



## APPLICATION FOR AMENDMENT TO THE FUTURE LAND USE MAP

### APPLICATION SUMMARY TABLE

<b>OWNER/APPLICANT:</b>	FKP, LTD / Rogers Towers, PA			
<b>AGENT:</b>	Emily Pierce, Esq.			
<b>REQUESTED ACTION:</b>	Future Land Use Map amendment from Commercial (COM) and Medium Density Residential (MDR) to High Density Residential (HDR)			
<b>LOCATION:</b>	East side of US 17, between SR 200 & Pinewood Dr. to the north and Green Acres Apts. to the south			
<b>CURRENT LAND USE + ZONING:</b>	COM & MDR + Commercial Intensive (CI) & Residential General-1 (RG-1)			
<b>PROPOSED LAND USE + ZONING:</b>	HDR + PUD (to allow for 270-unit apartment complex)			
<b>EXISTING USES ON SITE:</b>	Undeveloped			
<b>PROPERTY SIZE + PARCEL ID:</b>	22.73 ac + Parcel ID# 42-2N-27-0000-0001-0010, 42-2N-27-0000-0028-0000, & part of 42-2N-27-0000-0002-0010			
<b>ADJACENT PROPERTIES:</b>	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Residential SF, Undeveloped	CI, RM, OR	COM, MDR
	South	Residential MF (Yulee Villas)	RG-1, RG-2	COM, MDR
	East	Conservation tract (Hideaway)	PUD	MDR
	West	Residential MF (Yulee Villas) & US 17	IW, CI	COM

\*\*\* All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. \*\*\*

### SUMMARY OF REQUEST AND BACKGROUND INFORMATION

Pursuant to Sec. 163.3187, F.S., Future Land Use Map (FLUM) amendments including 10 acres or more are considered "Large-Scale," requiring initial transmittal hearings for State inter-agency review. This is such an application. This application is being filed in conjunction with a rezoning to PUD (Planned Unit Development) to allow an apartment complex of 270 multi-family units, with one-third of these being designated affordable housing. The PUD is under review by County Staff. The Planning



Figure 2: Location Map



Figure 1: the development site from US 17, looking south



Board heard this item at their January 5, 2021 meeting and continued it to this meeting. It should be noted that while this public hearing is just for the transmittal of the amendment to state agencies for review, after such review the request will not come back to the PZB, but will proceed to the Board of County Commissioners. Therefore, this is the PZB's final review of this land use amendment.

County Staff has determined that while this project is applying to receive a density bonus for affordable housing, this is a separate issue, one that is determined by the Board of County Commissioners through an affordable housing development agreement. Evaluation of this application is strictly concerned with the Future Land Use Map amendment.

## **BACKGROUND**

The amendment/development site is located between 1,458 feet and 3,000 feet from the center of the SR 200/US 17 intersection, within the Yulee nodal area, an area with existing and potential high-intensity and density zoning entitlements. To the north are the automotive-related and other retail uses clustering around the intersection, and to the west across US 17 an undeveloped parcel is currently zoned Industrial Warehouse (IW) and is also "pre-approved" for the T4.5 zoning transect of the William Burgess District Overlay (WBDO), which allows four-story buildings and residential density up to 15 units per acre, along with quality development standards. This development site is not within the WBDO and therefore does not have the option to adopt transects at this time, although Staff is preparing Code and Comp Plan revisions that would, if adopted, allow use of appropriate/compatible transects throughout the unincorporated County.

Other vicinity development includes a light manufacturing use to the north on US 17 (aerospace metals manufacturing), north of which is a bowling alley. Another multi-family use, Yulee Villas, is to the south, a low-rise, one-story garden apartment complex of 42 one, two, and three-bedroom apartments. Sixteen of these units are affordable through rent subsidies (see discussion below regarding defining "affordability"). South of Yulee Villas are the Green Acres apartments, also a low-rise, one-story garden apartment complex of 47 all-affordable (very-low income) one and two-bedroom apartments renting for between \$474 and \$589 per month. Across US 17 from the development site is a dollar store and undeveloped, industrially zoned parcel.

As the FLUM and zoning maps below show, the development site and vicinity are designated either commercial or medium density residential. FLUM and zoning designations on the site are contrary – the Commercial FLUM applies to the US 17 frontage and the rest of the site has Medium Density Residential (MDR) designation. The entire site is zoned Commercial Intensive, except for a small area accessing Pinewood Drive in the north, which is zoned RG-1.

---



Figure 3: Future Land Use Map (FLUM)

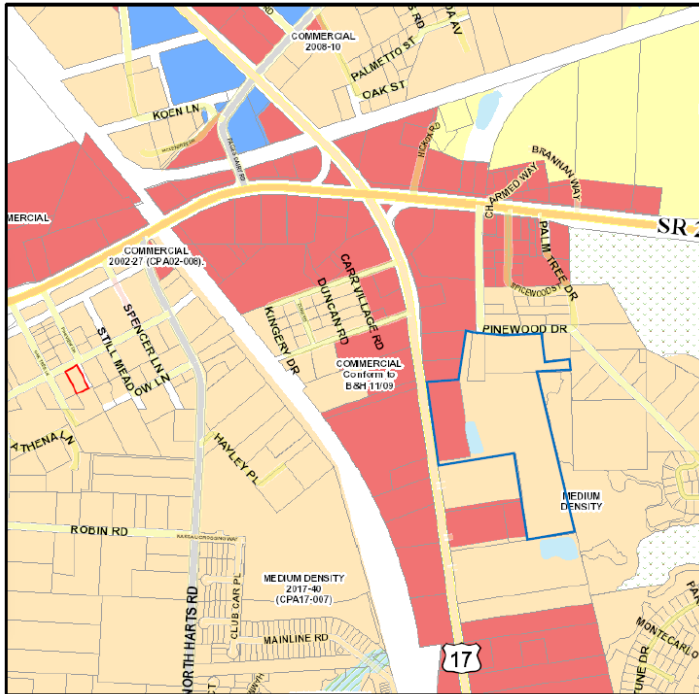
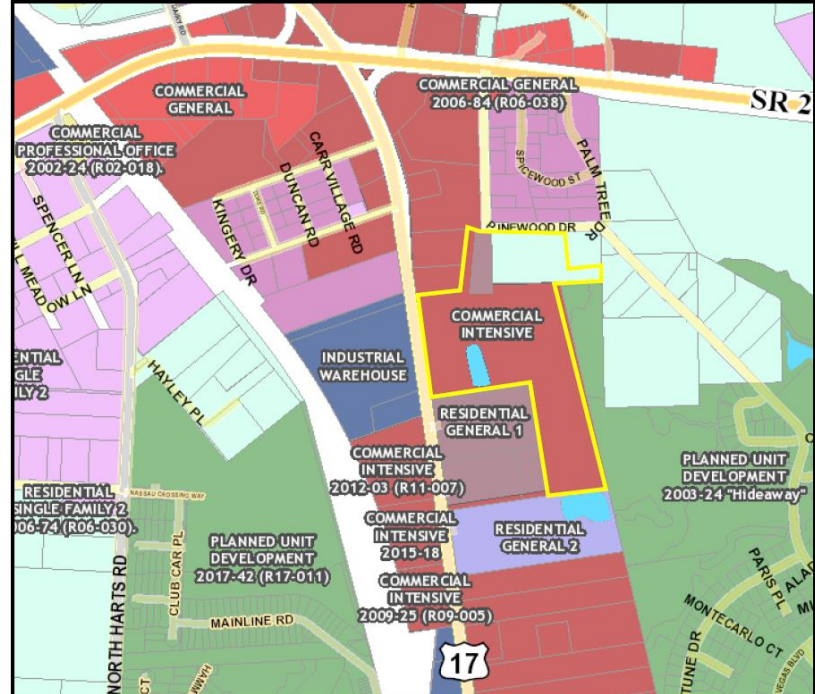


Figure 4: Zoning Map







## CONSISTENCY WITH THE COMPREHENSIVE PLAN

### Future Land Use Element Policy FL.01.02(B)

This policy sets forth Future Land Use Map (FLUM) densities, which are a maximum of 3 units per acre with the existing MDR. The Applicant requests amending the FLUM to the HDR category, which allows up to 10 units per acre, and in this case additional units based on affordable housing provision.

### Future Land Use Element Policy FL.01.04

Pursuant to Ch. 163, F.S. and Policy FL.01.04 of the Comprehensive Plan, all amendments to the Future Land Use Map (FLUM) shall provide justification for the need for the proposed amendment. In evaluating proposed amendments, the County shall consider each of the following statutory criteria:

- 
- (A) *Demonstrate the extent to which the proposed amendment discourages urban sprawl per F.S. 163.3177(6)(a)(9), of which indicators are:*
- 1) *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*  
The amendment does not result in a substantial area developing as low-density uses.
  - 2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*  
This criterion is not applicable since the site is not in a rural area.
  - 3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*  
The amendment would provide for compact development in “downtown” Yulee, a mostly commercial area that is planned for redevelopment over time into a mixed-use center.
  - 4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*
  - 5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*  
The proposed amendment is not located in and will not impact an agricultural area.
  - 6) *Fails to maximize use of existing public facilities and services.*
  - 6) *Fails to maximize use of future public facilities and services.*
  - 8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*  
The development site will not require the extension of urban services and facilities. Water and sewer lines with available capacity are located along the western edge of the property, and vehicular access to two state highways is provided. Northbound turn lanes will allow for turning movement into and out of the property while maintaining traffic flow in through lanes. County Fire Station # 30 is located 0.6 miles to the northwest, on Pages Dairy Road; the



Sheriff's Department and Judicial Complex are located three miles to the west, on William Burgess Boulevard; and the Yulee Sports Complex is located two-thirds of a mile to the northeast, on Goodbread Road.

*9) Fails to provide a clear separation between rural and urban uses.*

While there are some remnant rural uses and undeveloped properties, by and large the heart of Yulee is developed with commercial uses, some of which will likely be redeveloped to higher intensities as allowed by current zoning. While they are lower density (4-5 d.u./ac. compared to this project's 11.9 d.u./ac.), the adjacent Yulee Villas and Green Acres apartments are also multi-family uses with a suburban character.

*10) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

This amendment would in fact encourage and allow for infill in the US 17 corridor of Yulee, an area served by existing utilities and public services.

*11) Fails to encourage a functional mix of uses.*

This location provides excellent accessibility to nearby jobs, shopping, and recreation for essential workers and their families. Such a central location provides for reduced vehicle trip lengths and less traffic impacts.

*12) Results in poor accessibility among linked or related land uses.*

Accessibility is improved by connectivity of the development site both to US 17 and SR 200 via Pinewood Dr., as supported by FLUE Policy 1.04(D), discussed later in this report on Pages 8-9.

*13) Results in the loss of significant amounts of functional open space.*

The amendment will not result in the loss of a significant amount of functional open space.

*(B) Demonstrate the extent to which the proposed amendment is contiguous to an existing urban or urban transitioning area served by public infrastructure;*

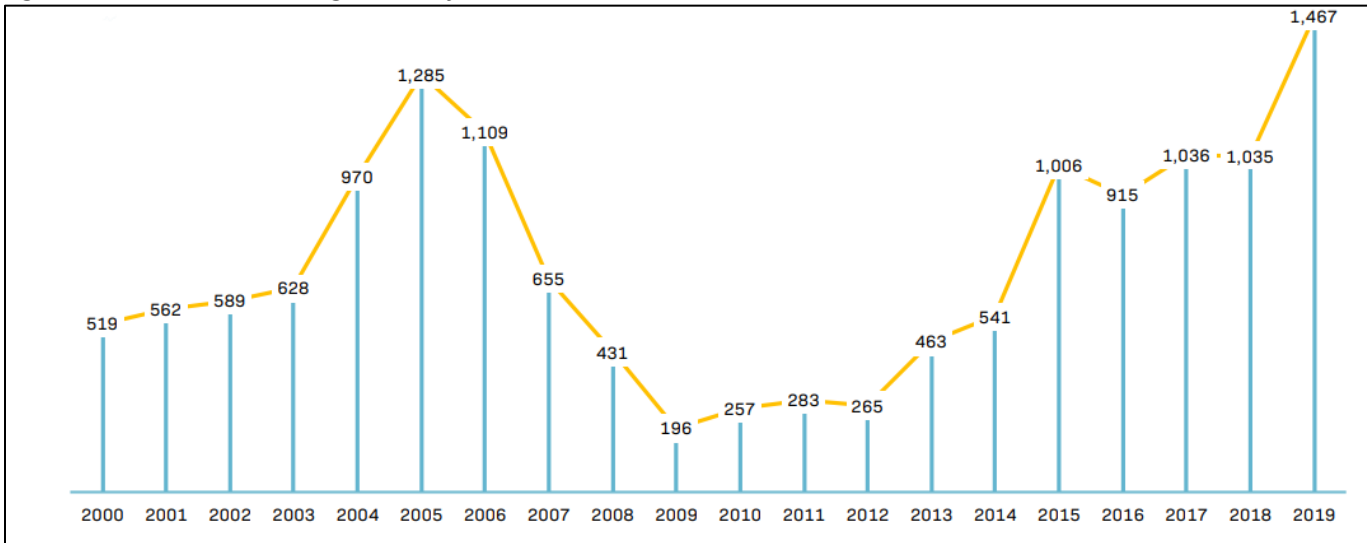
The proposed amendment is located in an area where there is existing public infrastructure. The proposed amendment will not over-burden existing or proposed public infrastructure.

*(C) Demonstrate the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;*

As stated in the *Housing Market Analysis, Nassau County, FL* (by Urbanomics, Inc., October 3, 2020), based on historical precedent and regional growth the County will continue as one of the state's (and nation's) fastest growing counties. While making up just 6.3% of the regional housing stock, the County captured almost 9% of all new units in the region in 2018 and 2019. Unincorporated Nassau County is projected to add almost 21,000 new households by 2040, generating a demand for more than 24,000 new housing units, an annual average of 1,205. As Figure 5 on the next page demonstrates, this growth is in line with unit creation over the last 19 years, taking into account housing market fluctuations caused by outside economic forces. Also as previously noted, multi-family units comprise just 9% of all housing units, so there is a demand for this housing type.



Figure 5: Residential Building Permits for New Construction



Source: Nassau County, FL Growth Trends Report

(D) Demonstrate the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County's Capital Improvement Plan, the Florida Department of Transportation Five -Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;

To determine roadway infrastructure and project impact upon such infrastructure, the traffic study (attached) was performed by Florida-licensed engineer Rajesh Chindalur, P.E., of Chindalur Traffic Solutions, Inc. The study follows approved County methodology and uses accepted growth and development projections. The following roadway segments were included in the study area:

- SR 200/A1A – I-95 to Still Quarters Road;
- SR 200/A1A – Still Quarters Road to US 17;
- SR 200/A1A – US 17 to CR 108/Old Nassauville Road;
- US 17 – 2700' South of Harts Road to Crosby Avenue; and
- US 17 – Crosby Avenue to SR 200/A1A.
- US 17 – SR 200/A1A to Pages Dairy Road
- US 17 – Pages Dairy Road to Hamilton Street
- Harts Road – SR 200/A1A to US 17
- Pages Dairy Road – US 17 to Chester Road
- William Burgess Road – SR 200/A1A to US 17
- Miner Road – SR 200/A1A to Haddock Road

US 17 is a two-lane undivided highway with a 45-mph speed limit and average daily traffic of 13,520 vehicles per day. SR 200 is a six-lane divided highway with a 45-mph speed limit and average daily traffic of 36,841 vehicles per day. Pinewood Dr. is a two-lane local roadway with a 20-mph speed limit and light traffic. All roadway segments in the study area are currently operating at Level of Service (LOS) C or better. (LOS levels range from very light traffic, assigned a grade of A, to



high levels of congestion/gridlock, assigned a grade of F. The Comprehensive Plan's Transportation Element Policy T.01.01 sets a minimum LOS for D for all roadways.) However, 2025 traffic projections indicate that the segment of US 17 north of SR 200 would be considered to "fail" at LOS F, and the segment of Pages Dairy Road between US 17 and Chester Road will be operating at LOS D.

The traffic study projected that almost 57% of the apartments traffic will be to and from the south, travelling to and from Duval County. Almost 28% of projected traffic is to and from SR 200 east, to the SR 200 shopping areas and the Island; over 13% is to and from William Burgess Boulevard; almost 8% is to and from US 17 North to Georgia; 5.5% is to and from SR 200 west; and a small sliver (2.6%) splits off on Pages Dairy Road, avoiding the congestion of SR 200.

Build-out (2025) project traffic comprises less than 1% of maximum service volumes (traffic capacity) for all the study roadway segments, except for the two adjacent segments of US 17. Project traffic will comprise 4.7% of volumes for the US 17 segment between SR 200 and Crosby Avenue, and 2.9% of traffic on US 17 between Crosby Avenue and Harts Road.

At build-out, an estimated 1,136 vehicles per day will enter or exit the main driveway at US 17, which will require right and left turn lanes on this driveway, which will be the responsibility of the Developer. Also at build-out, a projected 550 vehicles per day will utilize the other project entrance to SR 200 eastbound via Pinewood Dr., a street that also serves the Hideaway subdivision as a secondary/north entrance. From the entrance point, Pinewood Dr. continues approximately 900 feet north to a right-turn only intersection with SR 200. The traffic study indicated that an eastbound turn lane onto SR 200 from Pinewood would not be triggered by project traffic.

In summary, this project contributes to will not solely cause failure of impacted roadways and will mitigate traffic impacts by constructing northbound turn lanes onto US 17. PUD conditions can specifically prescribe when these improvements must occur.

It is important to note that when comparing maximum potential traffic impacts of the current Future Land Use Map categories with those of the proposed FLUM, the proposed HDR dramatically reduces traffic impacts, as noted in the table below. The approximately 600 feet of commercial frontage along US 17 would allow for a variety of possible high trip generating uses, as shown in the table below.

Potential Current Use	Daily Trips
Gas Station/Convenience Store	7,217
Coffee Shop w/ Drive Through	2,736
Single-Family Homes (46)	431
<b>TOTAL</b>	<b>10,384</b>
<b>Proposed Use</b>	
<b>Low-Rise Multi-Family Units</b> (HDR Max. 10 d.u./ac., 15.2 ac.)	<b>1,381</b>
<b>Low-Rise Multi-Family Units</b> (HDR Max. 15 d.u./ac.w/ density bonus)	<b>2,072</b>
<b>Percent Decrease from Current Potential to Proposed Trips (without bonus)</b>	<b>86.7%</b>
<b>Proposed Use Trips Percent of Current Potential Trips</b>	<b>13.3%</b>

*Based on ITE Trip Generation Manual, 10<sup>th</sup> Edition, and using building footprints for existing uses.*



*(E) Demonstrate the extent to which the amendment will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.*

The amendment is sustainable in that it provides for multi-family, which is in short supply in Nassau County. The project location is served by central water and sewer and other utilities and is near to jobs, schools, shopping, parks.

*(F) Demonstrate the extent to which the amendment results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity. Successful compact development is illustrated through the use of:*

- 1. Clustered population and/or employment centers;*
- 2. Medium to high densities appropriate to context;*
- 3. A mix of land uses;*
- 4. Interconnected street networks;*
- 5. Innovative and flexible approaches to parking;*
- 6. Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*
- 7. And proximity to transit.*

The intent of the William Burgess District, SR 200 overlay planning and zoning standards, and other Comp Plan and LDC relevant policies and standards is to transform the Yulee area into a vibrant, mixed-use node over time. The techniques noted above will accomplish this: allowing for new higher-density residential uses, encouraging an employment center(s), developing an interconnected street network, allowing for shared/minimized parking, employing bike-ped/Complete Streets design, and anticipating future transit service.

*(G) Demonstrate the extent to which the amendment does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.*

The companion PUD will provide for specific protection and preservation measures for the onsite wetlands, located generally in the northeast and southeastern portions of the development site. The proposed residential use will not adversely impact wetlands and wetland-upland buffers, with the proper PUD controls in place.

#### **Future Land Use Element Policy FL.02.02**

##### *SR 200/A1A Access Management Overlay District*

*The SR 200/A1A Access Management Overlay District provides a further means for the County to manage development along SR 200/A1A. This district is shown in map form as part of the Future Land Use Map Series. It lies generally within 1000 feet of each side of SR 200/A1A and stretches from Edwards Road (which is one mile west of the I-95 and SR 200/A1A interchange) to the Intracoastal Waterway. The following policies, in addition to the countywide access management requirements specified by the Transportation Element shall also apply to development within the 200/A1A Access Management Overlay District:*

*A) Direct access to SR 200/A1A shall be controlled to preserve the safety, efficiency, and character of this regionally important transportation route. Individual property access shall not be provided to SR 200/A1A where alternative access is available, or can be provided by the land developers, as defined in the Land Development Code (LDC).*





*B) Accessibility to land development along SR 200/A1A shall be provided through the use of parallel roads side streets, joint access driveways and cross access easements connecting adjacent developments. Adjacent non-residential properties shall provide a cross access drive and pedestrian access to allow circulation between sites.*

The northernmost portion of this property lies within the SR 200 Overlay, therefore the subject property would be bound by the Overlay standards. The policy above requires connectivity to adjacent streets (US 17 and Pinewood Dr.).

#### **Future Land Use Element Policy FL.08.05**

*The County shall direct commercial and multi-family residential uses into clustered or nodal development patterns, that eliminate or reduce strip or ribbon development following major County or state roads.*

This policy directs multi-family into nodal areas like “downtown” Yulee.

#### **Future Land Use Element Policy FL.10.01**

*The Land Development Code shall permit the use of innovative land development techniques and allow for appropriate density bonuses to encourage construction of affordable housing units.*

The amendment is in keeping with this policy.

#### **Housing Element Policy H.08.02**

*The County shall discourage patterns of urban sprawl by providing a sufficient supply of housing in close proximity to employment centers within the Urban Development Area as shown on the Development and Preservation Framework found in the background data and analysis for this Plan, promoting a compact mixture of residential and non-residential uses, and where public infrastructure and services exist or are planned.*

This policy applies to the amendment, as it is in close proximity to the SR 200 commercial areas.

#### **Transportation Element Policy T.05.03**

*Access to Arterial and Collector Roadways. Development, which provides access directly to arterial and collector roadways shall be designed to:*

*A) Provide adequate and safe entrance intersection(s) including turn lanes, acceleration/deceleration lanes, signalization, signage, and pavement marking as appropriate;*

*B) Prevent the creation of hazardous traffic conditions, such as excessive curb cuts, which impede traffic flow.*

The companion PUD will must comply with this policy and with the SR 200 standards found in the LDC.

#### **Transportation Element Policy T.05.07**

*The SR 200/A1A Access Management Overlay District is created. The SR 200/A1A Access Management Overlay District provides a further means for the County to manage development along SR 200/A1A. The purpose of this district is to reduce traffic congestion. Development that takes place within this district will be managed with the aim of protecting the public investment in the existing transportation system and reducing the need for expensive remedial measures. In addition, the policies of this overlay district will further the orderly layout and use of land, protect community character and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned division of land. This district is shown in map form as part of the Future Land Use Map Series. It lies generally within 1000 feet of each side of SR 200/A1A and stretches from Edwards Road (which is one mile west of the I-95 and SR 200/A1A interchange) to the Intracoastal Waterway. In addition to the policies in T.05.06 above, the following added policies shall also apply to development within this district: Nassau County shall continue to implement, through the LDC, the provisions of the A1A Access Management Overlay District. Nassau County shall consider, additional FDOT access management activities aimed at reducing congestion, and improving safety on SR 200/A1A.*

As previously stated, the companion PUD must comply with the standards of this policy.



## **CONCLUSION**

As an appropriate higher-density infill project in a nodal area that allows for current and future higher densities and intensities, Staff finds the requested action to be consistent with multiple Comprehensive Plan objectives and policies and review criteria, including those paraphrased below.

- The property is in an area that currently allows for intensive uses. The property itself is zoned Commercial Intensive, Commercial General zoning is to the north, and Industrial Warehouse and Commercial Intensive zoning is across the street. The properties are designated Commercial on the Future Land Use Map. A light industrial use, bowling alley, and golf cart sales store is to the north, multi-family uses are to the south, and mobile home sales and a dollar store are across US 17. US 17 has multiple intensive uses south of this property down to Harts Road, and the nodal area that includes this property around the intersection of US 17 and SR 200 is planned for future intensive land uses.
- As noted on Page 10, when using basic daily trip generation rates of the Institute of Transportation Engineers, the proposed High Density Residential FLUM markedly decreases traffic impacts from the current potential commercial uses.
- The proposed amendment does not represent urban sprawl, but is an infill project, which is encouraged and supported by the Comprehensive Plan.
- The wetland systems on the eastern portion of the property provide a natural buffer for single-family residential lands to the east.
- In keeping with Future Land Use Element Policy FL.08.05, this policy directs multi-family into nodal development patterns like the area around the intersection of US 17 and SR 200.
- In keeping of Housing Element Policy H.08.02, the amendment provides housing in close proximity to employment centers, promoting a compact mixture of residential and non-residential uses where public infrastructure and services exist or are planned.

Conversely, the following findings may not support the amendment.

- While not directly causing US 17 to fail, the amendment contributes to this failure, and also degrades the westbound SR 200 turn lane onto Pinewood Dr.
- The considerable number of emails from nearby Hideaway and Pinewood Dr. residents indicate opposition to the project with concerns about traffic impacts from the Pinewood entrance and to vicinity roads in general, impacts to schools, as well as the impacts of low-income housing on property values. This input, when valid, constitutes competent and substantial evidence. The PZB can make the determination that while the project does not cause the roads to fail, the localized traffic impacts, particularly to Pinewood Dr. could constitute legislative grounds for denial of the request. As far as the impact on property values, Staff cannot make a finding on this, as this would depend on specific project design aspects such as architecture, amenities, landscaping, and other elements that are not part of the comprehensive plan amendment process, but pertain to the PUD rezoning stage.

On balance, this report's review of applicable policies and criteria provides more than sufficient legislative support for eventual approval. **Based on these findings, staff recommends APPROVAL of the request and of transmittal of application CPA20-008 to relevant state agencies for review.**