

APPLICATION FOR REZONING

	oning Distric	Official Use Only
FLUN	l Designation	
	ission Distric Application a	
	Date File	

Parcel Identification I	Number (18 digit number)
Driving Instructions:	William Burgess Boulevard & Harvester St., Yulee
1. Legal Description:	Lot Block Subdivision Plat Book Page
2. Location: On the <u>n</u>	(Please attach a legal description if <u>not</u> located in a subdivision) north and south side ofWilliam Burgess Boulevard
<u>(r</u>	north, south, east, west) (street)
between <u>Ha</u>	arvester Street and Harts Road
Nearest identif	(street) (street) fiable landmark (for example: Walmart or I-95) U.S. Highway 17
3. Name and Address	s of the Owner as shown in the public records of Nassau County: Cook Family Haverstick, LLC
	P.O. Box 87
	Callahan, FL 32011-0087
Name and Address	s of the Applicant / Authorized Agent:
	Gregory E. Matovina, Matovina & Company
	2955 Hartley Rd., Suite 108
	Jacksonville, FL 32257
(PLEASE NOTE: If ap	oplicant is not the owner, this application must be accompanied by completed <i>Owner's t</i> form.)

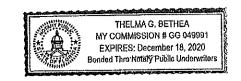
4. Current Zoning District:	Open Rural	
5. Proposed Zoning District:	PUD	
6. Future Land Use Map Designation:	Agricultural	
7. Acreage:	+/- 41.93	
8. Property Use (list any improvements on the site or uses): Timberland		

9. Rezoning Review Criteria:

(Please attach a response to the following as Exhibit "A" [using 8½" x 11" size paper] with the answers typed or printed legibly and identifying the question on the application.)

- a. Explain how the proposed change relates to the established land use pattern.
- b. Identify isolated district(s) that would be created by the proposed change.
- c. Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.
- d. Describe the existing and proposed conditions for the subject property and surrounding properties.
- e. Identify Comprehensive Plan policies that support the proposed change, especially long range land use plans.
- f. Explain how changed or changing conditions make the approval of this proposed rezoning desirable.
- g. Explain how the proposed change will not adversely affect living conditions in the adjacent neighborhoods.
- h. State that the proposed change will comply with all Federal, State and local drainage requirements.
- i. Explain how the proposed change will encourage the improvement or development of adjacent property in accordance with existing regulations.
- i. Explain why the property cannot be used with existing zoning.
- k. Describe the scale of the proposed project according to the needs of the neighborhood and the needs of Nassau County.
- I. Are there other sites in this general location with similar zoning?

	considered by the Planning and Zoning Board:
	ment including wetlands, threatened or endangered species, tree canopy and other
	tal features. (Exhibit "B")
Any additional data	
For Planned Unit Dev	elopments Only;
X Preliminary Developme	ent Plan (Exhibit "C")
X Project Description (Ex	hibit "D")
11. Has an application for County within the last	Rezoning for any portion of the subject property been submitted to Nassau twelve months? <u>No</u>
	subject to a recorded Declaration of Covenants and Restrictions? If yes, please name and O.R. book and page number.
	Rezoning, the undersigned understands it becomes a part of the official records of the and does hereby certify that all information contained herein is true to the best of his/her
knowledge,	
	Signature of Owner: Signature of Applicant: (If different than Owner) Signature of Agent: (If different than Owner)
	Owner's mailing address: P.O. Box 87
	Callahan, FL 32011-0087
	Telephone:
	Email:
NOTE: If prepared or signed b	y an agent, a notarized Owner's Authorization for Agent form must be provided.
Newspapor for logal advertisemen ÷ernandina Beach News Leader:	·
	3 WK Cook at girl this 17th day of May 2018, Personally known Thelma In Reaked



CONSENT FOR INSPECTION

լ, _ Gregory E. Matovina	, the owner or authorized	I agent for the owner of the premises located
at Harvester Street and William Burgess B	oulevard	_ do hereby consent to the inspection of said
premises and the posting of public notice by	an employee of the Depa	artment of Planning & Economic Opportunity,
Nassau County, Florida, in conjunction with a	plication for rezoning	, without further notice.
Dated this 8th day of May	, 20 <u>18</u> .	
Angno Motama		
Signature of Owner or Authorized Agent	I elep	hone Number
STATE OF FLORIDA:		
COUNTY OF NASSAU:		
The foregoing instrument was acknowledged	pefore me the 8th	day of Nay,
20_18, by _ Gregory E. Matovina		sonally known to me or who has produced
as ide	entification.	
Shain a Hilson		
Notary Public Signature,		
SKARON A HUDSON		
Name (typed or printed)		
(Seal) SHARON A. HUDSON SHARON #FF934400 EXPIRES: December 11, 2019		

AGENT AUTHORIZATION (FOR COMPANY OR LLC)

Gregory E. Mato	vina	is hereby authorized as the Agent TO	ACT ON BRHALF OF
Cook Family Have	erstick, LLC	After the second second	
application, and as de Nassau County, Flori	scribed in the attached deed da, for an application pursu	, the owner(s) of those lands descrit or other such proof of ownership as may ant to a:	ribed within the attached be required, in applying to
cxRezoning/ © Variance © Plat	Modification	□ Conditional Use □ Preliminary Blading Site	Plan
BY: Signature of	Monda Mala	M.	
Gregory E			
2955 Hartl Agent Addres	ey Rd., Suite 108, Jacks	sonville, FL 32257	
gmatovina Agent Email	@matovina.com		
904-993-2 Agent Teleph			
209	5 Eval,		
Signature of F (Circle one)		Sourd or managing partner of Cook Farm	nily_Haverstick, LLC
Print Name	919 RIVER	RA CALLAMAN ELA	125 51,
Address 904879	13821 cf	Rd GALLAHAN FLA fice I ecallahan timbe	1) d=11
Telephone Nu	nber Email	mo co onan comba	50, COM
I, <u>Gregory E. Matovir</u> (name of agent	<u>a</u> , h	creby affirm or swear that I have the autho	ority on behalf of
Cook Family Haversti	ck, LLC	to file the rezone	application
with Nassau County,			
WKC	<u></u>		
Initials		initiale	

Certificate

A Milliant IZ Occil.
I William K. Cook , (signer's name), Manager (title) of
Cook Family Haverstick, LLC (company or LLC) an entity lawfully organized and existing
under the laws of Florida (name of State) do hereby affirm or swear that I am empowered and
authorized, on behalf of the entity, to execute this Agent Authorization form, and all documents required by Nassau
County regarding this application, and further expressly warrants that Gregory E. Matovina has been given
and has received and accepted authority to sign and execute the documents on behalf of
Cook Family Haverstick, LLC
Wt God managing Partner
Signature Title
State of Florida County of Massur
The foregoing instrument was acknowledged before me this 210 tray of May 2018 by W.K. Cook as Mana going Partitution Cost Family Haveldon and
Personally Known OR Produced as identification.
Thelma 15 Butter
My Commission expires: THELMA G. BETHEA MY COMMISSION # GG 049991 EXPIRES: December 18, 2020 Bonded Thru Notary Public Underwriters
A cop of the by-laws are attached hereto.

Initials

PARCEL NO. 1

A PORTION OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWESTERLY CORNER OF CARTESIAN POINTE UNIT 3, AS RECORDED IN PLAT BOOK 7, PAGES 124 THROUGH 127, INCLUSIVE OF THE PUBLIC RECORDS OF SAID NASSAU COUNTY; THENCE NORTH 88°20'33" EAST, ALONG THE SOUTHERLY LINE OF SAID CARTESIAN POINTE UNIT 3, AND ALONG THE SOUTHERLY LINE OF CARTESIAN POINTE UNIT 2, AS RECORDED IN PLAT BOOK 7, PAGES 35 THROUGH 38, INCLUSIVE OF SAID PUBLIC RECORDS, 755.33 FEET, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF WILLIAM BURGESS ROAD (A 100 FOOT WIDE RIGHT OF WAY, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1049, PAGE 1750, OF SAID PUBLIC RECORDS); THENCE CONTINUE NORTH 88°20'33" EAST, ALONG SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1049, PAGE 1750, A DISTANCE OF 237.28 FEET, TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID WILLIAM BURGESS ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°20'33" EAST, ALONG THE SOUTHERLY LINE OF TRACT "C", AS SHOWN ON THE PLAT OF CARTESIAN POINTE UNIT 1, AS RECORDED IN PLAT BOOK 6, PAGES 345 THROUGH 349, INCLUSIVE OF SAID PUBLIC RECORDS, 351.93 FEET, TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1761, PAGE 872, SAID PUBLIC RECORDS, ALSO BEING THE EASTERLY LINE OF SAID SECTION 8; THENCE SOUTH 02°11'34" EAST, ALONG LAST SAID LINE, 806.93 FEET, TO THE NORTHWEST CORNER OF LUMBER CREEK PUD-PHASE 2, AS RECORDED IN PLAT BOOK 8, PAGES 217 THROUGH 221, INCLUSIVE OF SAID PUBLIC RECORDS; THENCE SOUTH 01°42'47" EAST, ALONG THE WESTERLY LINE OF LAST SAID LANDS, 568.75 FEET, TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 912, PAGE 1387, SAID PUBLIC RECORDS, ALSO BEING THE NORTHERLY LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8; THENCE SOUTH 89°43'35" WEST, ALONG LAST SAID LINE, AND ALONG THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1606, PAGE 116, SAID PUBLIC RECORDS, 1336.03 FEET, TO THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1606, PAGE 116; THENCE NORTH 12°42'10" WEST, 168.56 FEET; THENCE NORTH 04°51'46" WEST, 303.12 FEET; THENCE NORTH 08°24'24" WEST, 300.46 FEET, TO THE AFORESAID SOUTHEASTERLY RIGHT OF WAY LINE OF WILLIAM BURGESS ROAD, AND THE ARC OF A CURVE LEADING NORTHEASTERLY; THENCE NORTHEASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1959.86 FEET, AN ARC DISTANCE OF 625.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 60°29'05" EAST, 622.53 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHEASTERLY; COURSE NO. 2: NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1859.86 FEET, AN ARC DISTANCE OF 393.07 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 57°24'03" EAST, 392.34 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 3: NORTH 63°27'20" EAST, 191.50 FEET, TO THE POINT OF BEGINNING.

CONTAINING 36.39 ACRES, MORE OR LESS.

PARCEL NO. 2

A PORTION OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 27 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWESTERLY CORNER OF CARTESIAN POINTE UNIT 3, AS RECORDED IN PLAT BOOK 7, PAGES 124 THROUGH 127, INCLUSIVE OF THE PUBLIC RECORDS OF SAID NASSAU COUNTY; THENCE NORTH 88°20'33" EAST, ALONG THE SOUTHERLY LINE OF SAID CARTESIAN POINTE UNIT 3, AND ALONG THE SOUTHERLY LINE OF CARTESIAN POINTE UNIT 2, AS RECORDED IN PLAT BOOK 7, PAGES 35 THROUGH 38, INCLUSIVE OF SAID PUBLIC RECORDS, 755.33 FEET, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF WILLIAM BURGESS ROAD (A 100 FOOT WIDE RIGHT OF WAY, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1049, PAGE 1750, OF SAID PUBLIC RECORDS), AND THE ARC OF A CURVE LEADING SOUTHWESTERLY; THENCE SOUTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1959.86 FEET, AN ARC DISTANCE OF 390.46 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 57°03'13" WEST, 389.81 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE LEADING SOUTHWESTERLY; COURSE NO. 2: SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1859.86 FEET, AN ARC DISTANCE OF 559.02 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 59°57'25" WEST, 556.92 FEET; THENCE NORTH 06°35'40" EAST, 472.10 FEET, TO THE POINT OF BEGINNING.

CONTAINING 4.30 ACRES, MORE OR LESS.

PREPARED BY AND RETURN TO: JOHN E. NORRIS, ATTORNEY AT LAW NORRIS & NORRIS P.A. 253 NW MAIN BLVD. LAKE CITY, FLORIDA 32055

JEN:dac

From a legal description provided by Grantor and without a title search

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, Made the 3rd day of Dicember 2015. by 1995 COOK LIMITED PARTNERSHIP, a Florida limited partnership, hereinafter called the Grantor, to COOK FAMILY HAVERSTICK, LLC, a Florida limited liability company, P. O. Box 87, Callahan, Florida 32011, hereinafter called the Grantee.

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN and No/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, the lands situate in Nassau County, Florida described in Exhibit A attached hereto and by reference made a part hereof.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN MITHECO MILEDEGE. Granter has coulded these presents to be executed by

ts duly authorized officer the day and y	vear first above written.
Signed, sealed and delivered n the presence of:	1995 COOK LIMITED PARTNERSHIP By: COOK FAMILY MANAGEMENT, LLC General Partner
Sign from * mmrs	By R. P. Cook, Manager
Print John E. Notkis Sign Land Co	/ (SEAL)
Print DiANE A. CREWS	
STATE OF FLORIDA COUNTY OF <u>Columbia</u>	r.L
$\mathcal{D}_{CSM}h_{SM} = 1.2015$, by ROBE	
COMMISSION CONTROL OF THE CONTROL OF	Notary Public: Sign

My Commission Expires:

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EXHIBIT A

The following described property which is that same parcel as described in O.R. Book 4, Page 144 of the public records of Nassau County, Florida:

TOWNSHIP 2 NORTH, RANGE 27 EAST

Section 8: All of the W $\frac{1}{2}$ of the NE $\frac{1}{2}$ and all of Lots numbered 1 and 2, containing 143 acres, more or less.

ALSO the SE 1/4 of the NE 1/4 of said Section 8 containing 40 acres, more or less.

Parcel No. 08-2N-27-0000-0002-0000

AND

The following described property which is that same parcel as described in O.R. Book 4, Pages 398 and 399 of the public records of Nassau County, Florida:

TOWNSHIP 2 NORTH, RANGE 27 EAST

Section 8: All that certain lot, tract or parcel of land situate, lying and being in the SE ¼ of the SE ¼ of Section 8, Township 2 North, Range 27 East, and being more particularly described as follows: Beginning at a point 1320 feet West of the Southeast corner of said Section 8, said point also being the Southwest corner of the SE ¼ of the SE ¼ of said Section 8, and run North along the West boundary of said SE ¼ of the SE ¼ of said Section 8 for a distance of 373 feet; thence East 800 feet; thence South 373 feet to the South boundary of said Section 8; thence West along the South boundary of said Section for a distance of 800 feet to the place of beginning and containing 6.84 acres.

ALSO

All that certain lot, tract or parcel of land situate, lying and being in the SE ¼ of the SE ¼ of Section 8, Township 2 North, Range 27 East, and more fully described as follows: Beginning at a point on the South boundary of said SE ¼ of SE ¼ of said Section 520 feet West from the Southeast corner of said Section 8, and run North 373 feet; thence East 300 feet; thence South 373 feet to the South line of said Section; thence West 300 feet to the place of beginning, and containing 2.57 acres, more or less.

Parcel No. 08-2N-27-0000-0007-0000

AND

TOWNSHIP 2 NORTH, RANGE 27 EAST

Section 17: All that certain lot, tract or parcel of land situate, lying and being in Lot Numbered 4 of Section 17, Township 2 North, Range 27 East, and more fully described as follows: Beginning at a point on the North boundary of said Section 17, which point is 1320 feet West of the Northeast corner of said Section 17, said point being also the Southwest corner of the SE ½ of the SE ½ of Section 8, and run East along the North boundary of said Section 17 for a distance of 800 feet; thence South 137 feet, more or less, to the South boundary of said Lot Numbered 4 of said Section 17, to the Marsh; thence Westerly along the South boundary of said Lot Numbered 4 for a distance of 808.5 feet; thence North a distance of 100 feet, more or less, to the North boundary of said Section 17 and the place of beginning, and containing 2.16 acres, more or less.

ALSO

All that certain lot, tract or parcel of land situate, lying and being in Lot Numbered 4 of Section 17, Township 2 North, Range 27 East, and more fully described as follows: Beginning at a point on the North Boundary of said Section 17, which point is 520 feet

1

West of the Northeast corner of said Section 17, and run East along the North boundary of said Section for a distance of 300 feet; thence South for a distance of 250 feet, more or less, to the Marsh or South boundary of said Section; thence Westerly along the Marsh or South boundary of said Section to a point due South of the place of beginning; thence run North 137 feet, more or less, to the point of beginning, and containing 1.33 acres, more or less.

ALSO

All of that portion or so much of Lot Numbered 4 of Section 17, in said Township 2 North, Range 27 East, as is bounded as follows: On the North by the South boundary line of said Lot Numbered 2 of said Section 8, on the East by what would be a direct or straight Southerly prolongation of the East boundary line of said Lot 2 of said Section 8 to the South boundary line of said Lot 4; on the South by the South boundary line of said Lot 4, and on the West by the East boundary line of the John Uptegrove Grant or Section 45, and which portion of said Lot 4 of said Section 17, hereby conveyed, contains 2 ½ acres, more or less.

Parcel No. 17-2N-27-0000-0001-0000

EXHIBIT "A"

REZONING REVIEW CRITERIA

a. Explain how the proposed change relates to the established land use patterns.

The existing, established land use pattern is single family homes to the south, east and north and vacant land zoned for single family homes with institutional uses beyond to the west (Florida State College). The proposed land use pattern per the William Burgess Overlay District calls for high density commercial and multi-family uses surrounded by medium density residential uses along William Burgess Boulevard. Specifically, the proposed change prescribes high density multi-family and commercial uses along the south side of William Burgess Boulevard and the Park/Open Space along its north side. Therefore, the proposed change is consistent with the proposed land use pattern as set forth in the overlay district. In addition, the proposed change provides a reasonable transition from the Cartesian Pointe single family development to the east and north to the more intensive uses existing (Judicial Complex) or planned to the west.

b. Identify isolated districts that would be created by the proposed change.

The proposed change creates no isolated districts except for a small parcel of land between the west boundary and the Florida State College campus which is expected to come in at a later date for incorporation into the William Burgess Boulevard corridor as a more intense use.

c. Explain how the proposed change would impact public facilities such as schools, utilities, streets and traffic.

The proposed change will have a positive impact on schools and utilities as the development will help to increase the used and usefulness of those currently underutilized public facilities. The proposed pedestrian improvements to be completed in connection with the development of the PUD are expected to mitigate the additional traffic generated by the proposed change. The intensity of the development will serve to utilize the available capacity on William Burgess Boulevard and the dedication and improvement of the right-of-way for Harvester Street will provide a needed traffic loop for traffic coming from the south of the proposed development.

d. Describe the existing and proposed conditions for the subject property and the surrounding properties.

The project site consists of two (2), undeveloped parcels encompassing +/- 40.69 acres within unincorporated Nassau County. The site is predominantly pine flat woods with significant

wetlands separating the Medium Density from the High Density Residential area. The northerly parcel is substantially all uplands and usable for recreation purposes, as intended.

The surrounding properties to the south, east and north are predominantly existing, residential development including the Cartesian Pointe development and rural uses to the south. The property to the west is vacant (proposed for higher density uses in the future) with the Florida State College campus beyond.

The proposed conditions for the development include medium density residential (planned mostly for single family use), office, retail, multi-family and recreational uses, all consistent with the William Burgess Mixed-Use Activity Overlay District and the plans for the William Burgess Boulevard corridor.

e. Identify Comprehensive Plan policies that support the proposed change, especially long range land use plans.

Policy FL.08.04 – 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.

Policy FL.08.05 – The Land Development Code shall provide incentives to 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.

Policy FL.08.06 – The Land Development Code shall provide incentives to encourage new residential and commercial development in rural and transitioning areas to accomplish the following:

- A. Develop in a pattern that is a logical extension of existing urban development patterns avoiding leapfrog or scattered development.
- B. Develop in clustered or nodal patterns, eliminating or reducing strip style development along arterial or collector roads.
- C. Develop in a pattern that enhances the potential for the extension and maximization of central (regional) water and sewer systems.
- D. Contribute to the development of mixed-use communities that provide for integrated residential and employment opportunities; and provide for civic and public facilities including emergency medical, fire protection and police facilities, parks and other recreational facilities, schools, hospitals and other public or institutional uses.
- E. Minimize the potential impact of urban development on the agricultural productivity of the areas.
- F. Where appropriate, use enhanced standards to create urban-level infrastructure and design elements for new development, including but not limited to streets, storm water management facilities, landscaping, and signage.

Policy FL.09.05 — The County shall evaluate development plans to ensure that open space is provided for recreation in all proposed residential or mixed use development projects in accordance with the established level of service.

Policy FL.10.06 – The Land Development Code shall promote the construction of master planned and mixed use developments by providing incentives such as density bonuses, flexible design standards and funding options for required infrastructure improvements.

f. Explain how changed or changing conditions make approval of the proposed rezoning desirable.

The proposed development implements many of the goals and objectives of the recently adopted William Burgess Overlay District and the goals for the William Burgess Boulevard corridor including the development of a +/- four (4) acre public park north of William Burgess Boulevard and the construction of a multi-use trail that continues the ultimate connection of State Road 200/the Wild Light community to US 17 and beyond to the east.

g. Explain how the proposed change will not adversely affect living conditions in the adjacent neighborhoods.

The adjacent neighborhoods located south, east and north of the PUD share very little common boundary with the PUD with only a few houses to the south being adjacent to any area within the PUD proposed for development other than the recreation area. Given that single family homes are proposed to the south, and the separation from the other neighborhoods provided by William Burgess Boulevard and the wetlands along the eastern and southern boundary, the PUD will have minimal adverse impacts on the living conditions in the adjacent neighborhoods.

h. State that the proposed change will comply with all Federal, State and local drainage requirements.

The proposed change will comply with a Federal, State and local drainage requirements.

i. Explain how the proposed change will encourage the improvement or development of adjacent property in accordance with existing regulations.

The immediately adjacent properties to the PUD are substantially developed to the east and north and the property to the south is expected to retain its rural character. The residential homes to be developed in Parcel A of the PUD and the multi-family homes in Parcel B would add rooftops which encourage development of the proposed high density commercial development in other portions of the William Burgess Overlay District.

j. Explain why the property cannot be used with the existing zoning.

The existing zoning is not in compliance with the goals and objectives of the William Burgess Overlay District and the William Burgess Boulevard corridor. Therefore, a zoning change is necessary to develop the PUD.

k. Describe the scale of the proposed project according to the needs of the neighborhood and the needs of Nassau County.

The proposed development in Parcel A for medium density residential provides a transition for the existing single family uses to the south and east to the proposed commercial and/or multifamily uses required in Parcel B. The mixed use and multimodal provisions of the PUD provide a much needed change for Nassau County to allow it to move away from the suburban sprawl that has characterized development to date in the County. The scale of the proposed uses in Parcel B (2 and 3 stories) are compatible with the location of the parcel between the higher densities approved to the west at Wildlight and in the Judicial District and to the east in Nassau Crossing.

I. Are there any other sites in the general location with similar zoning?

Yes, the proposed zoning is similar to the mixed use zoning for the Nassau Crossing PUD and continues the theme established by that proposed development.

EXHIBIT "B"

NASSAU STATION

Environmental Assessment Report

March 26, 2018

Prepared for Matovina & Company, Inc. 2955 Hartley Road, Suite 108 Jacksonville, FL 32257

Prepared by
Peacock Consulting Group, LLC
12058 San Jose Boulevard, Suite 604
Jacksonville, FL 32223

The Nassau Station project encompasses approximately 40.67 acres of land on William Burgess Boulevard in southern Nassau County, Florida. Peacock Consulting Group, LLC has marked the boundaries of wetlands and other surface waters regulated by the St. Johns River Water Management District (SJRWMD) and the U.S. Army Corps of Engineers (Corps) and has also surveyed the property for the presence and potential presence of wildlife protected by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS). The following report summarizes the results of this work.

I. Project Location

The property is located in Section 8, Township 2 North and Range 27 East (Figures 1 and 2). The project comprises two parcels: approximately 4.4 acres located north of William Burgess Boulevard (portion of real estate parcel 08-2N-27-0000-0002-0000) and approximately 36.27 acres located south of William Burgess Boulevard (portion of real estate parcel 08-2N-27-0000-0005-0030). The northern parcel is bordered along its northern boundary by developed single family lots in the Cartesian Pointe subdivision, to the west by undeveloped land, and to the southwest by William Burgess Blvd. The southern parcel is bordered to the east by undeveloped land, to the south by improved pasture land and single family residences, to the west by Harvester Road, and to the north by William Burgess Blvd. The property is currently undeveloped and managed for silviculture (Figure 3).

II. Soils

The Soil Survey of Nassau County Florida (U.S. Department of Agriculture, Soil Conservation Service 1991) indicates that the property contains 6 types of soil as depicted on Figure 4 and described below.

A. Upland Soils

1. Sapelo-Leon fine sands

Most of the uplands on the southern parcel contain a mosaic of Sapelo fine sand and Leon fine sand. Both of these soils are nearly level and poorly drained with a seasonal high water table from 6 to 18 inches below the ground surface for 1 to 4 months during most years. Leon fine sand has a spodic horizon (sometimes referred to as a hardpan layer) starting within 30 inches of the ground surface. Sapelo fine sand also has a spodic horizon at a depth of 15 to 30 inches below the ground surface but also has a layer of fine sandy loam to sandy clay loam known as an argillic horizon at a depth of 40 to 70 inches below the ground surface.

2. Leon fine sand

Most of the northern parcel and portions of the northwest and northeast corners of the southern parcel are mapped as containing Leon fine sand. This soil type is described above.

3. Hurricane-Pottsburg fine sands, 0 to 5 percent slopes

Very small areas along the western boundaries of the property are mapped as a mosaic of Hurricane fine sand and Pottsburg fine sand. These are nearly level to gently sloping soils located on narrow to broad ridges and isolated knolls in the surrounding flatwoods. Hurricane fine sand is somewhat poorly drained with a seasonal high water table at a depth of 24 to 42 inches below the ground surface for 2 to 6 months during most years. Hurricane fine sand has a spodic horizon that starts between 51 and 80 inches below the ground surface. Pottsburg fine sand is poorly drained with a seasonal high water table at a depth of 12 to 24 inches for 1 to 4 months during most years. Like Hurricane fine sand, Pottsburg fine sand has a spodic horizon that starts between 51 and 80 inches of the ground surface.

B. Wetland Soils

1. Goldhead-Meadowbrook fine sands, depressional

The southern parcel contains an isolated wetland that is mapped with the Goldhead-Meadowbrook complex of soils. Both of these are nearly level, very poorly drained soils that are located in depressional areas. In depressional areas, the water table is at or above the ground surface for 6 to 9 months during most years. Goldhead fine sand has an argillic horizon between 20 and 40 inches below the ground surface. Meadowbrook fine sand also has an argillic horizon, although it is generally located 40 to less than 80 inches below the ground surface.

2. Croatan muck, frequently flooded

The southeast corner of the southern parcel contains an area mapped as Croatan muck. This is a nearly level, very poorly drained soil located in drainageways. The seasonal high water table is at or near the ground surface for most of the year. Many areas are frequently flooded for brief periods during the year. The upper 16 to 51 inches of the soil comprises a layer of muck.

3. Evergreen-Leon mucks, depressional

The far northeast corner of the southern parcel is mapped as containing a mosaic of Evergreen fine sand and Leon fine sand depressional mapping unit. Both of these are nearly level, very poorly drained soils that have a seasonal high water table at or above the ground surface during most of the year. Leon fine sand occurs in slightly higher areas and has a surface layer of muck approximately 8 inches thick and a spodic horizon starting within 30 inches of the ground surface. Evergreen fine sand is typically found in slightly lower areas and has a surface layer of muck 6 to 14 inches thick and a spodic horizon starting within 30 inches of the ground surface.

III. Vegetative Communities and Land Uses

The existing vegetative communities and land uses have been characterized pursuant to the Florida Department of Transportation publication Florida Land Use, Cover and Forms Classification System (FLUCFCS) as depicted on Figure 5 and described below.

A. Uplands 30.66 acres

1. Pine Flatwoods/Pine Plantation

30.21 acres

A review of historic aerial photographs of the property indicates that the uplands had been managed as part of a commercial pine plantation with rows of even-aged planted slash pine (*Pinus elliottii*). The rows of planted pines were thinned in early 2006, resulting in the uplands currently having a more natural appearance. The understory and ground cover vegetation is dominated by such species as saw palmetto (*Serenoa repens*), bitter gallberry (*Ilex glabra*) and bracken fern (*Pteridium aquilinum*).

2. Trail Roads 0.45 acre

The southern parcel contains an interior dirt trail road the makes a loop through the property.

B. Wetlands and Other Surface Waters

10.01 acres

The extent of the onsite wetlands and other surface waters were delineated by Peacock Consulting Group, LLC and reviewed and approved in the field by the St. Johns River Water Management District. The report graphics depict the locations of these approved, surveyed wetland lines.

1. Inland Ponds and Sloughs

6.53 acres

The property contains two areas of forested wetland that may be characterized as inland ponds and sloughs. Wetland 1 (2.34 acres) is an isolated wetland (aka pond) with a canopy dominated by pond cypress (*Taxodium ascendens*), blackgum (*Nyssa sylvatica* var. *biflora*) and myrtle leaf holly (*Ilex myrtifolia*) and an understory and ground cover dominated by such species as Virginia chain fern (*Woodwardia virginica*), fetterbush (*Lyonia lucida*) and sphagnum moss (*Sphagnum* sp.).

The southern portion of Wetland 2 (4.19 acres) is part of a contiguous wetland (aka slough) with a canopy dominated by such species as red maple (*Acer rubrum*), blackgum, sweetbay (*Magnolia virginiana*), laurel oak (*Quercus laurifolia*), and pond cypress and an understory and ground cover dominated by such species as buttonbush (*Cephalanthus occidentalis*), Virginia willow (*Itea virginica*), and various sedges (*Cyperus* sp. and *Carex* sp.).

2. Bay Swamp/Slash Pine Swamp Forest

2.51 acres

The northern portion of Wetland 2 (2.51 acres) comprises a mixture of bay swamp and slash pine swamp forest. The canopy is dominated by varying mixtures of pond pine (*Pinus serotina*), slash pine and loblolly bay (*Gordonia lasianthus*). The understory and ground cover vegetation are dominated by such species as fetterbush, cinnamon fern (*Osmunda cinnmomea*), Virginia chain fern, and sphagnum moss. Saw palmetto occurs along the upper edges.

3. Hydric Pine Flatwoods

0.10 acre

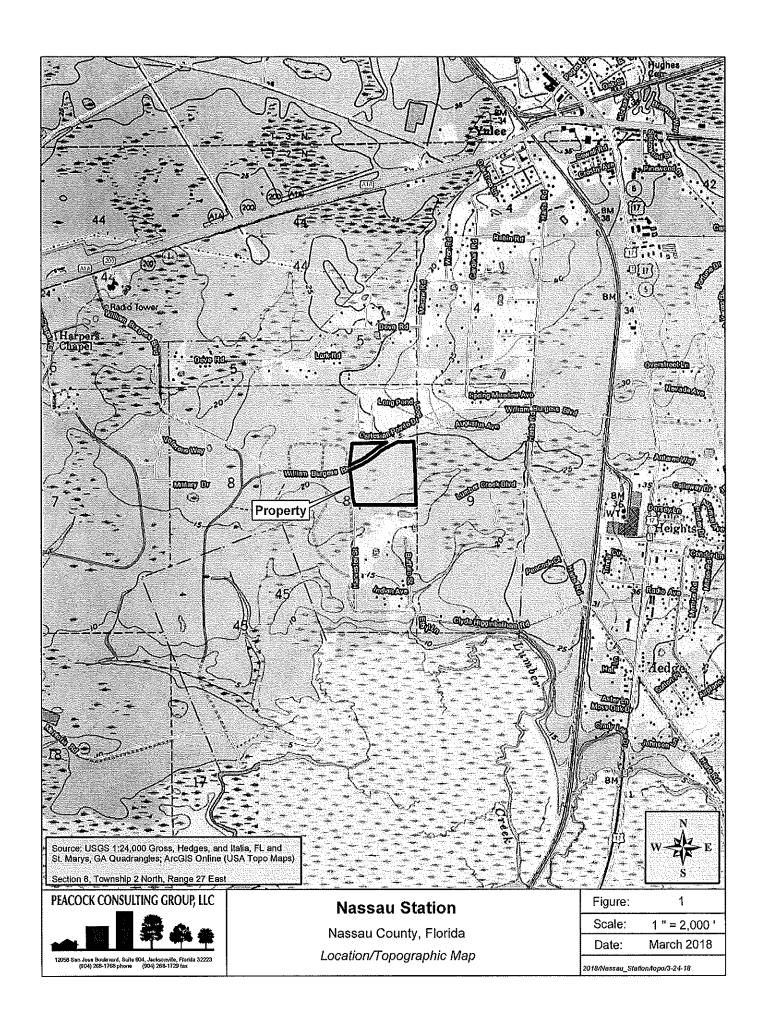
The southern parcel contains a small, isolated pocket of hydric pine flatwoods. The canopy in this area is relatively open and dominated by slash pine. The ground cover vegetation is relatively open and dominated by various grasses as well as yellow-eyed grass (*Xyris* spp.) and marsh fleabane (*Pluchea* sp.).

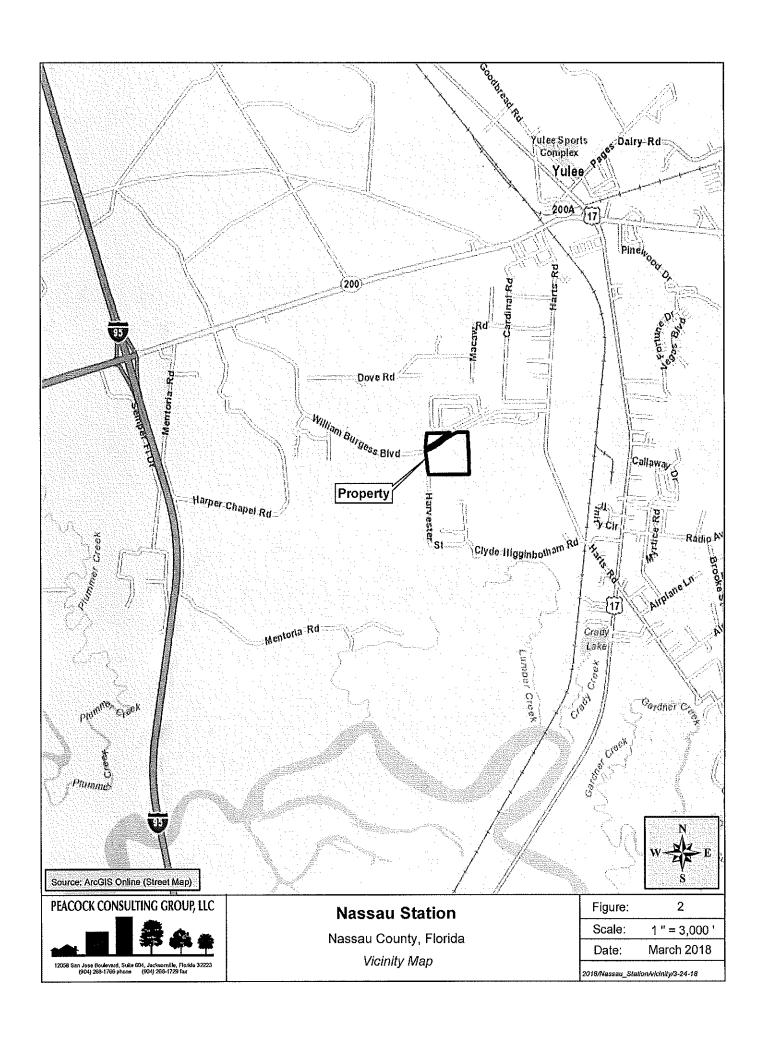
4. Ditches 0.87 acre

The trail road on the southern parcel is lined along either side by upland-cut road side ditches.

IV. Protected Species

Peacock Consulting Group, LLC surveyed the property for the presence and potential presence of species listed as protected by the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS) in the FWC publication *Florida's Endangered and Threatened Species*, *Updated May 2017*. No protected species have been observed onsite or are known to utilize the property.









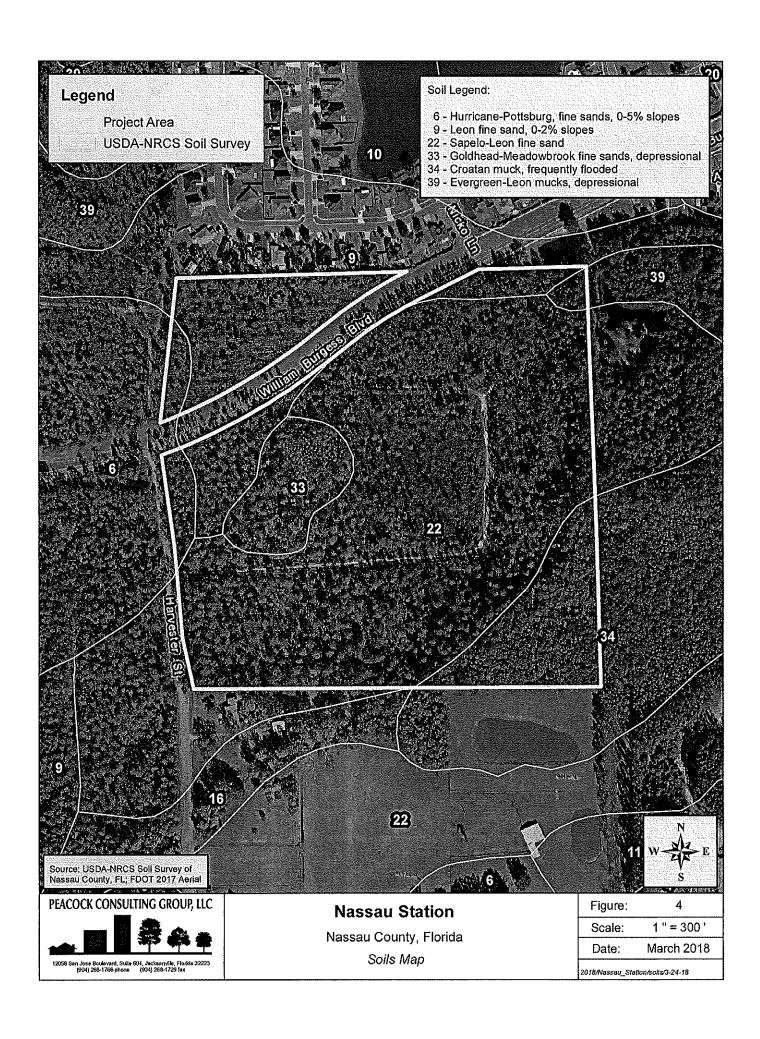
|2058 San Jose Boulevard, Suite 604, Jacksonville, Florida 32223 (904) 268-1769 phone | {904} 268-1729 fax Nassau County, Florida

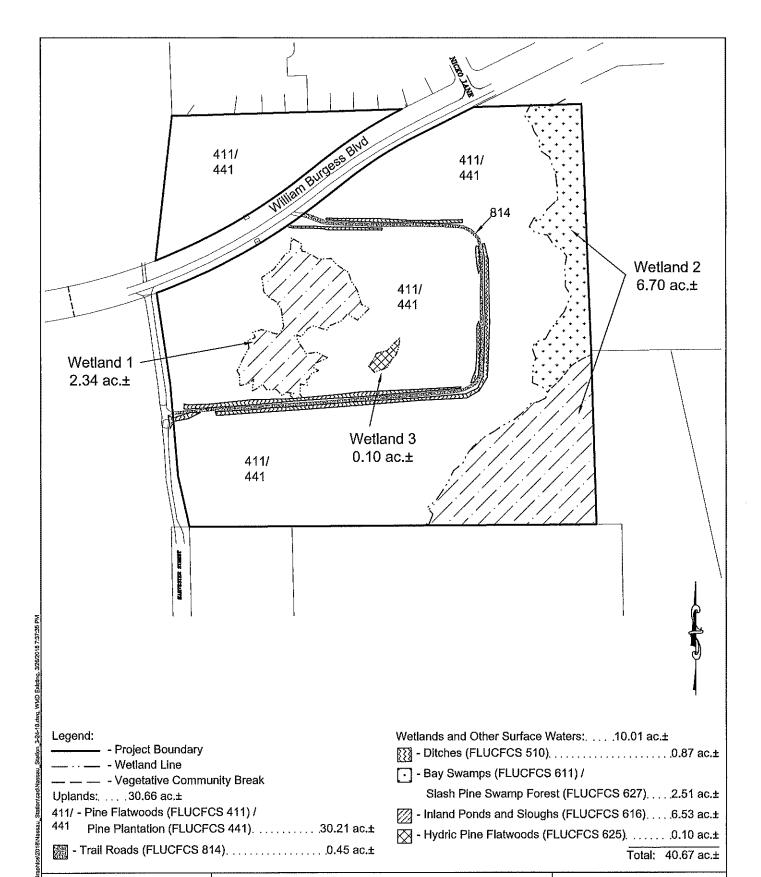
Current Aerial Photograph with Surveyed Wetlands

Figure: 3

Scale: 1 " = 300 '

Date: March 2018





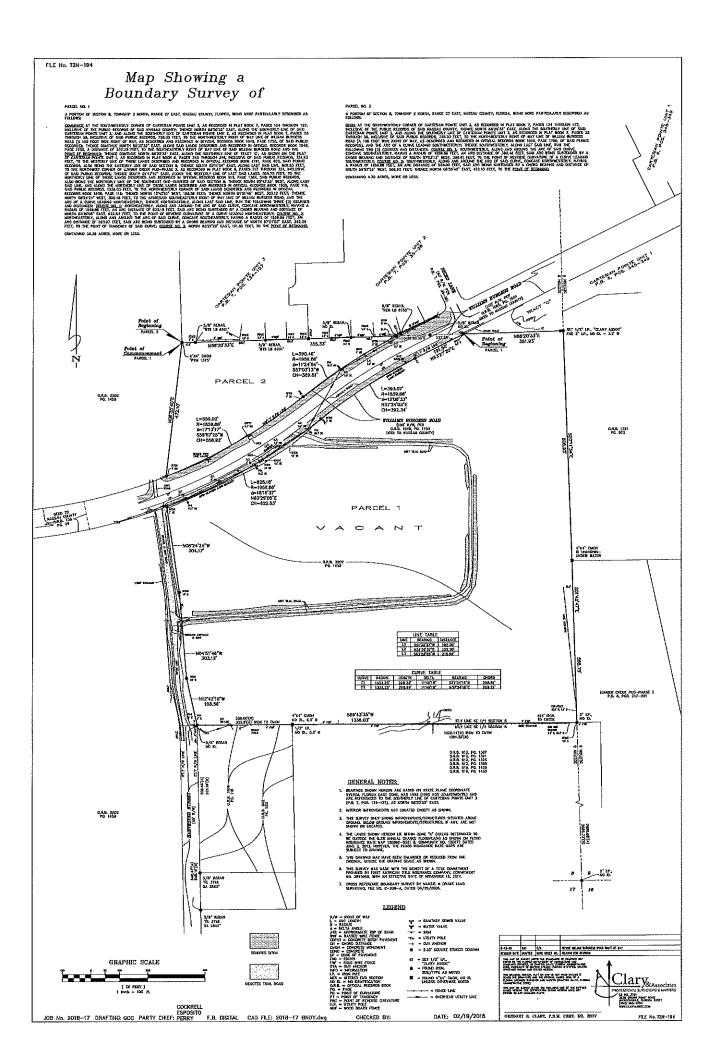
PEACOCK CONSULTING GROUP, LLC

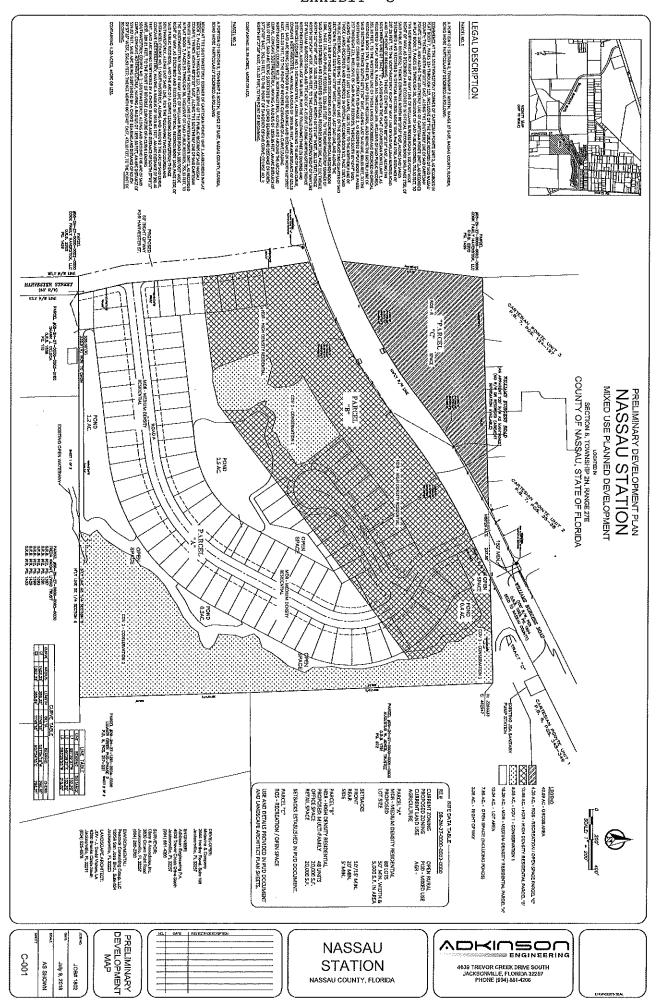


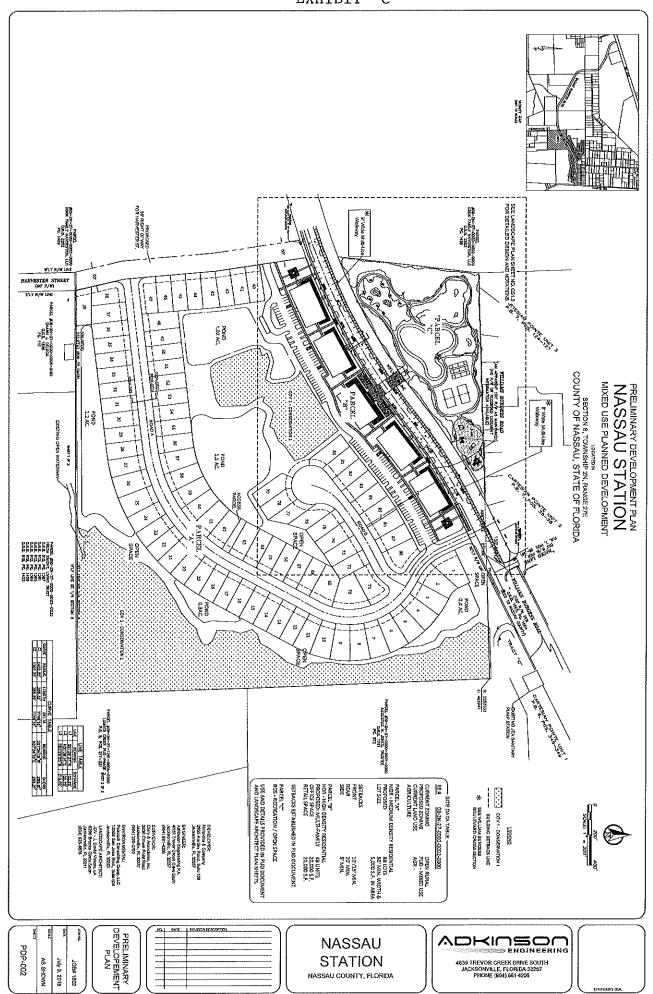
Nassau Station

Nassau County, Florida Existing Site Conditions

Figure:	5	
Scale:	1"=300'	
Date:	March 2018	_
		_







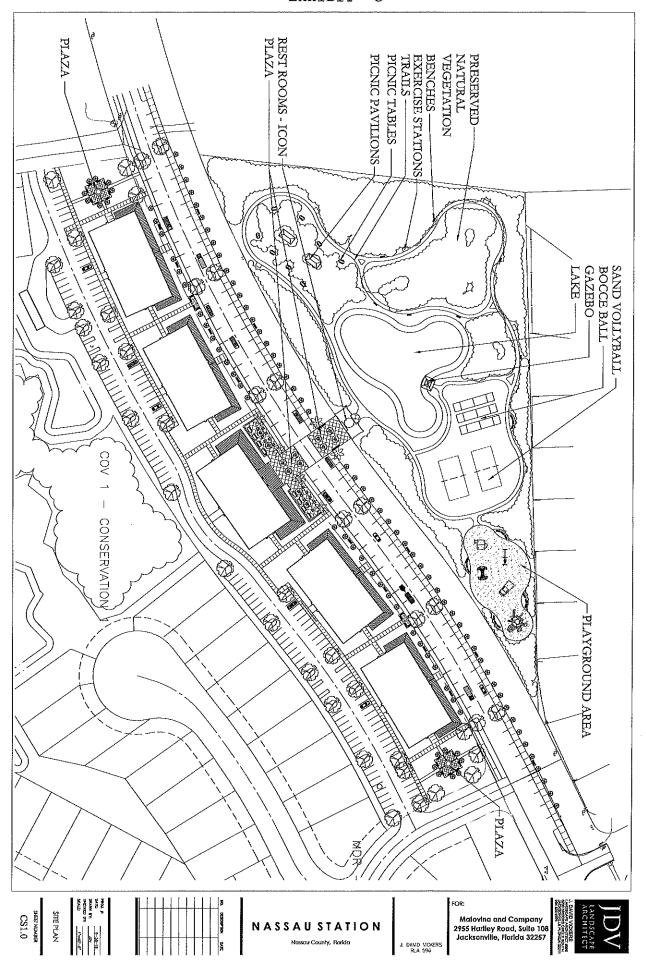


EXHIBIT "D"

NASSAU STATION

William Burgess Mixed-use Activity Center Overlay District (WBMOD) - Core 1 and Edge Transects

I. Intent

The William Burgess Mixed-use Activity Center Overlay District (WBMOD) and, by direct extension, the Nassau Station PUD represents the philosophical shift in land-use planning away from the unsustainable automobile oriented development pattern that has been prominent in Nassau County over the preceding decades. It is the intent of this PUD to create a sense of place in the form of a compact mixed-use walkable community, designed at a pedestrian scale, that promotes strong social ties and the cultivation of 'community' in the inter-personal sense. Through the application of sound land-use planning, urban design and place making techniques, each element of the development program is designed to encourage the daily face-to-face interaction of community members which was lost with the sprawling suburban scale development pattern of the last half century.

As such, the WBMOD and Nassau Station PUD were not created within the vacuum of a single tract of land but rather as an integrated component of the greater environment both in a physical and metaphysical manner. It is imperative to recognize that the built environment is not the 'community' but rather the vehicle that facilitates the creation of community. As Lewis Mumford so eloquently stated, "...today we must treat the social nucleus as the essential element in every valid city plan...". Community is cultivated and organically matured through equity, social engagement, shared values and a celebration of diversity. The goal of this project is to facilitate the cultivation of community through the built environment. The goal is not to maximize intensities and densities but rather provide for a healthy mix of uses at the scale necessary to activate the nucleus of the WBMOD and serve as a catalyst for community formation - to create lasting public value.

II. General Conditions

The Nassau Station Planned Unit Development (PUD) consists of approximately 40.69 acres located to the north and south of SR William Burgess Boulevard, located east of Harvester Street and west of the southern portion of the Cartesian Pointe community in Yulee, Florida (see Exhibit "C"). The Nassau Station PUD will consist of up to eighty eight (88) single family residential units, forty eight (48) multifamily residential units, twenty thousand (20,000) square feet of office space and twenty thousand (20,000) square feet of retail space. Allowable uses, density, intensities, design standards and development conditions are described in detail.

The Final Development Plan(s) implementing the Nassau Station PUD shall be consistent with the conceptual geometric arrangement, spatial distribution of densities and intensities as depicted in the Preliminary Development Plan found in Exhibit "C". The implementation of the PUD shall be consistent with the design standards, themes and controls defined herein.

III. Physical Characteristics

- A. The Nassau Station PUD is intended to promote multi-modal transportation through the provision of an extension of the WBD integrated multi-use trail system, complete pedestrian/bicycle facilities, and reasonable automobile access. The proposed development will have up to four vehicular access points to William Burgess Boulevard including the existing Harvester Street, an entrance at the eastern side of the proposed development and up to two (2) right in right out entrances in the commercial/multi-family parcel. A multi-use trail running on an east-west axis will provide continuous connectivity from SR200/A1A to US 17, upon completion of the various links for the system. Sidewalks and bicycle facilities will be provided to connect the individual components of the development to the multi-use trail system, recreation areas, retail and office uses, and social spaces.
- B. A significant percentage of the site will be reserved as public space for social and recreation purposes, principally the triangular area labelled as Parcel "C". This area is differentiated from storm water management facilities and wetland preservation areas, provided however, that it is anticipated that it will include a retention pond sufficiently sized for Parcel C only. This public space takes the form of open play areas, a playground, sports courts and other informal activities that complement the uses proposed for the regional park at Nassau Crossing to the east. Parcel "C" consists of +/- 4.30 acres of uplands, will be dedicated to the public as a shared space to promote social, recreation and general community activities and will include the requisite improvements to support the intended use.
- C. The site is predominantly pine flat woods with the portion of the site south of William Burgess Boulevard (which will be developed as single family, commercial and multi-family) having a large wetland in the center and along the eastern boundary of the site. Soil conditions are not expected to pose any significant limitation on development outside of the jurisdictional wetlands.

IV. Theme, Aesthetic and Materials

<u>Theme/Aesthetic</u>: To facilitate a unique, vibrant and diverse community a strong sense of place must be established. To create a sense of place it is not sufficient to merely focus on form and geometric arrangement. There must be a thorough comprehension of the environmental, geographical and historical context in which the project exists. Consistent with the Critical Regionalism movement in architecture, we must reject the sterility of modernism, reject the intent to ignore place and region with pure form and instead seek to use materiality and region as an expression of place. The railroad, particularly in the US, organically captured this philosophy in interesting and profound ways. The railroad was the vein connecting incredible urbanism with ultra-rural towns and villages. While the catalyst for progression was the railroad, the diversity in regionally available materials, climate, terrain and cultural preference resulted in unique and identifiable places.

Like most of the US, the railroad has played a formative role in Nassau County and will continue to shape its future. The Florida Railroad was the catalysts for the creation of compact mixed-use towns in the late 19th and early 20th century. Yulee, then known as the Hart's Road Station, is an example of a town that came to fruition as newly laid rail-lines of the Florida Railroad (1855-1861) intersected with the existing Hart's Road (Isaiah Hart's Jacksonville to St. Marys, GA

circa 1840). While the remnants of the Hart's Road Station and the rail-based community can been seen in 'old Yulee', the automobile oriented development pattern of the second half of the 20th Century has long since overtaken the original development pattern.

The WBMOD and Nassau Station PUD are based around the intersection of a rail-line running on a north-south axis radiating out from Jacksonville and a major collector roadway running on an east-west axis providing easy access to SR200/A1A, US Hwy 17 and I-95. As such, given the formative role the railroad has played in this community and will continue to play in the future, it is only fitting the theme/aesthetic of the WBMOD and Nassau Station PUD is Vintage Railroad. But not just Vintage Railroad, following the philosophy expressed in the critical regionalism movement, but rather Vintage Florida Railroad.

The feel of 'Vintage Florida Railroad' is captured in the rawness of the material, the grandness and power of the application set within a backdrop of a wild and untamed Florida. A colliding of modern man's greatest advancements and Florida's native magnificence. Beauty and raw power are expressed in both. It is the intent of the WBMOD and the Nassau Station PUD to provide balance between beauty and power, raw and finished, elegant and industrious, rustic and urban, and wild and tame. This aesthetic will be captured through the use of powerful materials and lush native landscapes with a mixture of rustic charm and refined modernism. Raw unrefined material infused with cutting edge technology set within the context of the theme. The aesthetic is not defined by the era (time-based) of the Florida Railroad but rather the materiality and essence of application. The context of the Vintage Florida Railroad provides for limitless combinations of material and application allowing for design freedom that creates both a sense of place while not limiting creativity. See the William Burgess District Vision Book for examples.

Application shall be captured in:

- Construction materials
- Unified signage package
- Street lights
- Landscape/trail/sidewalk lighting
- Entry features
- Building facades
- Public art
- · Design of social and recreation spaces
- Landscape design
- · Preservation of 'wild areas'

Materials:

- Rough cut timber
- Hand forged iron/steel
- Polished iron/steel
- Arched masonry
- Glass facades
- Brick

- Rough cut stone
- Corrugated metal as roof material or accent. (This is differentiated from corrugated metal buildings)
- Plank-lap siding

Prohibited Materials/Building Types/Characteristics

- · Corrugated metal building
- Vinyl siding
- Reflective glass/tinted glass
- Facades more than 20% comprised of stucco

V. Intended Plan of Development

A. <u>Use of Parcel "A"</u>: will be developed with up to 88 single-family residential dwelling units. A change in the Lot layout as depicted in the attached Preliminary Development Plan that does not result in more than 88 dwelling units in Parcel A, does not adversely impact the non-vehicular connectivity throughout the WBMOD, and is consistent with this provision shall not require an amendment to the PUD.

Development within Parcel A shall comply with all aspects of the WBMOD as defined in the Land Development Code unless otherwise specifically exempted therefrom.

B. <u>Use of Parcel "B":</u> Parcel B may be developed as a mixed-use compact node, or, as multi-family, office or retail (single use). Parcel B is encouraged to be developed to serve as a socially engaged compact community.

The entitlements assigned to Parcel B include up to forty eight (48) multi-family units, twenty thousand (20,000) square feet of office space and twenty thousand (20,000) square feet of retail space.

The Final Development Plan for Parcel B shall not be fragmented and shall include all of Parcel B reflecting either the integrated uses or, reflecting a single use which presents a pleasing and striking appearance from William Burgess Boulevard.

C. Use of Parcel "C"

Parcel C measures approximately four and 30/100 (4.30) acres (100% uplands) and is intended to serve as publicly accessible social and recreation space. The guiding design principle is the creation of social space in the form of outdoor rooms and inclusive amenities that facilitate day-to-day social interaction. The improvements to Parcel C are intended to be engaging, complimentary to but different from the uses in the proposed public spaces for the Nassau Crossing PUD, serve as the social nucleus of the area approximately midway along the William Burgess corridor from US 17 to SR200/A1A and provide space for active and passive recreation. Improvements will include those necessary to facilitate the intent of Parcel C, such as, but are not limited to, a combination of manicured and irrigated grassed lawns to support free play, community events and informal field

sports, children's play equipment, restrooms, picnic areas, sports courts and other similar improvements.

Surface parking will be provided along William Burgess Boulevard as on street parking for Parcel C including spaces specifically required based on the Americans with Disabilities Act.

- D. Minimum Lot and Yard Requirements, Accessory Uses and Structures and Building Restrictions.
 - (1) <u>Parcel A: Single Family detached housing</u>: The following specifications and requirements shall apply:
 - I. Minimum lot area single family detached: 5,000 s.f.
 - II. Minimum lot width: fifty (50) feet.
 - III. Minimum lot frontage: 80% of the minimum lot width.
 - IV. For lots located on a curvilinear street the lot width may be measured at the front setback line.
 - V. On an approved cul-de-sac, the minimum frontage required on a right-of-way shall be twenty-five (25) feet.
 - VI. Height maximum: Forty-five (45) feet.
 - VII. Setbacks:
 - (a) Side: five (5) foot minimum side setback measured from the property line
 - (b) Rear: twenty (20) foot minimum rear setback measured from the rear property line.
 - (c) Front: ten (10) foot minimum setback from the right-of-way to the lead vertical support of a front porches, fifteen (15) foot minimum front setback measured from the right-of-way to the lead vertical support of the main body of the home, provided however, the front setback to the face of a garage shall be a minimum of twenty feet (20) from the right-of-way.
 - (d) Corner lot setbacks:
 - Front: Same as for a non-corner lot. The side of the home facing the right-of-way for the secondary frontage shall use a combination of windows, architectural elements and landscaping to soften the transition to the roadway. Landscaping/street trees shall be established to maintain a clear delineation between the public and private realm.
 - (e) A minimum ten (10) foot separation between structures shall be maintained. Eave encroachments up to 18 inches in side and front yards shall be allowed. Decks and patios thirty-six (36) inches or less as measured from grade may be located in a required side or rear yard.
 - (f) A single family home may be located on a platted lot, a combination of platted lots, or a portion of a platted lot so long as the building parcel is at least as large as the minimum building parcel size, and

the proposed construction meets all required setbacks, and the total number of units does not exceed the number of platted lots contained within that a particular plat.

- (g) Maximum lot coverage will be 55%.
- (h) All screened pool enclosures, whether attached, semi-attached or detached from the principal building, shall adhere to a minimum yard setback requirement of five (5) feet and shall not be located between the street and principal structure.

b. Permitted Accessory Uses and Structures Parcel A:

Permitted accessory uses and structures in Parcel "A" shall include the following:

- I. Guest houses, accessory dwelling units, carriage houses, garage apartments. These units may have a separate electric meter and water service.
- II. Noncommercial greenhouses and/or plant nurseries and private boat/RV houses or shelters shall not be allowable uses.
- III. Mobile homes shall be allowed as temporary uses for sales centers and construction offices until such time as all of the residential units have been constructed and sold in the development.
- IV. Home occupations and mother-in-law dwellings in accordance with the provisions of Section 28.14 of the Land Development Code shall be the only allowable conditional uses within Parcel "A".
- V. Customary residential accessory structures as defined in Section 28.15 of the Land Development Code of Nassau County are permissible if not otherwise prohibited herein.
- (2) Parcel B; Commercial (Retail, office and/or multi-family). The intent of the Parcel B is to provide complimentary uses to Parcel A and ensure the William Burgess corridor is maintained as an attractive and desirable thorough fare with integrated public spaces and a neighborhood design character in addition to strong pedestrian and bicyclist orientations.
 - a. The Minimum Lot Requirements, Minimum Yard Requirements, Building Restrictions within Parcel B shall be as provided for herein:
 - I. Orientation of buildings: It is anticipated that the front of the buildings (regardless of use) will face William Burgess Boulevard providing an attractive appearance. Parking and streets or driveways shall be located behind the buildings with access from Harvester Street and the main entrance to Parcel A to the east. Up to 2 right in right out driveways may be allowed in Parcel B.
 - II. Minimum Lot Requirements: no minimum/no maximum
 - III. Building Restrictions:
 - (a) Width: Single buildings should have a maximum width of approximately two-hundred (200) feet unless a break in the building line is provided at surface level for a pedestrian pass-through measuring at least 40' in width that provides pedestrian

access to a publicly accessible courtyard, square, green or other similar public space designed to encourage social activity and provide for a sense of shared space. These public spaces are intended to be outside rooms that may be used for dining, entertainment, meeting space, pocket parks, community functions or any other similar use provided said space is available to the general public and is open and inviting.

- (b) Height:
 - i. Maximum height shall be forty five (45) feet or three (3) stories for the building in the center and thirty five (35) feet or two (2) stories for the buildings on either side.
 - ii. Minimum height shall be 2 stories. (faux 2^{nd}_{ℓ} stories are strictly prohibited. No variance shall be available)

IV. Lot Coverage:

- (a) Maximum impervious surface area: determined on a case-by-case basis and may include shared common spaces; however, in no instance shall the impervious surface ratio exceed 90%.
- (b) It is the intent that the impervious surface ratio will be viewed as an aggregate. In other words, the aggregate impervious surface area within Parcel B shall not exceed 90%.
- (c) The Floor Area Ratio shall not exceed two (2).
- (d) Where residential and non-residential uses are included within the same structure, floor area ratio will exclude those portions devoted to residential dwelling units.

V. Setbacks:

- (a) Front: 0' 15' (max 15' from right-of-way in certain instances where the curvature of the roadway and the architectural styling results in a greater setback, the additional space may be used as an expansion of the sidewalk zone, courtyard, or similar publically accessible social space. However, in no instance shall the additional setback adversely impact the character of the streetscape or design form. In the event that any building in Parcel B is developed strictly as town homes or multi-family, the maximum setback may be increased to 30'.
- (b) Side: 0'
- (c) Rear: 0'
- (d) 5' minimum setback from the street right-of-way for all parking lots.
- I. The Cross-access, Sale of Alcohol, Parking, General Architectural Design Standards, Building Transitions, Exterior Materials and Colors, Roof Design, Windows/Transparency and Entryways, Projections Recessing and Massing, Section Walls and Fences, Landscaping and Streetscaping and Variations, Waivers and Interpretation requirements shall be controlled by the requirements included in the Nassau Crossing PUD for the Core 1 Transect. In

the event of a conflict between the provisions of this PUD and the provisions of the Nassau Crossing PUD, the provisions of this PUD shall be controlling. The Preliminary Development Plan included at Exhibit C and the elevations of the Mixed Use building included at Exhibit F are conceptual but exhibit the general layout and look that is desired.

- b. Parcel B Uses: Parcel B may be developed in its entirety as multi-family, including fee simple town homes, condominiums and apartments provided that the scale (3 story building in the center and 2 story otherwise) and other requirements included herein are adhered to, or, Parcel B may be developed as a mixed use with street oriented restaurants, retail and office uses at the ground level on some or all of the buildings in Parcel B and multi-family uses for the remainder.
- c. Lighting shall be consistent with the WBMOD and Nassau Crossing aesthetic/theme and applied pursuant to the unified lighting program adopted as part of the Final Development Plan for Nassau Crossing PUD or such other standards as are approved by the Planning and Economic Opportunity Department, consistent with the WBMOD. The unified lighting program shall be adopted with the first Final Development Plan for Parcel A, if different standards are desired than those adopted for the Nassau Crossing PUD.
- d. Signage shall be consistent with the WBMOD and Nassau Crossing PUD aesthetic/theme and the unified signage program adopted as part of the first Final Development Plan within the WBMOD for Nassau Crossing or, the unified signage program shall be adopted with the first Final Development Plan for Parcel A, if different standards are desired than those adopted for the Nassau Station PUD.
- e. Off-street surface parking areas are to be located to the south of the buildings along William Burgess Boulevard so as to not be evident from William Burgess Boulevard and may be incorporated as part of the building design for town homes or other multi-family uses. Where the parking abuts single family homes in Parcel A, the parking spaces shall be no closer than ten feet (10') to the common boundary and the developer of Parcel B shall provide an eight feet (8') fence prior to the issuance of any Certificate of Occupancy or Certificate of Completion for the buildings served by the adjacent parking. The fence shall not be wood but may be vinyl, stucco over block, brick or the equivalent or better as approved by the Planning and Economic Opportunity Department. The fence shall be maintained by the owner(s) of Parcel B.

E. <u>Site Drainage</u>:

- (1) The development of the Property shall meet all applicable requirements of the St. Johns River Water Management District and Nassau County.
- (2) The retention areas and other elements of the drainage system outside of the road rights-of-way serving the Parcel A/single family development will be maintained by a Property Owners' Association and will be subject to appropriate easements prohibiting the construction of accessory uses that would interfere with any drainage or maintenance. The retention areas and other elements of the drainage system serving the Parcel B/Commercial development may be integrated with the Parcel A drainage system or, the drainage system for Parcel B

- may be separate with its own Property Owners Association providing the maintenance of the system.
- (3) The retention area and other elements of the drainage system for Parcel C will be separate from the other drainage system(s) and shall be owned and maintained by Nassau County.
- (4) All St. Johns River Water Management District and Nassau County permits shall be obtained prior to Final Development Plan approval, pursuant to Ordinance 2000-40, as amended. The developer shall obtain an operating permit for these facilities before transferring them to any homeowner's association or organization. The ponds and other features of the storm water management system shall be maintained by the mandatory property owner's association.

F. Multi-use trail system and pedestrian facilities:

(1) General

- a. Where not specified herein, all required bicycle and pedestrian facilities, including Sidewalk Zones as approved in the Nassau Station PUD, shall be constructed contemporaneously with the adjacent site development.
- b. Sidewalks, Sidewalk Zones and bicycle facilities shall be provided to connect the individual components of the development to the multi-use trail system, recreation areas, retail and office uses, and social spaces.
- c. The design of the multi-use trail system, sidewalks and bicycle facilities shall be responsive to the placement of utilities and street trees. .
- d. Sidewalks shall be a minimum five (5) feet in width. This is differentiated from the Sidewalk Zone which is of significantly greater width.
- e. All multi-use trails, boardwalks, sidewalks and bicycle facilities must exhibit a high level of connectivity that best serves the pedestrian and bicyclist within the Nassau Station PUD and providing for connectivity to the greater WBMOD.
- f. All segments of the multi-use trail system shall be open to the general public.
- g. All multi-use trails shall meet the specifications for sub-base, depth and width of asphalt or concrete as defined in the Nassau Crossing PUD. The Director of Public Works may approve an alternative sub-base standard if deemed appropriate.
- h. The Applicant shall be responsible for survey and construction cost of trail segments required by this order.
- i. Nassau County will coordinate with other government agencies and utility providers to facilitate the construction of the trail system.
- j. Sidewalks shall be provided on both sides of all roadways.
 - (2) Phasing and Timing Prior to the issuance of the 50th Certificate of Occupancy, the Applicant shall construct or cause to be constructed a multi-use trail running on an eastwest axis providing for continuous connectivity from the easterly to the westerly boundary of the development either within or along the William Burgess right-of-way.
- G. <u>Recreational Amenities:</u> While the recreational amenities will be developed in phases, their location and dedication of land is required at the time of the first Final Development Plan submitted for the PUD.

(1) General

- a. Where not specified herein, all recreational amenities shall be constructed contemporaneously with the adjacent site development.
- b. To off-set impacts to the public park system and meet the intent of the development program the Applicant shall develop public recreational amenities as defined herein.
- c. Recreational elements/geometric arrangement are general depicted in Exhibit C.
- d. If no improvements are made with Parcel C within a ten (10) year period from execution of the Nassau Station PUD, Parcel C shall revert back to the Applicant.
- e. Nothing herein shall prohibit contributions by other developers from constructing or causing to be constructed amenities listed below.
- f. Parcel C shall be depicted on the first Final Development Plan within the Nassau Station PUD and reserved for public recreation and community based social purposes. A separate agreement between Nassau County and the Applicant will be executed prior to the first Final Development Plan approval associated with the Nassau Station PUD. The agreement will further address the specifications of the ten (10) year reverter clause associated with Parcel C and management responsibilities of all public spaces and amenities.
- g. Within 180 days of written request from the County Manager, the Applicant shall dedicate Parcel C to Nassau County via instrument approved by the County Attorney.
- h. The decision to own Parcel C or manage through agreement shall be at the sole discretion of Nassau County.
- i. Within Parcel A, the Applicant may construct or cause to be constructed tot-lots, picnic areas, gazebos, manicured lawns for free play when combined with benches, shelters and walking paths and/or any other recreational amenity for private use of residents within Parcel A.

(2) Phasing and Timing

- a. Phase I
 - Phase I is defined as the earlier of the following:
 - (a) The issuance of the 50th Certificate of Occupancy, or,
 - (b) 20th multifamily unit is given a Certificate of Completion, and,
 - (c) 10,000 square feet of non-residential space is issued a Certificate of Occupancy or Certificate of Completion.
 - II. Prior to reaching the above threshold the Applicant shall construct the children's play area and a tot lot within Parcel C consistent with the WBMOD theme.

b. Phase II

- I. Phase II is defined as the earlier of the following:
 - (a) The issuance of the 80th Certificate of Occupancy, or,
 - (b) 40th multifamily unit is given a Certificate of Completion, and,
 - (c) 20,000 square feet of non-residential space is issued a Certificate of Occupancy or Certificate of Completion.
- II. Prior reaching the above threshold the following shall occur:
 - (a) Within Parcel C, as generally depicted in Exhibit C, the Applicant shall excavate the required retention area and shall construct the picnic/pavilion area with a minimum of four (4) picnic tables and one (1) pavilion.

c. Phase III

- I. Phase III is defined as the completion of the proposed construction in Parcel B as evidenced by the Certificate of Occupancy or Certificate of Completion for the improvements in Parcel B. In the event that Parcel B is developed entirely as multifamily, then this Phase III improvement shall not be required to be constructed by the applicant.
- II. Prior to reaching the above threshold, the Applicant shall construct the Restrooms including the Icon as depicted in Exhibit F.

F. Open Spaces

Open space, as differentiated from Social Space and Recreation Space, includes wetland preservation areas, vegetative upland buffers adjacent to wetlands, and wetland mitigation areas may include multi-use trails, nature trails, paths, walkways, boardwalks, viewing platforms, interpretive signage, and other forms of social and recreational amenities shall be permitted subject to applicable state and federal permitting. The exact boundaries of all such areas shall be established on the Final Development Plans for each phase or increment of development.

G. <u>Street Types and Roadway Development</u>: While portions of the vehicular and pedestrian circulation system may be developed in phases, their location is required at the time of the Final Development Plan.

(1) General

- a. The street types for Parcel A and for William Burgess Boulevard are attached as Exhibit E. There shall be no variance to the roadway types.
- b. Utilities and utility easements shall not interfere with the defined street types and required elements/amenities.
- c. It is the intent of the Applicant and Nassau County to activate William Burgess Boulevard by orientating buildings and amenities to pedestrian at street level.
- d. Parcels A shall be limited to two (2) access points from William Burgess Boulevard. Harvester Street shall serve as one of the access points and the other access point is located at the eastern side of Parcel A as shown on the Preliminary Development Plan.
- e. Parcel B may have two (2) right in right out access points on William Burgess Boulevard, one (1) access point on Harvester Street and one (1) access point on the internal loop road that winds through Parcel A per the Preliminary Development Plan. The driveways behind the buildings along William Burgess Boulevard in Parcel B may have design(s) that vary from the street types that are provided in the Nassau Crossing PUD provided that they are approved by the Engineering Services Department and the Department of Planning and Economic Opportunity.
- f. The internal roadways of the development will be approved by the Nassau County Engineering Services Department and constructed in accordance with the latest Nassau County Construction Details and Specifications, provided however, that cul-de-sacs that have ten (10) or less lots fronting the cul-de-sac shall be allowed to be constructed within a right-of-way having a ninety foot (90') diameter and pavement with a radius of thirty feet (30').

- g. The travel lanes within the WBMOD shall be narrowed to the maximum extent possible. The use of other traffic calming strategies shall be used to the extent practical. The intent of this regulation is to narrow the ROW, slow vehicular traffic and create a tight knit community that is pedestrian friendly. The automobile is a secondary form of mobility.
- h. Operational improvements shall be required in accordance with local regulations.
- (2) Phasing and Timing Prior to the issuance of the 50th Certificate of Occupancy in Parcel A, the Applicant shall dedicate a sixty foot (60') wide right-of-way for Harvester Street from William Burgess Boulevard to the southern boundary of Parcel A (so that there is a continuous connection from William Burgess Boulevard to the existing right-of-way) and construct a two (2) lane road in the right-of-way dedicated to County standards.

H. Phasing and Commencement of Construction:

- (1) The development of the residential portion of the project will occur in phases over a period of approximately five (5) years.
- (2) Construction shall commence on the first phase in Parcel "A" no later than three (3) years from the date of approval of the PUD. Parcel "A" may be broken down into multiple phases and permitting and physical development within each phase may occur as market conditions dictate.
- (3) Development of the Parcel B will occur as market conditions dictate with no established time frame for commencement or completion. However, the development of Parcel B shall be subject to a single Final Development Plan that includes all of Parcel B. While individual components of Parcel B may come online individually, each individual development shall be soundly demonstrated to fit within the context of the Final Development Plan, Nassau Station PUD and WBMOD.

I. Utilities/Impact Fees/Mobility Fees:

(1) Utilities:

- a. Underground water and sewer service will be provided by JEA.
- b.Underground electric service will be provided by Florida Power & Light. The County and the developer shall work together with Florida Power & Light to explore the relocation of existing overhead power lines along William Burgess Boulevard so as to improve the view of the Icon in Parcel C and the buildings in Parcel B from William Burgess Boulevard.
- c. Fire hydrants will be located on final development plans and will be constructed in accordance with applicable County and JEA requirements.
- d.Nassau County will support and directly intercede with the utility providers to strategically place utilities as to not interfere with the defined street types and required street trees, street furniture and amenities.
- e. All utilities shall be under ground
- (2) Based on the current fee schedule the development will generate the following estimated impact fees for use by the County for the provision of Public Facilities based on the

development program defined in the PUD.

- a. Impact Fee Credits shall be governed by Section 7.06 of the Comprehensive Impact Fee Ordinance in effect at the time of approval of this PUD and shall be subject to a Credit Agreement approved by the County Manager and the Board of County Commissioners. The transferability of credits to other owners and properties within the respective impact fee district located outside of the Nassau Station PUD shall be considered in said agreement. Nothing herein shall prevent credits from being transferred to other owners and properties within the boundaries of the Nassau Station PUD.
 - It is the intent of Nassau County that recreation impact fee credits will be given for the construction of public recreation facilities including linear facilities. Fee amount is subject to change with updates to the County's impact fees.
 - II. Actual Impact Fees will be calculated based on fee amount at the time of building permit unless otherwise provided for in a separate agreement whereby fees are advanced and credits given. The below is provided as an estimate.
- b. Mobility Fee Credits shall be governed by Section 3.02 of the Nassau County Mobility Fee Ordinance in effect at the time of approval of this PUD and shall be subject to a Credit Agreement approved by the County Manager and the Board of County Commissioners. The transferability of credits to other owners and properties within the Mobility Fee Zone located outside of the Nassau Station PUD shall be considered in said agreement. Nothing herein shall prevent credits from being transferred to other owners and properties within the boundaries of the Nassau Station PUD.
 - I. It is the intent of Nassau County that mobility fee credits will be given for the construction of the multi use path along William Burgess Boulevard.
 - II. Actual Mobility Fees will be calculated based on fee amount at the time of building permit unless otherwise provided for in a separate agreement whereby fees are advanced and credits given. The below is provided as an estimate. Fee amount is subject to change with updates to the County's impact fees.

Type of Fee	Single Family (88du)	Multi-Family (48du)	Retail* (20k sf)	Office** (20k sf)
Mobility	\$101,200	\$38,736	\$40,896	\$29,720
Administration	\$74,976	\$36,816	\$20,560	\$11,020
Fire/EMS	\$14,168	\$6,960	\$3,900	\$2,080
Police	\$6,512	\$3,216	\$1,800	\$960
Recreation Comm. Park	\$25,256	\$13,824	0	0
Recreation Reg. Park	\$28,160	\$12,432	0	0
School	\$287,584	\$156,864	0	0

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^{*} Calculation of Mobility Fee was based on the following:

- 4,000sf of Restaurant, ITE Code 932 (\$2,170 per 1,000sf = \$8,680)
- 4,000sf of Shopping Center, ITE Code 820, 1sf 49,999sf (\$2,150 per 1,000sf = \$8,600)
- 12,000sf of Shopping Center, ITE Code 820, 10,000sf 99,999sf (\$1,968 per 1,000sf = \$23,616)
- ** Calculation of Mobility Fee was based on the following:
 - 4,000sf of Medical Office, ITE Code 720 (\$2,541 per 1,000sf = \$10,164)
 - 4,000sf of General Office 1sf -9,999sf, ITE Code 710 (\$1,009 per 1,000sf = \$4,036)
 - 4,000sf of General Office 10,000sf 49,999sf, ITE Code 710 (\$1,434 per 1,000sf = \$5,736)
 - 8,000sf of General Office 50,000sf 99,999sf, ITE Code 710 (\$1,223 per 1,000sf = \$9,784)

J. Signage:

- (1) All signage, regardless of parcel or phase, shall be controlled by a unified signage program adopted with the first Final Development associated with the Nassau Crossing PUD. The signage program shall be consistent with the aesthetic/theme of the WBMOD and Nassau Crossing PUD. No permanent signage or entry feature may be constructed until the unified signage program is adopted.
- (2) Entry features may be constructed at each project entrance in Parcel A. The entry features shall be consistent with the aesthetic/theme of the WBMOD and Nassau Crossing PUD. No permanent signage or entry feature may be constructed until the unified signage program is adopted. The entry features are intended to promote a sense of place and define ones location.
 - a. The entry features may include project identification signs. The signs at each entry to Parcel A may be single-faced, double-faced or may include two (2) separate signs, one on each side of the entrance. All project signs for Parcel "A" shall be designed as ground-mounted signs or integrated into or mounted on the landscape features such as walls and fences.
 - b. While elements of the entry feature may exceed these dimensions, the sign area shall not exceed one-hundred and fifty (150) square feet. In no way shall any entry feature inhibit access by the general public to the multi-use trail, sidewalks or bicycle facilities.
- (3) Signage within Parcel B shall be incorporated into the design of the urban environment and not adversely impact the aesthetics of the streetscape. It is the expressed intent of the Applicant and Nassau County that suburban scale strip commercial signage program is prohibited.
- (4) Billboards shall be prohibited.

K. Landscaping

- (1) Shall be consistent with the WBMOD standards as defined in the Land Development Code unless otherwise defined herein.
- (2) All streetscapes shall be consistent with the applicable street type.
- (3) Where appropriate, landscape design should be native and wild in expression and incorporated in to the public/social space to the extent possible.

- (4) Shade trees shall be provided at an interval whereby all multi-use trails, sidewalks, courtyards, greens, squares and other similar public/social spaces will be fully shaded at tree maturity. Said trees shall be planted contemporaneously with construction of the respective facility.
- (5) The use of planters, tree wells and other similar elements of urban design shall be incorporated into landscape program.

VI. Compatibility with the Comprehensive Plan

A. The Nassau Station PUD continues the implementation of the William Burgess Mixed Use Activity Center as defined in the 2030 Comprehensive Plan by enhancing the William Burgess Boulevard corridor in keeping with the requirements of the WBMOD. This Order continues to bring to reality the numerous Goals, Objectives and Policies in the 2030 Comprehensive Plan and the Vision 2032 Plan.

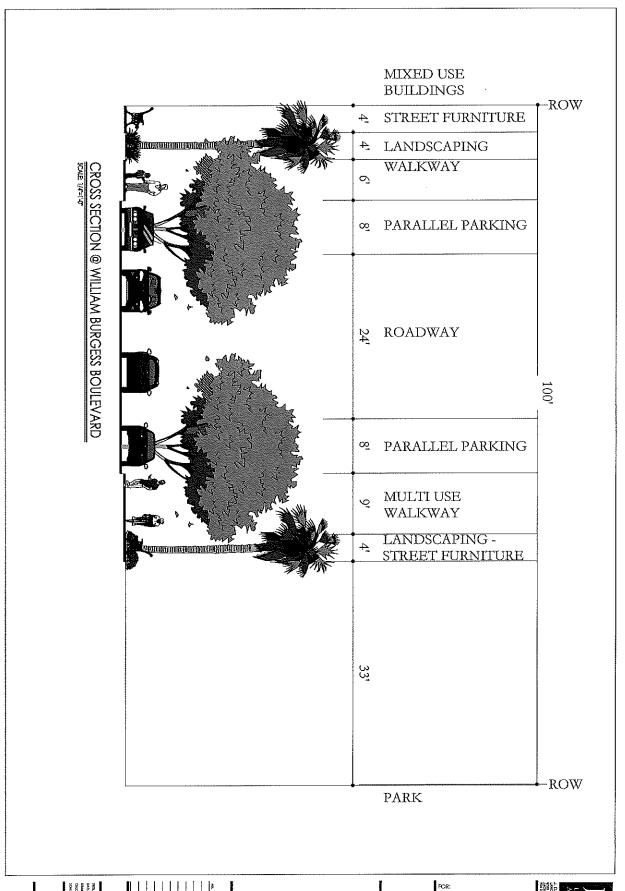
VII. Ownership and Maintenance of Common Facilities

- A. Nothing herein shall prevent the Applicant for establishing a Community Development District or similar entity if done so in conformance with the established laws governing such action.
- B. The Developer shall establish the applicable Property Owners' Association prior to the sale of any lots or units by the Developer to any third party within the Nassau Station PUD.
- C. Membership within the Nassau Station Property Owners' Association shall be mandatory for all property owners.
- D. The Developer may elect to form additional Property Owners' Associations. If so, the Developer shall establish a master property owners and/or homeowners association for Nassau Station Subdivision that shall be responsible for the maintenance of roads, master drainage, the amenity area, etc., subject to the conditions set forth herein. All improvements including roads, master drainage facilities, storm sewers, etc. shall be approved by Nassau County before being transferred to any homeowners' organization.
- E. The applicable association or nonprofit corporation shall manage all common areas, public/social spaces, recreation areas and open space facilities even those lands dedicated for public use (except as otherwise provided herein) and that are within the lands that are subject to the jurisdiction of such association or nonprofit corporation; shall provide for the maintenance, administration and operation of such portions of the Nassau Station PUD and any other lands located within Nassau Station; and shall secure adequate liability insurance governing such areas owned or operate by such association or nonprofit corporation.
- F. The ownership and maintenance responsibilities of all common areas shall be the responsibility of the Property Owners' Association upon its adoption except as otherwise provided herein.
- G. All additional right-of-way for Harvester Street will be dedicated to Nassau County. The water, sewer, electrical, telephone, and other similar utility lines are to be owned and maintained by the respective utility companies.
- H. Within the residential portion of the PUD, the following requirements shall apply:
 - (1) The mandatory property owner's association shall have the power to assess residents of the proposed development and will be controlled by the Applicant/Developer, until the last lot is purchased or as otherwise determined by Florida Statutes. Each lot owner shall be required to be a member of the association and to pay assessments.

- (2) The property owner's association shall also maintain project signage, any common landscaping and recreational areas located within Parcel A. Areas which are to be maintained by the property owner's association will be specifically identified in the Final Development Plans.
- (3) Subdividing common open space areas to individual property owners is prohibited. The Applicant/Developer reserves the right to place one or more conservation easement(s) over any wetland/upland buffer area.

VIII. Alterations and Regulatory Control:

- A. Alterations: Changes in the location of the road(s), project entrances, storm water system improvements, and to the boundaries, size and configuration of lots and Recreation/Open Space areas, as depicted on the Nassau Station PUD Preliminary Development Plan to accommodate environmental, permitting and design factors conditions and requirements of the Developer is allowed, provided:
 - (1) The change does not constitute a Major Amendment to the PUD, pursuant to the provisions of Section 25.08 of the Nassau County Land Development Code; and,
 - (2) Compliance is maintained with all design standards defined in this Order including, but not limited to, architectural standards, theme/aesthetic, geometric arrangement, scale and massing, street types, walkability, multi-modal transportation; and,
 - (3) Integrity of the original application is maintained.
- **B.** If conflict arises due to a proposed change to this Order, the Planning and Zoning Board shall hear the matter and provide an interpretation. Maintaining geometric form, walkability, multi-modal transportation and social engagement are paramount.
- C. Regulatory Control: Except as specifically provided herein, all development in the Nassau Station PUD shall be in accordance with the applicable regulatory standards of Nassau County including, but not limited to, Subdivision Regulations, Land Development Code, Roadway and Drainage Standards and any applicable State standards, in effect at the time of the submittal of the Final Development Plan for each individual component of the project.
- D. The Covenants and Restrictions governing the property will contain provisions consistent with the PUD and all regulations. Any deed from the Developer to third party purchasers in the project will incorporate these Covenants and Restrictions by reference to the Covenants and Restrictions in each deed. Deed restrictions shall run with the land in order to protect both present and future property owners within the Nassau Station PUD. The deed restrictions created by the Covenants and Restrictions shall prohibit the partition of any recreation, open space or publicly dedicated areas.
- E. If Nassau County should pursue the creation of a Community Redevelopment Area (CRA) that correlates with the WBMOD, the applicant shall not oppose the creation of said CRA.



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J. DAVID VICKE

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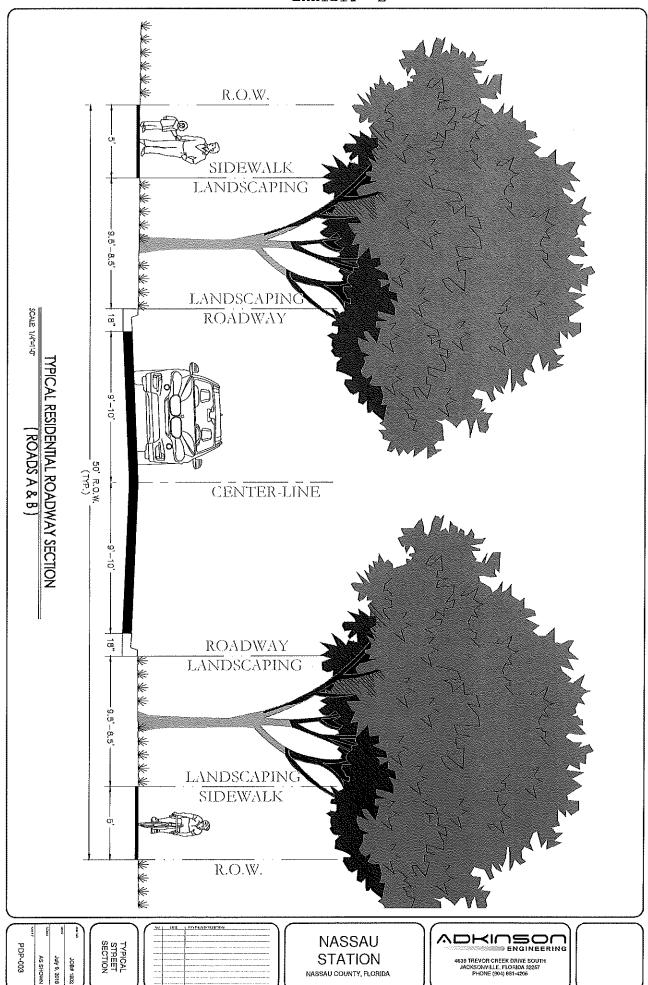
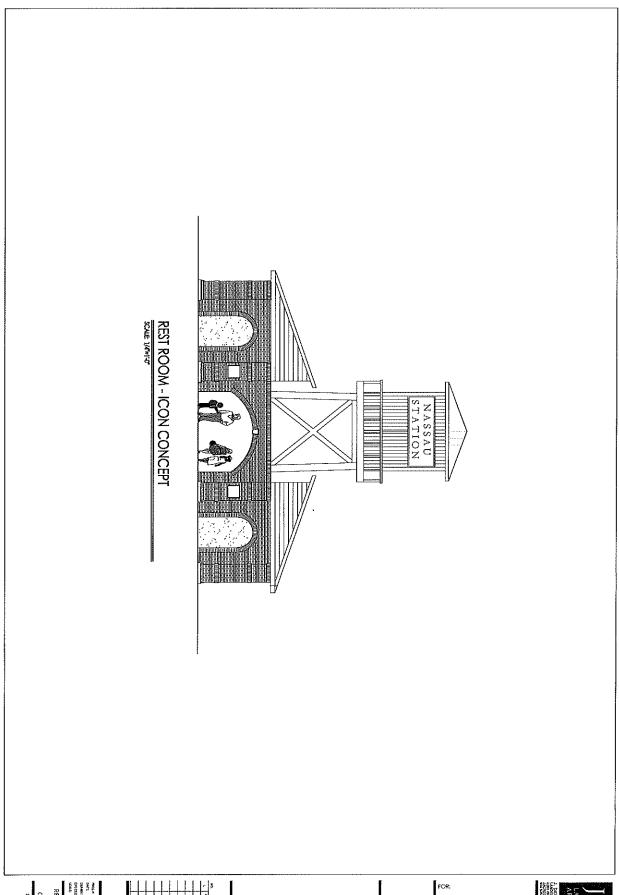


EXHIBIT "F"



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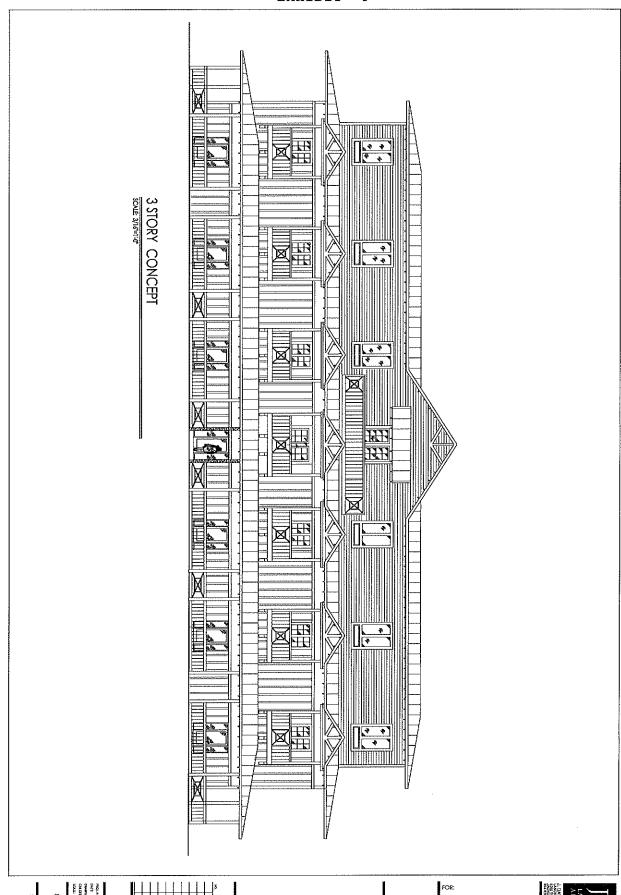


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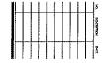
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