabs E thru I are Quasi-Judicial hearings.

Mr. Mullin inquired as to whether anyone in the audience is here to speak against Tab E, application R20-003. Seeing none, he advised that Tab E can be heard as a legislative matter.

It was moved by Board Member Holloway, seconded by Board Member Morris and unanimously carried to open the floor to public discussion for Tab E.

The Board considered Tab E, application R20-003, filed by Cook Family Haverstick, LLC.; Cook Family Vanzant, LLC.; JMC Nassau County Properties, LLC.; Cook Family Burgess Faye Jones, LLC., owners and Gregory E. Matovina, agent for the consideration of rezoning approximately 479 acres located on the north and south side of William Burgess Boulevard, between the Robert M. Foster Justice Center and Harvester Street, from Open Rural (OR), Commercial Judicial (CJ), and Residential Judicial (RJ) to Transect Districts defined in the William Burgess District Context and Connectivity Blueprint as T-4, Urban Edge/Urban General Zone; T-3.5, Urban Transitional Zone; T-3, Sub-urban Zone; and T-1, Conservation Zone.

Mr. McDowell provided the staff presentation for Tab E, application R20-003. He indicated that this application is the identical companion application to Tab D, application CPA20-004. He referenced the PowerPoint map for the proposed FLUM and existing zoning. There were unique zoning districts placed on this property in 2016 known as "Commercial Judicial (CJ) and Residential Judicial (RJ)." These districts are specific to this area and if this application is approved, there may a recommendation to remove those zoning districts from the LDC due to them being no longer necessary or appropriate. Mr. McDowell added that if the rezoning is approved, any CJ and RJ districts will cease, specifically to this area. He stated, the recommendation for approval of the application would be conditional on the Unified Development Plan and a condition of an executed agreement with the Nassau County School Board being attached to the ordinance. He reviewed staff findings as provided in the staff report. He advised that staff recommends approval of the application with the same conditions as the companion application (CPA20-004), as the rezoning is consistent with the goals and objectives of the Comprehensive Plan, specifically the William Burgess District. The Application was then opened to questions.

Mr. McDowell responded to an inquiry as to whether there will be any impacts to the Florida State College of Jacksonville (FSCJ) on William Burgess Boulevard. He stated that there will be a trail and mixed-use pathways along the intersection on William Burgess Boulevard. Mr. McDowell confirmed that there will be no effects on land owned by FSCJ.

Mr. Clark, came back before the Board to question the density in the multi-family component of the zoning within the transect districts. He understands there was a maximum of fifteen (15) units per acre; however, this is not consistent with multi-family density. Mr. Clark requests that density of the

land in question, north of William Burgess Boulevard, be increased to 20-22 per acre. Chair Gillette questioned if this inquiry pertains to the current application or just for his own information. Chair Gillette suggested a meeting can be set up with the Planning Department to further discuss the density issue.

There being no one else in the audience wishing to speak for or against Tab E, application R20-003, it was moved by Board Member Rogers, seconded by Board Member Morris and unanimously carried to close the floor to public discussion.

It was moved by Board Member Morris that based upon the record and testimony received, that based upon the record and testimony received, she recommends to the Board of County Commissioners approval of Tab E, application R20-003, filed by Cook Family Haverstick, LLC.; Cook Family Vanzant, LLC.; JMC Nassau County Properties, LLC.; Cook Family Burgess Faye Jones, LLC., owners and Gregory E. Matovina, agent, for the consideration of rezoning approximately 479 acres located on the north and south side of William Burgess Boulevard, between the Robert M. Foster Justice Center and Harvester, from Open Rural (OR), Commercial Judicial (CJ), and Residential Judicial (RJ) to Transect Districts defined in the William Burgess District Context and Connectivity Blueprint as T-4, Urban Edge/Urban General Zone; T-3.5, Urban Transitional Zone; T-3, Sub-urban Zone; and T-1, Conservation Zone with the stipulation to include the Unified Development Plan as well as the statements that a negotiation is to be entered into and approved by the Nassau County School Board. The motion was seconded by Board Member Higginbotham and the roll call vote on the motion carried unanimously.

The Board considered Tab F, application FD19-005, consideration of the Final Development Plan (FDP) for Phase 1C, segments 1 and 2 of the Amelia National Planned Unit Development (PUD); 91 single-family residential units and

associated infrastructure on the north and east sides of Amelia Concourse, west of CR107 Old Nassauville Road filed by Amelia National Enterprise, LLC, owner and Prosser, Inc., agent.

Mr. Mullin inquired as to whether anyone in the audience is here to speak against Tab F, application FD19-005. Seeing none, he advised the matter can be heard as a legislative matter. The applicant waived presentation.

It was moved by Board Member Holloway, seconded by Board Member Rogers and unanimously carried to open the floor to public discussion for Tab F.

Mr. McDowell provided a brief overview of the Final Development Plans (FDP). He reviewed that the current requirements by economic code for all PUDs, for each phase, are to be approved by the Planning and Zoning Board and the Board of County Commissioners. He further explains, the FDP does not approve uses or conditions of the PUD; FDP confirms that the proposed development plan for each phase conforms with the approved PUD preliminary development plan and conditions; FDP must be approved by the Planning and Zoning Board and Board of County Commissioners; and any modifications of FDP must be approved by the Planning and Zoning Board.

Mr. McDowell came forward to provide staff presentation for Tab F, application FD19-005. The application is a consideration for FDP of Phase 1C segments 1-2, of the Amelia National PUD that will contain ninety-one (91) single-family residential lots. He referenced the PowerPoint map of the PUD Preliminary Development Plan that was approved in the consolidated Development Order in 2003. He mentioned that the FDP for Phases 1A and 1B were approved in 2003 and 2005 respectively. These approvals included engineering plans for Phase 1C. However; Mr. McDowell continued, since construction did not commence, these

plans expired. The applicant is requesting approval for a Proposed FDP's which references a segment of Phase 1C and will consist of all single-family lots. Located with Phase 1C, segment 1 will be known as Wild Cherry Drive and Sweetberry Way. Segment 1 will consist of lots ranging approximately 10,000 square feet to ½ acre. Lots will have a minimum lot width of least sixty (60) feet, consistent with all the requirements of Amelia National PUD. Wetland buffers, landscaping, street-scaping, and sidewalks all required per the PUD are being established in these sections³. Mr. McDowell referenced Phase 1C, segment 2, known as Sweetberry Lane cul-de-sac. He informed that there is a secondary entrance (in the southeast corner) included in the Preliminary Development Plan (PDP) for Amelia National; however, is not included as a part of this phase. The secondary entrance is considered Phase 1D with no specific trigger in the PUD Development Order construction. At the time the next phase is to be constructed it will be reviewed. Mr. McDowell summarized the actions/tasks for Amelia National and staff findings as provided in the Staff Report. He advised that staff recommends approval of the application and find it consistent with the LDC and Amelia National PUD.

The Board inquired regarding if the phases are located within the Community Development District (CDD). Michael Veazey, agent, came forward to respond that the CDD was used for master infrastructure outside the gate; there is a CDD, but the remaining lots are encumbered but will get a CDD and be maintained by the Homeowner's Association. The fees for the CDD have been established and the bonds are set.

Roger Ridings, resident of Amelia National, Phase 1, came forward to express his concerns regarding the development having only one point of entrance. Mr. Ridings expressed that he wants his reservations put on record. There are approximately 351 homes in the first phase and there will be additional 203

lots/homes in the next phase. He suggested that for a development of this size there should be an additional entry due to creating a safety issues. Mr. Ridings referenced roads blocked by down trees leading to entrance/exit into the neighborhood. Ridings asks the Board if there is a ratio for homes/exits that is required. He expresses that limited means of egress increases traffic and limits emergency access. Chairman Gillette responded that the PUD defines access points, open space, and the triggers for development.

Mr. McDowell responded that the PUD indicates there will be a second entrance in the southeast corner, but as to the timing, the PUD is silent. Mr. Mullin felt there should an answer from the Planning Department. Ms. Feinberg agreed that these are general concerns and should be addressed. Mr. Mullin suggested that the Board continue this application to allow staff time to review this concern.

Mr. Veazey addressed the fallen trees cited by Mr. Ridings and stated that there are no plans for the second entrance. He commented that the developer has planned a construction road from the back entrance - is considering a gate - but has no plans. Mr. Veazey pointed out that the construction road could be a possible emergency rear exit for now. Mr. Mullin suggested that Mr. Veazey meet with the Engineering and Planning Departments regarding approving the construction road as an emergency exit or a requirement for a second entrance. Board and staff ensue conversation concerning who and what triggers the development of the second entrance and responsibilities of plan execution.

Following discussion, it was moved by Board Member Holloway, seconded by Board Member Huben to continue Tab F, application FD19-005 to March 24, 2020 at 6:00 p.m., or as soon thereafter as the matter may be heard. The roll call vote on the motion carried unanimously.

The Board considered Tab G, application FD19-006, consideration for modification of the FDP for Nassau Station PUD located on the north and south sides of William Burgess Blvd., between Harvester Street and Harts Road; changing the primary access for Parcel "A" to Harvester Street, including 14 townhomes in Parcel "A" which will front Harvester Street and be accessed by a rear alleyway filed by Patriot Ridge, LLP, owner and Adkinson Engineering, agent.

Mr. Mullin inquired if anyone in the audience was present to speak against Tab G, application FD19-006, seeing an audience member raise their hand. Mr. Mullin explained the Quasi-Judicial Hearing Procedures for Tab G. He asked if the applicant wished to waive their presentation and rely on staff comments. Greg Matovina, agent for the applicant for Tab G, application FD19-006, came forward to waive presentation and rely on staff comments.

It was moved by Board Member Jasinsky, seconded by Board Member Stack and unanimously carried to open the floor to public discussion for Tab G.

The Deputy Clerk identified the documents in the agenda packets associated with Tab G. It was moved by Board Member Morris, seconded by Board Member Rogers and unanimously carried to accept the documents into the record as identified by the Deputy Clerk (See Attachment "A").

Regarding ex-parte communication, all board members stated that they had no discussion with any applicant or made site visits for Tab G. The board members also affirmed that they had no email communications or letters related to the agenda item for Tab G. It was noted that the person wishing to speak regarding this application departed the meeting.

The Deputy Clerk swore in staff to provide testimony.

Mr. McDowell came forward to provide staff presentation for Tab G. He stated that the application is a consideration for the modification of the previously approved Nassau Station FDP, Parcel A. The PUD and Preliminary Development Plan (PDP) were amended in 2019 (Ordinance 2019-34). He referenced the PowerPoint map of the PUD Preliminary Development Plan which refers to the two main changes. 1. There will be fourteen (14) townhouse units accessed by a rear alleyway along Harvester Road. 2. Moving the initial main entrance to the single-family portion of the development in Parcel A to Harvester Road south of the townhouse complex. The entrance onto William Burgess Boulevard will become the secondary entrance, and will be constructed when Parcel B construction starts. Until the time for the Parcel B FDP, there will be a temporary cul-de-sac including gated emergency access, on northeast end of property near William Burgess Boulevard. He referenced the Proposed FDP, noting the townhouse section entrance off of Harvester Road and the temporary cul-de-sac on the northeast side. Discussion ensues concerning less driveways along Harvester Road despite an increase in units. Mr. McDowell then reasons, there will be no increase in the overall units allowed in the Nassau Station PUD. The fourteen (14) units formally planned were single-family homes in Parcel A. The action/requirements are the same with the modification. Mr. McDowell reviewed the following staff findings as provided in the staff report:

1. Requirement to improve Harvester Street from William Burgess to southern end of property
2. Restroom and icon facilities at County park, north side of William Burgess.
3. Multi-use trails through the park
4. On street parking along William Burgess

He then advised that staff recommends approval of the application.

The Board inquired to the number of buildings located within Parcel B. Mr. McDowell responded that per the Site Plans there would be five (5) buildings, being two (2) to three (3) stories in height. The idea is to have multi-family and commercial/offices on the bottom floor, with mixed-use.

There being no one in the audience wishing to speak for or against Tab G, application FD19-006, it was moved by Board Member Higginbotham, seconded by Board Member Stack and unanimously carried to close the floor to public discussion.

It was moved by Board Member Jasinsky that based upon the record and testimony received, he finds that there is competent substantial evidence and therefore his motion is to recommend to the Board of County Commissioners approval of Tab G, application FD19-005, consideration for modification of the FDP for Nassau Station PUD located on the north and south sides of William Burgess Blvd., between Harvester Street and Harts Road; changing the primary access for Parcel "A" to Harvester Street, including 14 townhomes in Parcel "A" which will front Harvester Street and be accessed by a rear alleyway filed by Patriot Ridge, LLP, owner and Adkinson Engineering, agent. The motion was seconded by Board Member Higginbotham and the roll call vote on the motion carried unanimously.

Board Member Jasinsky clarified his motion stating that the correct application number is FD19-006, Board Member Higginbotham amended his second to reflect the correction.

The Board considered Tab H, application FH20-01, Bridges Family's Hardship Development, filed by Robert and Christine Bridges, a request to establish a

Family Hardship Development of approximately 106.89 acres of land located on Wildlife Way, Callahan, Florida.

Mr. Mullin inquired as to whether anyone in the audience is here to speak against Tab H. Seeing none, he advised that the matter can be heard as a legislative matter. He asked if the applicant wished to waive their presentation and rely on staff comments. Christine Bridges, applicant for Tab H, application FH20-01, came forward to waive presentation and rely on staff comments.

It was moved by Board Member Holloway, seconded by Board Member Morris and unanimously carried to open the floor to public discussion for Tab H.

Ms. Saver came forward to provide staff presentation. She stated that the application for consideration is for a Family Hardship Development for the Bridges family. The applicant is requesting the Board to waive the requirement to go through the formal platting process so that they can give five (5) acres to their son, so that he can establish homestead. This will include the construction of a single-family home on the remaining 100 acres. She advised of the settlement agreement that was previously executed and all adjacent neighbors, on Country Life and Wildlife Ways, have been notified of the request to split the land. Ms. Saver stated that the staff report referenced that the applicants were requesting to split 2.4 acres however, based on the applicant's conversation with neighbors, they elected to split a five (5) acre parcel, exceeding current code requirement of 1 acre parcels. She referenced the PowerPoint map of the location of the subject property, noting direct access to roadways. Ms. Saver informs the board, the applicants are also requesting to not plat because paving Wildlife Way and going thru the platting process would place on to them an undue burden for them giving land to their son. The

applicants have provided all covenants and restrictions; and, the deed contains all the language necessary for a Family Hardship Development.

Johnny Williams, adjacent property owner, came forward to inquire regarding the process. He mentioned that in 2017 he came before the Board to do the same thing, to divide property, to a non-family member; He was notified that due to it not being on a county road and not held to county rural road standard, they would be a responsible to upkeep the private road. Mr. Williams requested that the minimum transfer for Family Hardship Development be increased from one (1) to five (5) acres; stressing, that the residents will not be able to afford the road maintenance if one (1) acre parcels are split. Mr. Mullin responded that the Board cannot require a five (5) acre minimum.

There being no one else in the audience wishing to speak for or against Tab H, application FH20-001, it was moved by Board Member Holloway, seconded by Board Member Morris and unanimously carried to close the floor to public discussion.

It was moved by Board Member Holloway that based upon the record and testimony received, he finds that there is competent substantial evidence and therefore his motion is to recommend to the Board of County Commissioners approval of Tab H, application FD20-01, Bridges Family's Hardship Development, filed by Robert and Christine Bridges, a request to establish a Family Hardship Development of approximately 106.89 acres of land located on Wildlife Way, Callahan, Florida. The motion was seconded by Board Member Stack and the roll call vote on the motion carried unanimously.

The Board considered Tab I, application FH20-02, Hagan Family's Hardship Development, filed by Heather Hagan, a request to establish a Family Hardship

Development of approximately 10.19 acres of land located on Musselwhite Road, Callahan, Florida.

Mr. Mullin inquired as to whether anyone in the audience is here to speak against Tab I, seeing none, he advised the matter can be handled as a legislative matter. He asked if the applicant wished to waive their presentation and rely on staff comments. Heather Hagan, applicant for Tab I, application FH20-02, came forward to waive presentation and rely on staff comments.

It was moved by Board Member Holloway, seconded by Board Member Rogers and unanimously carried to open the floor to public discussion for Tab I.

Ms. Saver came forward to provide staff presentation. She mentioned that applicant requesting a Family Hard Development, the subject parcel was previously split from a parent parcel and based upon the regulations in order to give land to her daughter she would have to complete the platting process. She stated that both lots will have frontage along Musselwhite Road, however there is a thirty (30) foot easement that the applicant would like to use to access both parcels. She explained that the applicant has done a land swap with her neighbor to make the applicant's parcels have one-hundred (100) feet of road frontage each along Musselwhite Road. She advised that the applicant has provided the necessary documents for the requirements of the Family Hardship Development. She referenced the PowerPoint map of the property location.

There being no one in the audience wishing to speak for or against Tab I, application FH20-02, it was moved by Board Member Rogers, seconded by Board Member Higginbotham and unanimously carried to close the floor to public discussion.

It was moved by Board Member Higginbotham that based upon the record and testimony received, he finds that there is competent substantial evidence and therefore his motion is to recommend to the Board of County Commissioners approval of Tab I, application FH20-02, Hagan Family's Hardship Development, filed by Heather Hagan, a request to establish a Family Hardship Development of approximately 10.19 acres of land located on Musselwhite Road, Callahan, Florida. The motion was seconded by Board Member Gressman and the roll call vote on the motion carried unanimously.

There being no further business, the regular session of the Planning and Zoning Board adjourned at 7:45 p.m.

Chairman

ATTEST:

Attachment "A"

Nassau Planning and Zoning Board
March 4, 2020

Tab G– FD19-006 Nassau Station Modification

1. Parcel Map – 1 page
2. Approved Plan – 1 page
3. Staff Report – 3 pages