



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	WFS Family Trust LLC			
AGENT:	John A. Semanik			
REQUESTED ACTION:	Rezoning from Open Rural (OR) to Planned Unit Development (PUD)			
LOCATION:	North side of Roses Bluff Road, between Brooker and Haven Roads			
CURRENT LAND USE + ZONING:	Low Density Residential (LDR) + Open Rural (OR)			
PROPOSED LAND USE + ZONING:	Low Density Residential (LDR) + Planned Unit Development (PUD)			
EXISTING USES ON SITE:	Timberland			
PROPERTY SIZE + PARCEL ID:	53.88 acres + Parcel ID # 38-3N-27-0000-0002-0010			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Bells River	WATER	WATER
	South	Undeveloped	PD-ENCPA	ENCPA
	East	Undeveloped/Agricultural	OR	LDR
	West	SF Residential, Mobile Homes, Undeveloped	OR	LDR

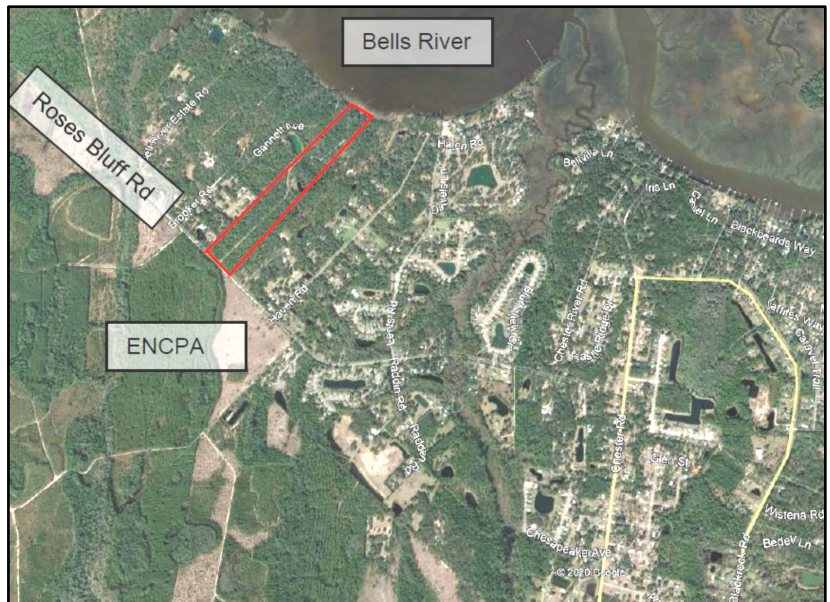
*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office.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

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The applicant is requesting a rezoning from OR to Planned Unit Development (PUD). The PUD development program includes 106 single-family housing units, a 0.7-acre neighborhood park at the subdivision entrance, a 1.8-acre centrally-located neighborhood park, a 3.1-acre waterfront park/preserve, and an interconnected pedestrian circulation system of sidewalks and walking trails.

The proposed PUD zoning district would be consistent with the existing Low Density Residential (LDR) Future Land Use Map (FLUM) designation.

The item was continued from the July 26, 2021 BoCC meeting due to concerns raised by the County Attorney regarding ADA access to the waterfront park. Since that meeting, Planning Staff has met multiple times with the County Attorney, County Engineer, and Building Official to make the revised PUD less ambiguous and to provide for clear enforcement, as well as to





clarify ADA handicapped access for the trails and dock. The changes from the July 26 written description include the following.

- In the Aqua Vista Trail/Park subsection (Pages 7-8), language was added to require an ADA-accessible, minimum 900 square foot waterfront landing, and to add the option of having a dock, which may or may not be public, at the Applicant's discretion.
- In the Park Construction Timing subsection (Page 8), language was added that clarified that the ADA trails and dock will be certified as ADA-compliant by the County Engineer prior to the issuance of the 50th Certificate of Occupancy (CO).
- Also in the Park Construction Timing subsection, language was added that in the event the park development was bonded, ADA compliance must be determined prior to the 85th CO.

CONSISTENCY WITH COMPREHENSIVE PLAN

The County is obliged to follow the direction of the Comprehensive Plan when reviewing development proposals. The following objectives or policies are applicable to this application.

Future Land Use Element

Policy FL.01.02(B): this policy sets a maximum gross density permitted for the LDR land use category of two dwelling units per acre. The PUD proposes 106 units, which is exactly at the maximum two units per acre.

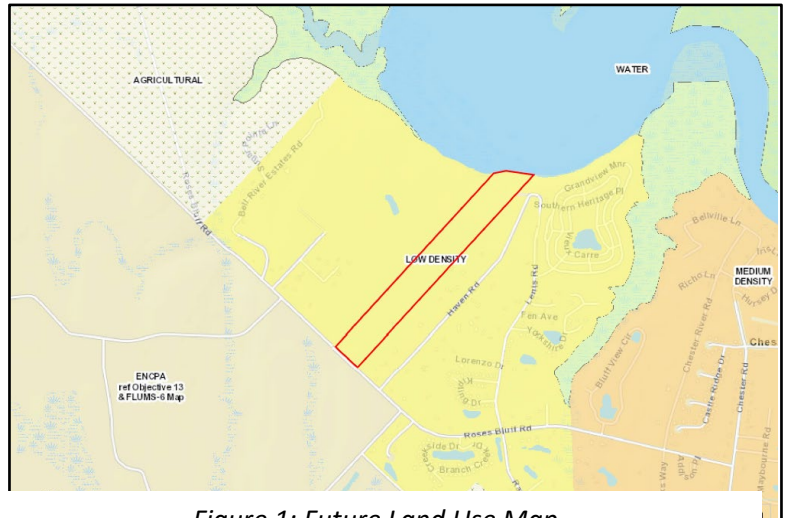


Figure 1: Future Land Use Map

FLUE OBJECTIVE FL.08

The County shall direct development into patterns which will avoid the proliferation of urban sprawl.

FLUE Policy FL.08.01

The County shall ensure that development orders are conditioned upon the provision of adequate public facilities and services as identified in this plan. The County may not issue a development order or permit that results in a reduction in the level of service (LOS) for the affected public facilities below the minimum level of services established in this plan. Public facilities and services must meet or exceed the level of service standards established in this plan and must be available when needed for the development as specified in this plan.

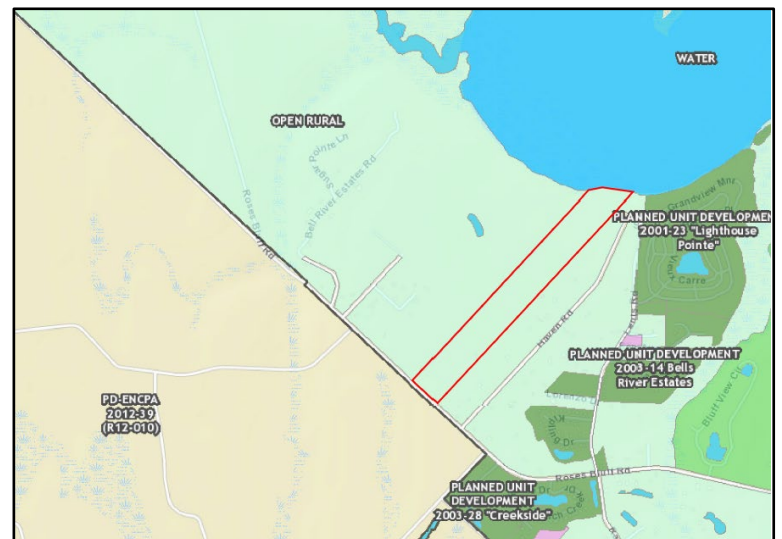


Figure 1: Zoning Map



Staff Comments:

Adequate public facilities are present in the vicinity to serve the project and provide for development efficiency, as determined below.

Water and Sewer

The development site is within close proximity of water and sewer lines (a water main is approximately ½ mile to the southeast on Roses Bluff Rd. at the Creekside subdivision, and a sewer main is located approximately ¾ mile to the southeast on Roses Bluff Rd. at Lents Rd.). The JEA water and sewer plants that serve the area have available capacity to serve the project. The extension of an approximate 2100' water main and 3500' force main extension with associated sewer pump station would be required, at the Applicant's expense. The Applicant has committed to extending the sewer and water lines to the development. This is important not just for development efficiency, but for more protection for the Bells River from potential future septic tank failures.

Transportation:

Nassau County Senior Transportation Engineer Tyler Blair assisted with the analysis below.

This property is located in the northern end of what is essentially a long island surrounded by the St. Marys River system to the east and north, the Lofton Creek system to the west, and the Nassau River to the south. The road system has been constrained by these geographical boundaries, with the result that only SR 200 provides east-west connectivity, with Pages Dairy Rd. crossing Lofton Creek to connect US 17 and Chester Rd. and Blackrock Rd. serve as north-south roads that connect from SR 200, with Chester Rd. providing access to Roses Bluff Rd. At a point approximately ½ mile west of the subject property, Roses Bluff Rd. continues west as a Rayonier trail road, and while it eventually connects to US 17 near the I-95 interchange, this road is not part of the East Nassau Community Planning Area (ENCPA) mobility system. Future east-west travel north of SR 200 will be handled by Pages Dairy Rd., which will be extended to Blackrock Rd. and the planned CR 108 extension from US 17 to Chester Rd.

Chester Rd.

2020 Volumes on Chester Rd. show 9,500 Vehicles Per Day (VPD, from FDOT's Florida Traffic Online). Applying an averaged five-year growth rate of 2.5%/yr on this segment (<https://tdaappsprod.dot.state.fl.us/fto/>) establishes a volume of 9,981 VPD in 2022. Adding 1,107 VPD from the project puts the segment at 11,088 VPD or LOS C. This road can handle up to 15,930 VPD before exceeding LOS D, which is the "carrying capacity" for this road.

Roses Bluff Rd.

There are approximately 333 single-family detached homes on or served by Roses Bluff Rd. which produces an estimated 3,145 VPD. No background growth is expected, but to be conservative, a growth rate of 2.5%/year was applied, resulting in 3,304 VPD in 2022. Adding the development traffic (1,107 VPD) puts the road at 4,411 VPD by project buildout. The segment is currently at LOS C and is not expected to "fail" until there are more than 12,780 VPD on the road.



Table 1: Available Capacity for Vicinity Roads

Segment	AADT (2020) ¹	Projected AADT (2022) ²	Development Trips (Daily) ³	(V) Volume Total Trips ⁴	(C) Capacity MSV ⁵	V/C Ratio
Roses Bluff Rd.	3,145	3,304	1,107	4,411	12,780	34.5%
Chester Rd.	9,500	9,981	1,107	11,088	15,930	69.6%

1 – Average Annual Daily Traffic (Volume) - Based on estimated development on Roses Bluff and associated trip generation & Florida Traffic Online data

2 - Based on average growth rate on Chester Road (Florida Traffic Online)

3 – Institute for Transportation Engineers (ITE) Trip Generation Manual, 10th Ed.

4 - Projected AADT + Project Trips

5 – Capacity - 2020 FDOT Q/LOS Tables (Roses Bluff Rd. - Rural , Chester Rd. - Urban (NFTPO Urban Boundary)

6 – Volume-to-Capacity Ratio = V / C. Demonstrates available roadway capacity.

While this development will generate new daily trips that constitute 33% of current Roses Bluff Rd. traffic and 11% of Chester Rd., even with the additional traffic both roads will be below maximum capacity.

FLUE Policy FL.08.06(G) Through the use of Planned Unit Developments (PUDs) or similar development orders, use enhanced development standards and design elements for new development to promote community identity and a sense of place. This includes but is not limited to standards for diverse housing types, public spaces, street design, architectural design standards, multi use trails, stormwater management facilities, landscaping, and signage.

Staff Comments: this PUD includes the following development and design elements which exceed Code and help to promote community identity and sense of place, several of which also constitute a public benefit as is required for PUDs:

- 5.6 acres of neighborhood parks is more than double the required 2.65 acres;
- 10 acres of open space (buffers and parks) comprises 18.5% of development;
- northwest buffer is 15-foot wide tree preservation area adjacent to existing homes (not required by Code);
- tree preservation and planting in buffers and parks;
- daytime public bicycle and pedestrian access to 3.1-acre waterfront preserve with far-reaching river and marsh views from landing; and
- architectural diversity (differing elevations/floor plans next door and across the street) - at least nine elevations/floor plans utilized, and architectural compatibility standards to be included in the Covenants and Restrictions.

Recreation Element

ROSE Policy ROS.01.05

In general, the County shall not seek to acquire neighborhood park facilities. Land and improvements for neighborhood parks shall be provided by new development through the site plan review process. Criteria for the location and design of such facilities shall be included in the Land Development Code (LDC), Planned Unit Development (PUD) or Development of Regional Impact (DRI) development order.



Staff Comments: Code of Ordinances Chapter 29-46 (Subdivision and Development Review, Public Uses) requires a minimum of 2.5 acres of parks for every 100 dwelling units. For this 106-unit development this would require 2.65. Table 2 demonstrates how the level of service standard for neighborhood park space is exceeded by 211%.

Table 2: Required and Provided Park Acreage

Aqua-Vista Park	3.1
Astrological Park	1.8
Sanctuary Park	0.7
Total Parks	5.6
Required Park Acreage	2.65
Park Surplus	2.95

ROSE Policy ROS.03.03

PUD and other mixed use developments shall be encouraged to provide large areas of open space and to provide recreation facilities beyond those necessary to be concurrent with the additional community needs they create.

Staff comments: as is expected for a “higher-performing” PUD, neighborhood park space is doubled.

CONSISTENCY WITH LAND DEVELOPMENT CODE

Section 5.02. – Rezoning (criteria).

Pursuant to Section 5.02 (C) and (D), staff shall review all rezoning applications for consistency with the Nassau County Comprehensive Plan and provide a recommendation to the Planning and Zoning Board regarding the merits of the request based upon the goals, objectives and policies of the adopted comprehensive plan (see above).

The Planning and Zoning Board's recommendation to the Board of County Commissioners for any rezoning shall show that the planning and zoning board studied and considered:

- 1) the need and justification for the change; and
- 2) the relationship of the proposed rezoning to the County's general planning program.

In simple terms, the need pertains to the ongoing rapid growth of the County and the generation of new housing units to meet the demand of new residents. The justification includes the existence of similar developments to the east, the availability of central water and sewer, available road capacity on area roads, and an excess amount of common open and park space.



The action would be consistent with subdivisions of similar lot sizes and zoning, which as indicated on Figure 2 have been approved in the vicinity during the past 20 years.

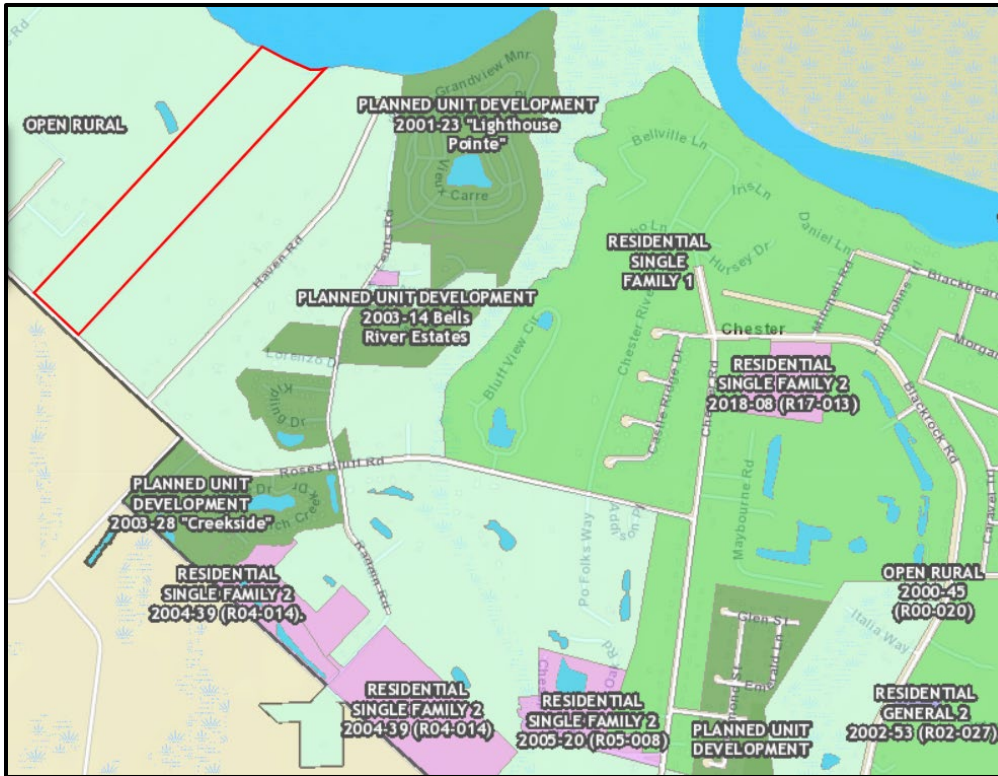


Figure 2: Chester Rd./Roses Bluff Rd. Zoning

Section 25.05(C). – PUD Criteria

According to Section 25.05(C), the Planning and Zoning Board and the Board of County Commissioners shall consider the following criteria when reviewing the preliminary development plan for a PUD:

- (1) *Degree of consistency of the proposed PUD with the surrounding area in terms of character and density.*

While lands immediately around the property (Haven Road, Brooker Road) are generally of rural character with lot sizes ranging from one to four+ acres, the property is relatively close to smaller-lot suburban development located approximately ¼ miles to the southeast in the MDR FLUM (PUDs like Creekside, River Estates, and Lighthouse Pointe with RS-1-type lot sizes).

At its eastern end, 1.2 miles east of the subject property, Roses Bluff Rd. includes larger lots (Thigpen Survey), but most of the area between Chester Rd. and the Haven Forest subdivision is comprised of smaller lot subdivisions with lot sizes varying from 6,000 sq. ft. to around an acre (Roses Bluff, Bell's River Estates, Creekside). The MDR FLUM transitions down to the LDR FLUM west of Roses Bluff S/D, and at the current dead end of Roses Bluff Rd., ½ mile west of the subject property, the AG FLUM begins. Lands on the south side of Roses Bluff Rd. are part of the East Nassau Community Planning Area (ENCPA), a



24,000-acre approved sector plan that clusters development into village centers and neighborhoods around those village centers, while providing for conservation lands and rural character areas. The Tier 3 residential classification, applied to the ENCPA lands south of Roses Bluff Road, allows a maximum of one unit per 10 acres, however two-acre lot sizes are allowed with clustering and open space preservation.

A large lot single-family residential community is located immediately adjacent to the PUD on the northwesterly boundary of the subject property. To provide additional protection to this neighborhood, the PUD proposes a 15' wide undisturbed vegetated buffer. This buffer shall be demarcated by a six-foot tall stockade fence along the property line and a three to six-foot tall black aluminum picket fence along the inner edge of the buffer, in order to prevent encroachment into the buffer by residents. This buffer shall be owned and maintained by the HOA. The stockade fence shall continue along the entirety of the northwesterly property line through Lot 33.

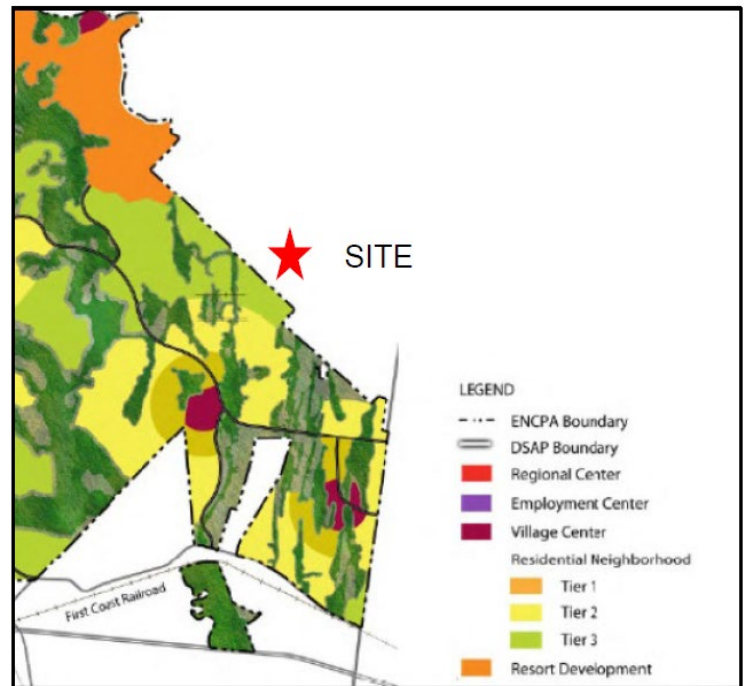


Figure 3: ENCPA (eastern portion)

- (2) *Provision for and adequacy of future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation.*

For water, sewer, and transportation see pages 2-3.

Public School Facilities: Sandy Bluff has entered into a Proportionate Share Concurrency Mitigation Agreement with Nassau County and the Nassau County School District. An agreement was signed by the applicant and approved by the School Board on June 24, 2021 for up to 107 single family detached units. The agreement will be scheduled for approval with the Board of County commissioners in July prior to the adoption hearing for this application. The Applicant will make a \$532,639 proportionate share payment to the School District to address their school impacts. This payment equates to \$4,977.93 per dwelling unit.

Recreation: As noted on Page 4, per Subdivision Code Section 29-46 the applicant must provide a minimum of 2.675 acres to meet the level of service requirement for neighborhood parks. The PUD proposes a total of 5.6 acres: a 1.8-acre centrally located neighborhood park, a 0.7-acre neighborhood park located at the subdivision entrance, and a 3.1-acre waterfront park. The parks are connected through a pedestrian network that includes sidewalks and a 10'-wide ADA-compliant trail descending to



the waterfront landing. These improvements will provide a public benefit as the waterfront park will be constructed concurrent with residential development and will be open to the bicycling and walking public from outside the subdivision.

Surface drainage and flood control: the development shall meet County and St Johns River Water Management District regulations addressing stormwater detention and flood control.

Soil conservation: Engineering Services requires silt fences between development areas and wetlands, which in this case shall be the waterfront area.

(3) *The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of open space.*

The PUD proposes approximately 10 acres of open space and recreation which includes the three neighborhood parks and the buffers. The County currently does not have an open space requirement, and open space is provided by required buffers and neighborhood parks. The three neighborhood parks are located approximately on each end of the development and in the middle, which provides all residents quick access to a park. The buffers provide for visual screening of the new development from existing residences to the north (the parcel to the south is undeveloped). The northeast buffer also serves as a linear conservation zone as it is fenced on both sides and maintained in a natural state for ½ mile along the north boundary of the property. Ownership and maintenance responsibilities of all open space and park sites will be transferred to the HOA.

In particular, the waterfront preserve is a public benefit of preserving the mature oaks and other native vegetation on lands that slope down to the Bells River, providing long-reaching views across the marshes toward St. Marys, GA. This park is open for the bicycling and walking public during daylight hours. The Astrological Park includes a natural lake with a trail encircling it and a 1,000 square foot platform, 60 SF of it roofed that provides sheltered community space. The park at Roses Bluff Rd. includes a school bus loop and shelter along with a meditation/yoga park.

(4) *The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.*

Development is proposed to occur in one phase and will include drainage, ingress, egress, and the extension of water and sewer lines to serve the development concurrent with construction of the residential units.

(5) *The benefits inherent in a PUD classification to the general public that justify the requested departure from standard land use requirements.*

The main Code departure is lot size. The current OR zoning district requires a minimum lot size of one acre, and the next more intensive single-family zoning district in terms of lot sizes is RS-1, with a minimum lot size of 10,800 square feet, roughly ¼ acre, and a minimum 90-foot lot width. The minimum lot size for the proposed PUD is 9,000 SF and the minimum lot width is 75 feet, neither of which is



substantively less than the RS-1 standards. Staff supports the smaller lots as it allows for preservation of open space including the three neighborhood parks and the buffers.

Staff recognizes the following public benefits beyond what is required in the Land Development Code in that the proposed PUD:

- doubles required neighborhood park space which reduces demand on County parks, while still paying full park impact fees;
- sufficiently activating parks with ADA and natural trails, benches, grills, picnic tables, exercise/play equipment, and a shelter in each park;
- provides bicycle and pedestrian public access to scenic waterfront park;
- preserves trees in buffers and parks and when possible on lots; and
- buffers adjacent existing homes to north.

(6) *The conformity and compatibility of the proposed PUD with the Nassau County Comprehensive Plan.*

The proposed rezoning, if approved, would be in compliance with the underlying Future Land Use Map and the following:

LDC Section 25.04.(E)(1) (Special requirements for PUDs): The proposed PUD provides recreational opportunities, contributes to community design, and encourages compatible and cooperative relationships between adjoining land uses.

The proposed PUD provides recreational opportunities in the form of the three neighborhood parks. The proposed PUD contributes to community design and cooperative relationships with adjoining land uses by preserving trees to retain the woodsy feel of the area, providing waterfront access, and providing a buffer for existing development.

CONCLUSION

Staff finds that the proposed rezoning to PUD is consistent with the LDR land use category described in Comprehensive Plan Policy FL.01.02(E), is consistent with applicable Goals, Objectives and Policies of the Comprehensive Plan, and complies with the requirements of Sec. 5.02 and Sec. 25.05 of the County's Land Development Code, provides tangible public benefits, and meets the analysis criteria described in this report above.

Based on these findings, staff recommends APPROVAL of application P21-002, as represented in the attached written description.