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April 7, 2023

**Via Electronic Mail**

Emily G. Pierce  
EPierce@RTLAW.com  
Rogers Towers  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32307

**Re: Tributary Development of Regional Impact (the "DRI")**

Dear Ms. Pierce:

We appreciate the productive discussion had between your client and Nassau County on March 21, 2023, regarding the Tributary DRI. At this meeting, there was general agreement amongst the parties to pursue a comprehensive amendment to the existing DRI development order to address issues of noncompliance with the existing DRI and provide assurances to the County that the DRI will adhere to the fiscal, economic, public facilities, transportation, and other commitments made by the DRI to Nassau County and the citizens of Nassau County.

This letter is intended to summarize the matters the County requires be addressed:

1. A comprehensive amendment to the DRI Development Order (DO) to include:
  - a. A new Traffic Impact Analysis (TIA) demonstrating how the internal capture rate of 21% at the end of Phase I and 22% at build-out in the Application for Development Approval (ADA) First Sufficiency Response will be met given the delayed provision of any nonresidential development and the lack of internal vehicular interconnectivity proposed to critical nonresidential uses (i.e. school and proposed NE commercial site). The new TIA will also be needed to demonstrate the new Map H series discussed below meets the required 21% and 22% internal capture standard;
  - b. A revision to Special Condition 24, Transportation, to include any changes required by the updated TIA;
  - c. A revision to Special Condition 27, Fire Protection, to amend commencement of vertical construction and occupancy dates;
  - d. A new Fiscal and Economic Impact Analysis to demonstrate how the project meets the minimum job creation and economic impacts as defined in the DRI DO and the correlating timing of those jobs/impacts as related to DRI development;

- e. An update to Map H and the addition of a supporting map series and renderings to be adopted as part of the revised DRI Development Order and inform the creation of a new PUD Preliminary Development Plan which details proposed development within the DRI at the conclusion of phase I and buildout, which is inclusive of developed and remaining undeveloped parcels. The supporting map series and renderings shall demonstrate how compliance with the DRI will be met, e.g. how the minimum use mix and integration of uses is achieved, phasing of the mix of uses, how commitments for public docking facilities, motorized boat ramp, and parking areas are met, functional layout to meet minimum industrial, commercial/retail, and office development requirements, etc. In addition, the map series and renderings shall correlate to the data in the new TIA and new fiscal & economic impact analysis. Specifically, each detailed development plan must include:
  - i. proposed uses;
  - ii. number of residential units by type;
  - iii. amount and type of nonresidential square footage, including illustrations showing how the parcel(s) can accommodate the required land use minimums. The illustrations and supporting data must include all infrastructure needs to support the development including traffic impacts and operations;
  - iv. pedestrian and vehicular circulation plan to show connectivity between development phases, sub-phases, and “pods,” demonstrating facilitation of trips between internal uses within the development without exiting onto SR 200 or Edwards Road;
  - v. location of affordable housing units;
  - vi. for the Village Center development plan, demonstration that the Village Center will be consistent with the DRI DO inclusive of public docking facilities and an integrated mix of uses and public spaces;
  - vii. for the Village Center development plan, location of the public boat ramp for motorized boats and associated car and trailer parking areas;
  - viii. how vertical integrated mix-use apartment buildings will be arranged.
- f. A development schedule modeled upon the minimum allowable land use types stipulated in Section 2 (2) of the Development Order. This development schedule would be adopted with the revised Development Order and corresponding PUD ordinance. The development schedule shall include a residential development threshold of 1,400 units beyond which no additional final development plans for residential units may be approved until final development plans for the minimum nonresidential land use types have been approved. The submission of this overall development schedule shall be in addition to the specific development schedules required to be submitted by LDC Section 25.05 (F)(3) with each final development plan submission. The individual development schedules submitted with each final development plan shall meet the requirements of LDC Section 25.05 (F)(3), restated below:

- i. Delineation of areas to be developed according to their order of construction.
  - ii. Proposed dates for beginning and completing construction of each development phase or stage.
  - iii. Proposed schedule for the construction and improvement of common open space, streets, utilities, and any other necessary improvements for each development phase or stage.
2. Submittal of required biennial reports as required in General Condition 8, *Reporting*.
3. Submittal of Surface Water Quality Monitoring Plan as required in Special Condition 18, *Surface Water Quality Monitoring Plan*.<sup>1</sup>
4. Demonstration that there is sufficient solid waste capacity to meet buildout demand.
5. An amendment to Comprehensive Plan Map FLUMS-7 to update the Three Rivers DRI Master Land Use Plan consistent with the with the DRI amendment and accompanying map series.
6. A Planned Unit Development (PUD) amendment to update the PUD written narrative and Preliminary Development Plan to achieve consistency with the DRI amendment and accompanying map series. It would be expected that the submittal of a PUD amendment would come after at least one round of review related to the DRI DO.

The above materials should be submitted as a comprehensive package suitable for formal development review.

Finally, the County is in receipt of your letter dated March 30, 2023, regarding the DRI audit submitted to you on February 23, 2023. The County will separately respond to that letter.

Please let me know if you have any questions or comments on the above. Additionally, it should be noted that upon receipt of the minimum listed above, Nassau may have additional requests for information as we work together to bring these matters to conclusion.

Very truly yours,



Heather Encinosa

cc: Taco Pope, Nassau County Manager (w/attachment)  
Denise May, Nassau County Attorney (w/attachment)

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<sup>1</sup> The County is in receipt of the SWQMP provided on March 30, 2023 and it is under review.