



APPLICATION FOR REZONING

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Three Rivers Developers, LLC			
AGENT:	Anthony Robbins, AICP & Emily Pierce, Esquire			
REQUESTED ACTION:	Modification of Three Rivers Planned Unit Development (PUD)			
LOCATION:	South side of SR 200/A1A, west of I-95, between Edwards Rd and Four Creeks State Forest			
CURRENT LAND USE + ZONING:	Multi-Use + Planned Unit Development (PUD)			
PROPOSED LAND USE + ZONING:	Multi-Use + Planned Unit Development (PUD)			
EXISTING USES ON SITE:	Single-family residential, regional park			
PROPERTY SIZE + PARCEL ID:	1,546 acres + Parcel ID # 10-2N-26-0000-0001-0020, 10-2N-26-2010-TR35-0000, 10-2N-26-2010-TR33-0000, 10-2N-26-2010-OTR4-0000, 09-2N-26-0000-0001-0000, 10-2N-26-2010-TR34-0000, 10-2N-26-2010-OTR7-0000, 10-2N-26-2010-OTR8-0000, 10-2N-26-2010-OTR3-0000, 10-2N-26-2010-OTR2-0000			
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	SR 200/A1A, Silviculture	OR	AG
	South	Marsh, Nassau River	Water/OR	AG/CON
	East	Edwards Rd, Timber Creek PUD, I Glen PUD	OR/PUD	LDR
	West	Marsh, Silviculture	OR	AG

*** 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 Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The Three Rivers Development of Regional Impact (DRI) was approved in 2006 along with a Planned Unit Development (PUD) zoning. The development program includes a maximum of 3,200 residential dwelling units; 500,000 square feet of retail space; 250,000 square feet of industrial space; 50,000 square feet of office space; and 300 dry boat storage slips.

This request to modify the PUD also includes a request to amend the DRI development order. It has been amended five previous times, most recently in 2019.

The applicant has requested several modifications to the PUD, including a revised preliminary development plan.

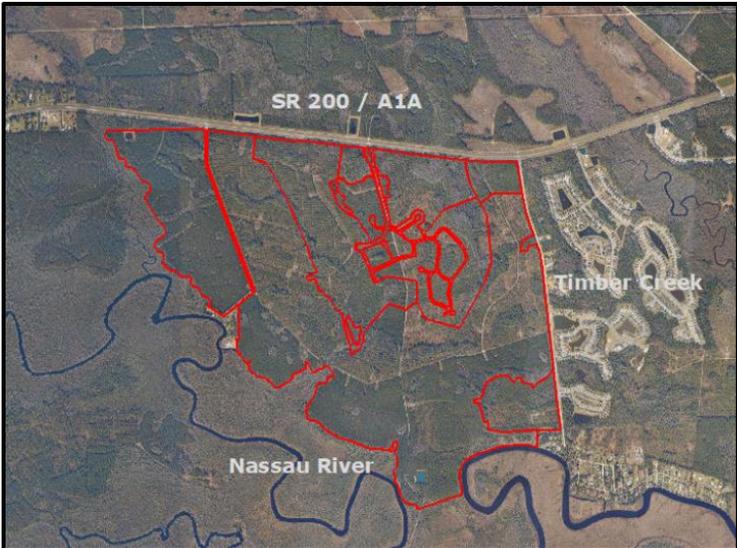


Figure 1: Location Map



The proposed changes include:

- 1) Update of the project name from “Three Rivers” to “Tributary.”
- 2) Update the regulatory reference from “Zoning Code” to “Land Development Code.”
- 3) Phasing changes that eliminate (five-year) phase timeframe, extend Phase 1 to June 30, 2026 and Phase 2 to June 30, 2031, and clarify that unused Phase 1 development will roll over to Phase 2.
- 4) Introduction of new permitted uses (boat and RV storage, electric vehicle charging stations, food trucks, solar panels).
- 5) Introduction of additional housing types (single family cottage, single family villa, front loading of single-family cottages, horizontal apartments, tiny houses, and temporary sales office/model homes).
- 6) Addition of right-in/right-out access on SR 200.
- 7) Allowing single family homestead, single family estate, single family cottage B, and single family villa units in Village Center.
- 8) Allowing Single Family Villa in Village Center, Residential, and Neighborhood Commercial.
- 9) Allowing Live/Work units in Residential and Neighborhood Commercial.
- 10) Allowing multi-family B in Village Center.
- 11) Allowing alcohol in clubhouse and amenity centers.
- 12) Update of the recreation terms and conditions to match development agreement (three-phase regional park).
- 13) Allowing boat tie-ups along the promenade.
- 14) Revision of Preliminary Development Plan Map (Map H).

CONSISTENCY WITH COMPREHENSIVE PLAN

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

Future Land Use Element

Policy FL.01.01: *The County shall permit future development to proceed consistent with the land use categories, overlay districts, master land use plans, and other maps in the adopted Future Land Use Map Series. The Future Land Use Map Series in effect as of the 2002 EAR-based amendment adoption (DCA No. 01-1ER) shall remain in full force and effect except as specifically added, deleted, or modified herein.*

Policy FL01.02: *All regulations adopted to implement this Plan and development permits issued shall be consistent with the land use categories described below and spatially displayed on the Future Land Use Map. The Future Land Use Map shows the proposed general distribution and location of land for various purposes. The categories establish long-range, maximum (and in some cases minimum) densities and intensities of land uses.*

Policy FL01.02(H): *The primary purpose and intent of the Multi-Use designation is to accommodate, in a more innovative fashion, development or redevelopment of areas in a larger size and scale.*

Staff Comment: The purpose of the Future Land Use Map (FLUM) Multi-use designation, which is applied to this development, is to accommodate large-scale developments, plan for a mix of residential, nonresidential, and recreation/civic uses, and protect natural habitats. No changes are proposed to the FLUM.

Policy FL08.04: *The County shall discourage Urban Sprawl by requiring higher density compact development to occur in areas that are planned to be served by public facilities, providing for sound and cost-efficient public facility planning. It will also require lower density development to occur in areas that are environmentally sensitive or in areas that are not planned to receive a high level of public facilities or services.*



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.*

Staff Comment: Much of the DRI/PUD's commercial and multi-family development is allowed in the Commercial, Neighborhood Commercial, and Village Center area identified on Map H. This provides for compact development. This proposal is requesting different design types of dwelling units that will provide the applicant with more flexibility. The proposed request does expand the types of dwelling units permitted but does not change the maximum number of dwelling units in the development (3,200).

The previously approved land uses of commercial (500,000 square feet), industrial (250,000 square feet), office (50,000 square feet) and dry boat storage (300 dry slips) are not proposed to be changed with this request.

Recreation and Open Space Element

Policy ROS.02.03: *The County will provide accessible parking and barrier-free access to all types of County recreational facilities.*

Policy ROS.02.05: *As a condition of development approval, all developers constructing recreational facilities shall be required to provide adequate access of all kinds to recreational facilities and public water bodies to meet Objective ROS.02.*

Policy ROS.02.07: *The County shall require developments with significant frontage along navigable waterways to provide, at a minimum, easements for, or the construction of, boat ramps and/or parking facilities for public use. Such easements may be calculated as part of the development's open space requirements. Criteria for developments subject to this requirement are to be specified in the Land Development Code (LDC).*

Staff Comment: This development provides a unique opportunity to provide access to the Nassau River at the "Promenade" as shown on the existing Preliminary Development Plan (Map H). In addition, a public boat launch will be developed.

Transportation Element

Policy T.05.01: *Encourage Circulation within Development. Development shall include features and provisions, which encourage internal automobile circulation, bicycle use, pedestrian movement, and other features to minimize utilization of the major roadway network.*

Policy T.05.05: *All new developments, redevelopments and additions to existing developments shall make provisions for safe and convenient internal traffic flow and adequate off-street parking facilities for motorized and non-motorized vehicles as required in the Land Development Code.*

Staff Comment: While the street pattern has been modified, the internal and external connectivity has not been compromised.

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.

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.

The need and justification for this application includes:

- 1) Introduction of new housing types to provide for more housing diversity;
- 2) Addition of new uses that have emerged due to recent technological advances.
- 3) Establishing the transition of land uses extending down Edwards Rd. to lesser intensity with the conversion of Commercial to Neighborhood Commercial land use.

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.*
The proposed amendment does not change the character or density of the development in terms of the number of dwelling units or approved square footage of commercial/industrial space. The number of dwelling units previously approved will remain.
- (2) *Provision for and adequacy of future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation.*
The applicant already has an approved DRI and PUD which has made accommodations for providing essential public facilities. The proposed request does show an alteration to the internal traffic access, which staff has addressed in the Comprehensive Plan analysis.
- (3) *The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of open space.*
Designated open space has not been reduced or otherwise changed.
- (4) *The feasibility and compatibility of the specified stages contained in the preliminary development plan to exist as an independent development.*
Proposed changes include changing the two phases from a five-year phase to an unspecified timeframe extending Phase 1 to 2026, and extending Phase 2 to 2031. Unused Phase 1 development would be allowed to roll over into Phase 2. These changes will not result in the compromising of any phase that would result in the inability of that phase to function as an independent development.
- (5) *The benefits inherent in a PUD classification to the general public that justify the requested departure from standard land use requirements.*
The approved DRI provides for a number of public benefits including the School and Park sites, the mixed-use Village Center with a promenade and boat launch, preservation of wetlands and associated uplands, and proportionate share payment to help with vicinity road improvements. This change has not diminished any of these public benefits.
- (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 amendment of the PUD has many aspects that are identified in the comprehensive plan, including mixed-use development, cluster of higher density, and flexible housing options.

CONCLUSION

Based on these findings, staff recommends APPROVAL of application PUD21-001.