



APPLICATION FOR AMENDMENT TO THE FUTURE LAND USE MAP

APPLICATION SUMMARY TABLE

OWNER/APPLICANT:	FKP, LTD / Rogers Towers, PA			
AGENT:	Emily Pierce, Esq.			
REQUESTED ACTION:	Future Land Use Map amendment from Commercial (COM) and Medium Density Residential (MDR) to High Density Residential (HDR)			
LOCATION:	East side of US 17, between SR 200 & Pinewood Dr to the north and Green Acres Apts. to the south			
CURRENT LAND USE + ZONING:	COM & MDR + Commercial Intensive (CI) & Residential General-1 (RG-1)			
PROPOSED LAND USE + ZONING:	HDR + PUD (to allow for 270-unit apartment complex)			
EXISTING USES ON SITE:	Undeveloped			
PROPERTY SIZE + PARCEL ID:	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			
ADJACENT PROPERTIES:	<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.

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

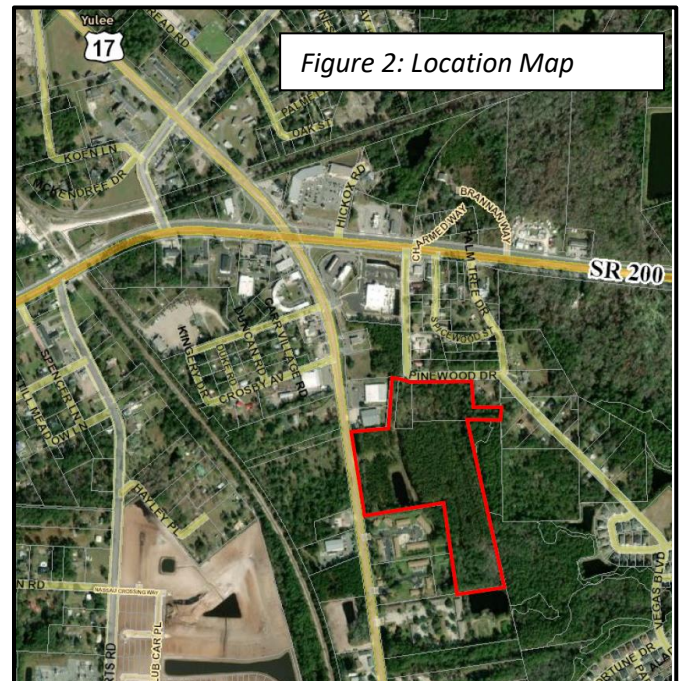
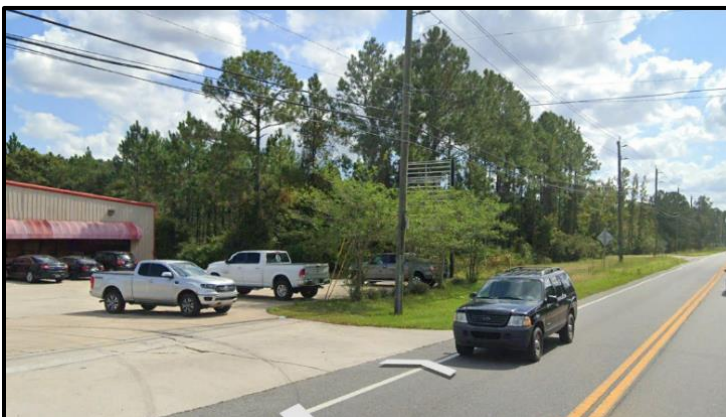


Figure 2: Location Map



EXISTING CONDITIONS

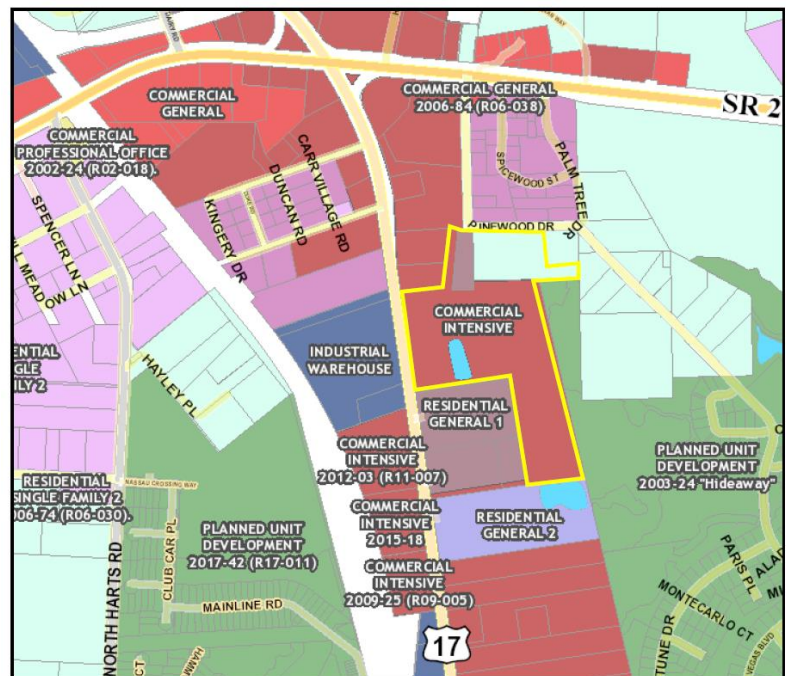
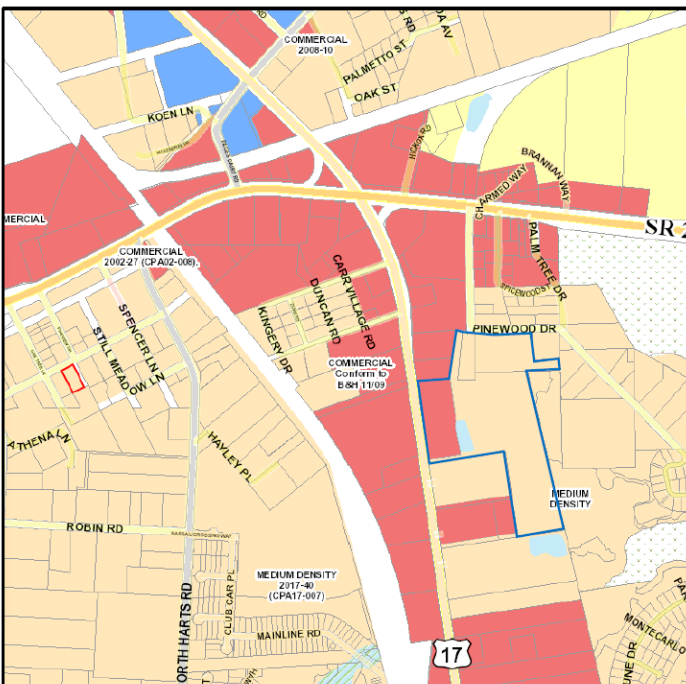
The amendment/development site is located between 1,458 feet and 3,000 feet from the center of the SR 200/US 17 intersection, within the Yulee nodal area, an area with existing and potential high intensity and density zoning entitlements. To the north are the automotive-related and other retail uses 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 to the south, 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 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, but then 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





AFFORDABLE HOUSING DENSITY BONUS

Affordable housing is a term that includes several sub-categories, as shown in the following table, from the Nassau County Housing Affordability Assessment, conducted in 2018 by the Shimberg Center for Housing Studies (included in packet).

Table 1: 2020 Rent and Income Limits, Nassau County

	Rent Limits by Number of Bedrooms					
AMI	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Very-Low Income (<50%)	\$656	\$703	\$843	\$975	\$1,087	\$1,200
Low-Income (50%-80%)	\$980	\$1,060	\$1,260	\$1,454	\$1,622	\$1,622
Moderate-Income (80%-120%)	\$1,470	\$1,575	\$1,890	\$2,181	\$2,422	\$2,422

Table 2: 2020 Household Income Limits, Nassau County

	Income Limits by Household Size (number of persons)									
AMI	1	2	3	4	5	6	7	8	9	10
Very-Low Income (<50%)	\$26,250	\$30,000	\$33,750	\$37,500	\$40,500	\$43,500	\$46,500	\$49,500	\$52,500	\$55,500
Low-Income (50%-80%)	\$42,000	\$48,000	\$54,000	\$60,000	\$64,800	\$69,600	\$74,400	\$79,200	\$84,000	\$88,800
Moderate-Income (80%-120%)	\$63,000	\$72,000	\$81,000	\$90,000	\$97,200	\$104,480	\$111,600	\$118,800	\$126,000	\$133,200

Sources for Tables 1 & 2: Florida Housing Finance Corporation

The HDR Future Land Use Map (FLUM) designation allows a maximum of ten dwelling units per net (upland) acre. When deducting the 3.86 wetland acres the net 18.87 acres of the proposed HDR FLUM would allow a maximum of 188 units on this site if approved. Pursuant to Comprehensive Plan Future Land Use Element Policy FL01.03, developments may claim additional units through a density bonus of one market-rate unit for each affordable unit, not to exceed 150 percent of the maximum FLUM density designation, which for this project would be a cap of 282 units. The applicant does not propose to seek the full possible density, capping affordable (low-income) units at one-third and 89 units and total units being capped at 270. In order to get the additional 82 units, the Developer only needs to provide for 41 affordable units, however they have exceeded that requirement in providing the 89 affordable units.

The Applicant proposes that the low-income affordable units remain that way for a period of at least 15 years from the adoption date of the PUD Ordinance. While the Applicant has also proposed that the remaining two-thirds of the units will likely be moderate-income affordable units but has not chosen to commit to preserving the moderate-income units as they are with the low-income units. Staff does not object to this since as shown in Table 1, moderate-income rents are essentially market-rate. However it should be noted that the proposed 15-year timeframe does not conform to Future Land Use Element Policy FL01.03 (B), which requires that in order to be entitled to additional density on the property, the affordable units remain as such "for the life of the development." Therefore, the low-income affordable rents shall continue not for 15 years, but for the lifetime of the project, as interpreted by the Planning Director.

The Nassau County Essential Housing Advisory Committee (EHAC) provides recommendations to the Board of County Commissioners on affordable housing issues, including proposed affordable housing developments utilizing the density bonus. After hearing a presentation from the Applicant at their August 16, 2020 meeting, the EHAC voted unanimously to support this development as it is proposed.



EHAC has consistently supported affordable housing programs and development in appropriate areas of the County. The need for affordable housing was demonstrated in the Nassau County Housing Affordability Assessment, conducted in 2018 by the Shimberg Center for Housing Studies, which is based at the University of Florida. This study, recent enough to still be relevant, included the following conclusions.

- * Over 65% of households are cost-burdened by housing, meaning they pay more than 30% of household income on housing-related costs.
- * Low annual salaries of under \$26,000 top three industries (hotels & restaurants; arts, entertainment, recreation; and administrative & waste services) do not allow a renter to afford a one-bedroom apartment.
- * Amelia Island has the largest number of low and moderate wage jobs, attracting commuters from Duval County and Georgia which results in significant traffic impacts.
- * ***Apartment are scarce, constituting less than nine percent of housing units.***
- * The county has 2,345 renters with incomes below 50 percent of AMI and only 1,285 units that are affordable and available to them. This gap is expected to grow by at least 80-100 units every five years unless the affordable rental supply is expanded.

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.01.03

This policy provides the following criteria required when utilizing the density bonus points. The amendment meets the criteria.

- A) Eligible developments may claim a density bonus of one (1) market-rate unit for each affordable unit constructed up to and not to exceed 150 percent of the maximum density permitted by the underlying Future Land Use Map designation.*
- B) Eligible developments must provide housing units that meet the criteria for "affordable" as defined in Sec. 420.0004 (3), Florida Statutes such units shall remain "affordable" for the life of the development that receives the density bonus.*
- C) Affordable housing units in eligible developments shall be mixed with, and not clustered together or segregated in any way from, market-rate units of the same type.*
- D) If the eligible development contains a phasing plan, the phasing plan shall provide for the development of affordable housing units concurrently with the market-rate units. No phasing plan shall provide that the affordable housing units built are the last units in an eligible development.*
- E) The exterior appearance of affordable housing units in an eligible development shall be made similar to market-rate units by the provision of exterior building materials and finishes substantially the same in type and quality.*
- F) In the case of for-sale affordable units, purchasers would have to be income-qualified, and appreciation of the dwelling unit would be calculated on the basis of certain listed factors to ensure that the unit remains affordable in the case of resale.*
- G) In the case of for-rent affordable units, the development agreement would establish an income-qualification process to ensure that the affordable units are rented to eligible households.*



H) Eligible developments may not be located within a designated Coastal High Hazard Area (CHHA)

I) Eligible developments must demonstrate the ability to maintain adopted Level of Service (LOS) standards for all applicable public facilities.

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.

(7) 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 and southbound 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. The County has a shortfall of both apartments and affordable housing, and this project provides for both.

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. The addition of apartments diversifies the land use mix which is now mostly commercial and industrial. 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 Drive, as supported by FLUE Policy 1.04(D), discussed later in this report on Pages 7-8.

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;

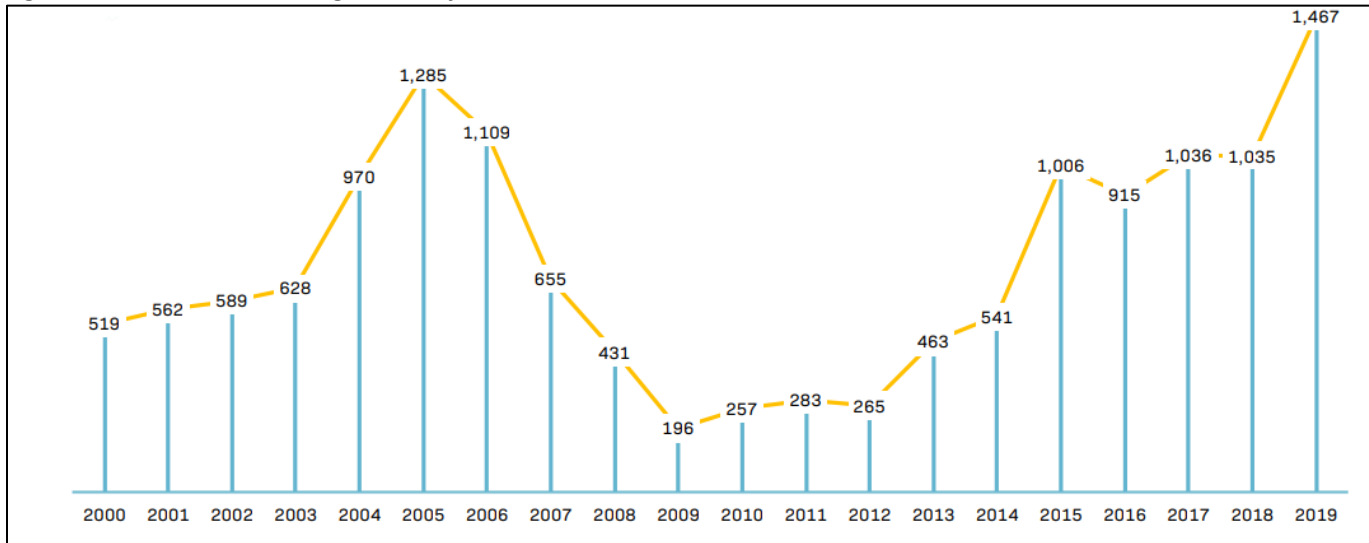
The proposed amendment is located in an area where there is existing public infrastructure. The proposed amendment will not over-burden existing or proposed public infrastructure.

(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 Drive 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 road, 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 Drive, a street that also serves the Hideaway subdivision as a secondary/north entrance. From the entrance point, Pinewood Drive continues approximately 900 feet north to a right-turn only intersection with SR 200. While the Applicant indicated at the EHAC meeting that the Pinewood entrance would be emergency vehicles only, the traffic study does not indicate such a restriction. 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 will not cause failure of impacted roadways and will mitigate traffic impacts by constructing northbound and southbound turn lanes onto US 17. PUD conditions can specifically prescribe when these improvements must occur.

(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 and some affordable housing, both of which are 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.08.05

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

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.

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.

Housing Element Objective H.01

The amendment conforms with this objective.

The County shall assist the private sector in the provision of affordable housing units to satisfy the demand of the existing and projected population, and of housing for special needs households.

Housing Element Policy H.01.01

The Land Development Code (LDC) shall include incentives which encourage the use of Planned Unit Developments (PUDs) and mixed use developments which will offer a variety of housing types. The LDC shall include provisions for an affordable housing density bonus for PUDs and similar planned development projects

The maximum density bonus for each FLUM designation will be established by the policies of the Future Land Use Element. Eligible projects must provide housing units that meet the criteria for “affordable” as defined in Sec. 420.0004(3), Florida Statutes.

Housing Element Policy H.08.02

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

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.



CONCLUSION

As an appropriate higher-density and affordable 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. This report's review of these policies and criteria provides sufficient legislative support for eventual approval. Based on these findings, staff recommends APPROVAL of transmitting application CPA20-002 to relevant state agencies for review. Please note that approving transmittal for state review does not oblige the Board to approve the amendment at the adoption stage after state review is completed.