



Growth Management Department
DIVISION REPORT
Application for Non-Zoning Variance
NZVAR 2015-06 Resort Lifestyle Communities

To: Palm Valley Architectural Review Committee

From: Danielle Handy, AICP, Chief Planner
Growth Management Department

Date: November 16, 2015

Subject: **NZVAR 2015-06**, request for a Non-Zoning Variance to various provisions of the Palm Valley Overlay District regulations including gross floor area, maximum length of buildings, minimum yard requirements/number of stories, accessory uses and structures, and minimum space required between the parking area and building, specifically located at 4410 Palm Valley Road.

Applicant: Douglas N. Burnett

Hearing dates: Palm Valley Architectural Review Committee – Nov. 18, 2015

Commissioner
District: District 4

SUGGESTED MOTION/RECOMMENDATION/ACTION

APPROVE:

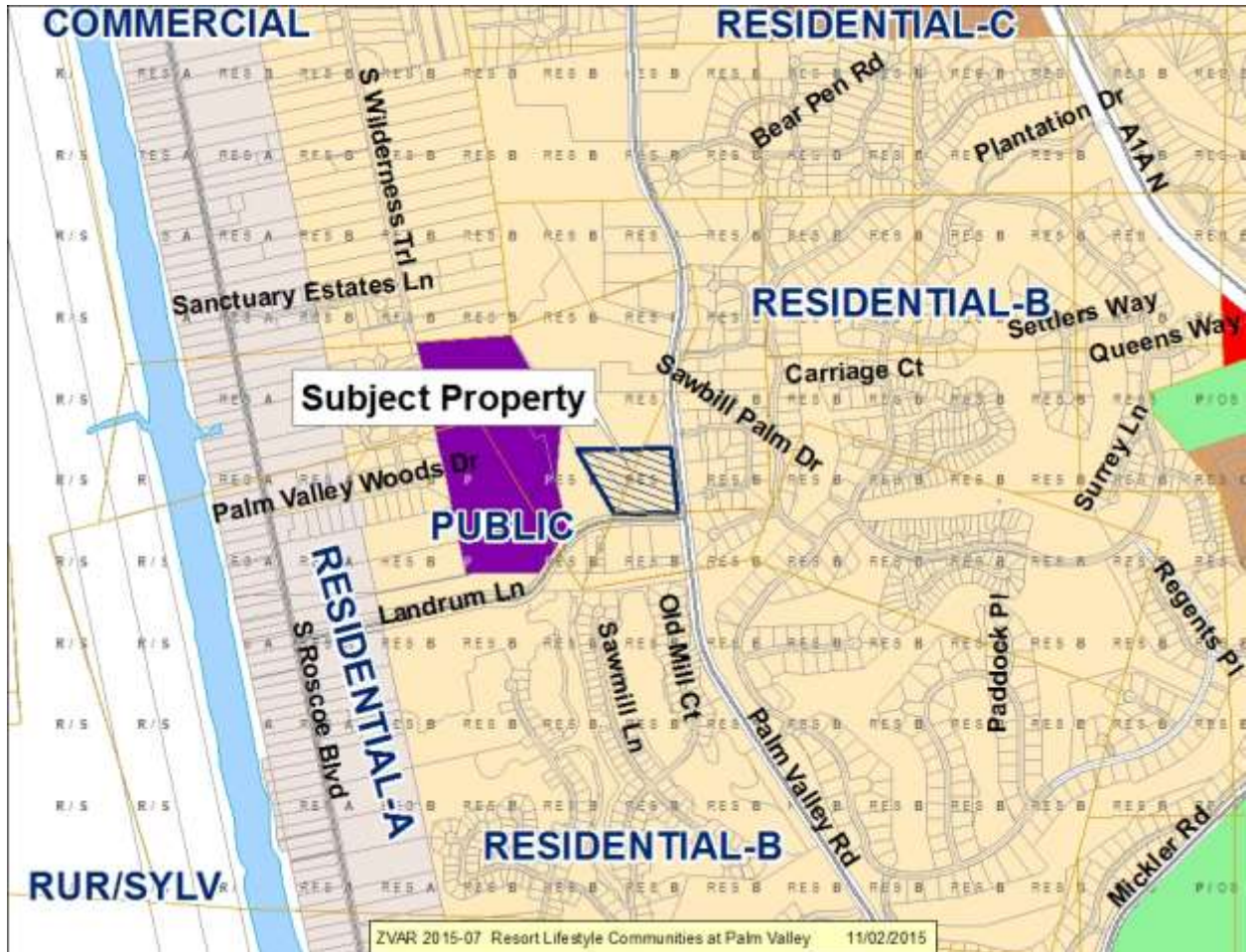
Motion to recommend approval of **NZVAR 2015-06**, Non-Zoning Variance to various provisions of the Palm Valley Overlay District regulations including gross floor area, maximum length of buildings, minimum yard requirements/number of stories, accessory uses and structures, and minimum space required between the parking area and building, specifically located at 4410 Palm Valley Road, based on the 9 conditions and 4 findings as provided in the staff report.

DENY:

Motion to recommend denial of **NZVAR 2015-06**, Non-Zoning Variance to various provisions of the Palm Valley Overlay District regulations including gross floor area, maximum length of buildings, minimum yard requirements/number of stories, accessory uses and structures, and minimum space required between the parking area and building, specifically located at 4410 Palm Valley Road., based on the 4 findings as provided in the staff report.

MAP SERIES

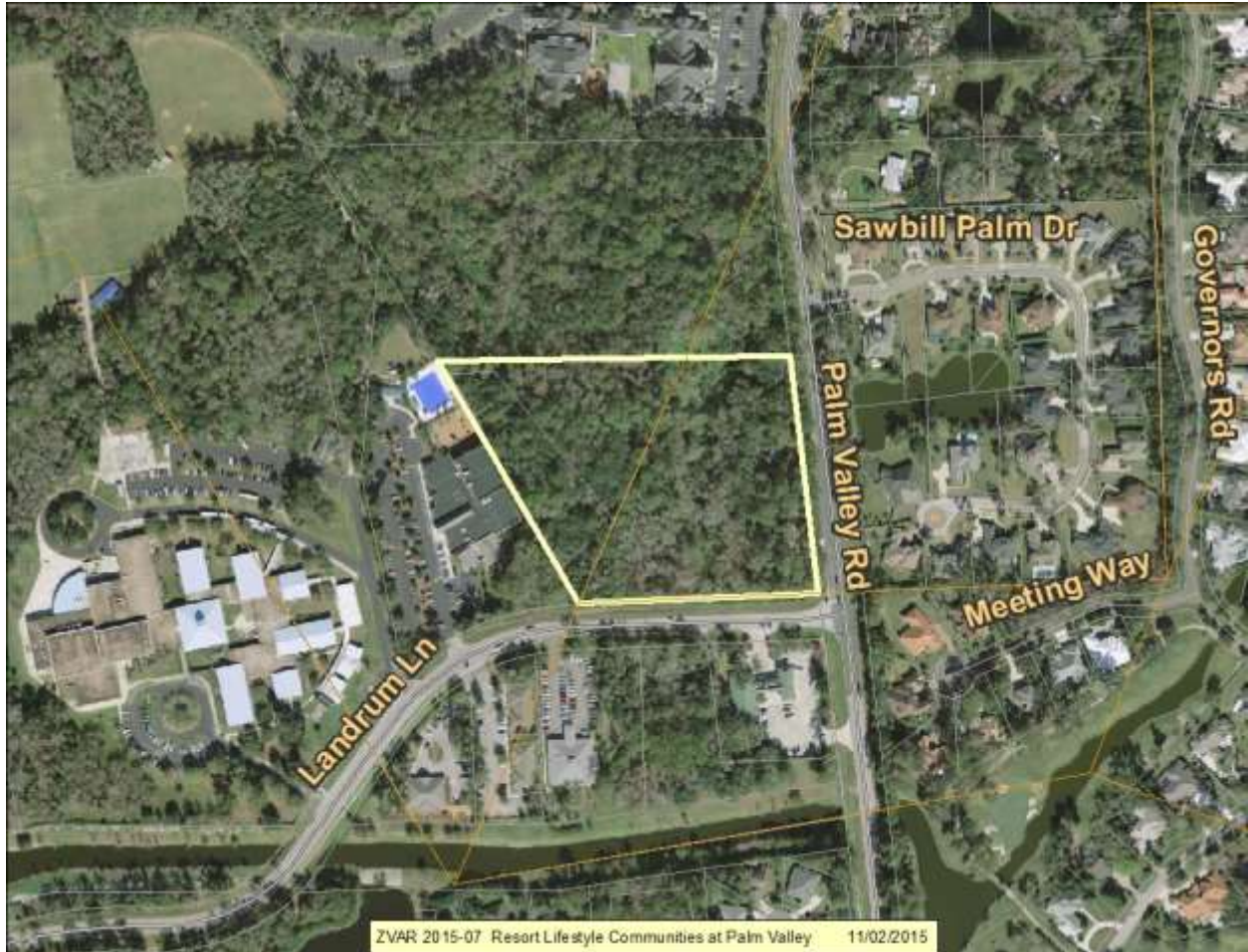
Future Land Use: The subject property and adjacent area are designated Residential-B Coastal on the Future Land Use Map.



Zoning District: The subject property and adjacent lands to the west are zoned Open Rural (OR). The lands to the north, east and west are zoned Planned Unit Development (PUD).



Aerial Imagery: The subject property is approximately 8.32 acres in size and consists of vacant, undisturbed lands. Single-family homes are located to the east across Palm Valley Road. The YMCA and Alice B. Landrum Middle School are located to the west. The Players Community Center and Shell/Daily's gas station are located to the south of the subject property. The property to the north is entitled to establish 20 single-family residential dwelling units on the property, and is currently in the process of entitling the property for an additional 17 dwelling units.



APPLICABLE REGULATIONS

LDC, Section 3.06.04.A, Development Standards and Criteria

7. *Commercial Uses shall have a **maximum Gross Floor Area (GFA) of ten thousand (10,000) square feet per acre (pro rata)**, excluding any jurisdictional wetlands.*
8. *The **maximum length of Buildings** parallel, or within 45 degrees parallel, to any Palm Valley Overlay District Delineated Roadway **shall be one hundred twenty (120) feet.***

LDC, Section 3.06.05.A, Minimum Yard Requirements

2. *Front along any other collector or local roadway*
*Thirty (30) feet for one-Story Building; **fifty (50) feet for a two-Story Building.***
5. *For Buildings proposed on sites which adjoin an existing residential land Use or residentially-zoned Lands, the minimum adjoining Yard requirement (whether it be a Side or Rear Yard, or both) is thirty (30) feet for a one Story Building. **For a two Story Building, the minimum adjoining Yard requirement (whether it be a Side or Rear Yard, or both) is fifty (50) feet.***
7. *Accessory Uses and Structures shall be adequately screened from any Palm Valley Overlay District delineated roadway. **Accessory Uses and Structures shall not be allowed closer to the Palm Valley Overlay District Delineated Roadway than any Building on the site. The ARC may consider exceptions for incidental structure (i.e. ponds and guard shacks); this shall not include parking lots.***

LDC, Section 3.06.08.A, Parking

1. *Space Required Between Parking Area and Building*
***A minimum distance of eight (8) feet will be maintained between any Building and its parking area.** This space is to be reserved and utilized for walkways and/or vegetation. Within this eight (8) feet wide distance, a minimum three (3) feet wide strip for vegetation is required. No such space is required at the rear of the Building, unless there is an adjoining residential Use.*

NARRATIVE SUMMARY

The Resort Lifestyle Communities independent living facility is proposed to consist of 124 units, a lobby, reception area, cafeteria, recreation space, and entertainment space. The independent living facility typically features a movie theater, salon/barber, banking facilities, computer center, library, fitness center, and individual “units.” According to the applicant, each “unit” contains two to three bedrooms, but does not include a full kitchen. Based on the narrative provided by the applicant, the Non-Zoning Variance is needed to allow the project to achieve certain minimum specifications in order for the development to be successful. To that end, the applicant is seeking a Non-Zoning Variance to the provisions of the Palm Valley Overlay District Regulations (LDC, Section 3.06.00) listed below. The Non-Zoning Variance request is subject to a recommendation by the Palm Valley Architectural Review Committee and the ultimate determination is made by the Board of County Commissioners.

1. LDC, Section 3.06.04.A.7 - Gross Floor Area

Commercial Uses are limited to a maximum Gross Floor Area of 10,000 square feet per acre, excluding any jurisdictional wetlands. The applicant is seeking a Non-Zoning Variance in order to allow approximately 19,770 square feet per acre. Article XII of the LDC defines “Floor Area” as the sum of gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) Buildings, excluding attic areas, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating or heating, parking structures, and basement space.

2. LDC, Section 3.06.04.A.8 - Maximum Length of Buildings

Buildings that are parallel to, or within 45 degrees parallel to an Overlay District Delineated Roadway are limited to a length of one hundred twenty (120) feet. The applicant is seeking a Non-Zoning Variance in order to allow a building with a length of up to 1,100 feet.

3. LDC, Section 3.06.05 - Minimum Yard Requirements/Number of Stories

The Palm Valley Overlay District regulations do not expressly limit structures to two stories; however, a variety of provisions within this subsection imply a two-story limitation. For instance, LDC, Section 3.06.05.A.2 and A.5 specify minimum yard requirements for a one-story building and a two-story building. Because the Palm Valley Overlay District regulations lack minimum yard requirements for three-story structures, the applicant is seeking this Non-Zoning Variance to abide by the minimum yard requirement specified for a two-story structure, which is 50 feet. In addition, this Non-Zoning Variance will address the implicit two-story limitation.

4. LDC, Section 3.06.05.A.7 - Accessory Uses and Structures

According to the Palm Valley Overlay District regulations, accessory uses and structures cannot be located closer to the Palm Valley Overlay District Delineated Roadway than any Building on the site. The ARC may consider exceptions for incidental structures, such as ponds and guard shacks; however, this exception does not include parking lots. As a result, the applicant is seeking a Non-Zoning Variance to allow the parking lot to be located closer to Palm Valley Road and Landrum Lane than any Building on the site.

5. LDC, Section 3.06.08.A.1 - Required Separation between Building and Parking Area

According to the Palm Valley Overlay District regulations, a minimum distance of eight feet shall be provided between any building and its parking area. The applicant is seeking a Non-Zoning Variance to this provision to allow for a porte cochere.

This request is companion to a Zoning Variance to LDC, Table 6.01 to allow an independent living facility with a height of 48 feet, in lieu of the maximum 35 foot height allowance in Coastal Areas. The site plan provided by the applicant depicts a central facility with two wings. The facility consists of a three-story, three segment building with a one-story projection in the front and rear of the central core. The core of the building is 48 feet in height and the wings of the facility are only 40 feet in height. In addition, the property accommodates three (3) one-story garage structures. To mitigate the appearance of the additional height, the applicant is proposing to supplement the 20 foot landscape buffer adjacent to Landrum Lane and Palm Valley Road. The Zoning Variance request is subject to a recommendation by the Planning and Zoning Agency and the ultimate determination is made by the Board of County Commissioners. The application and supporting documents associated with the Zoning Variance request can be found in Attachment 3.

TECHNICAL REVIEW

The Planning and Zoning Section has routed this request to all appropriate reviewing departments, and there is one open comment from the Planning and Zoning Section regarding the compatibility of this project with the surrounding area. See Planning and Zoning Comments below for further information.

In the case that the Non-Zoning Variance is approved by the Board of County Commissioners, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations. No Construction will be authorized prior to compliance with all applicable regulations and permits.

LAND DEVELOPMENT CODE REFERENCE AND CRITERIA FOR ACTION**Article X, Non-Zoning Variance**

LDC, Section 10.04.03.A, Recommendation of Approval and Authority

1. *A request for deviations to this Code, other than a Zoning Variance, which might otherwise be approved by the County Administrator, must be approved by the Board of County Commissioners (BCC) if a Variance is sought. Such Non-Zoning Variance shall be considered in conjunction with the application for Development Review.*
2. *If the non-zoning variance **involves a deviation from the requirements of Section 3.06 thru Section 3.10 of the Code**, the applicable overlay review board shall hear the item at a public hearing and **make a recommendation to the BCC**. This recommendation **is not required to follow the requirements as listed in Section 10.04.03.B**.*

LDC, Section 10.04.03.B, Required Findings

The BCC shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following:

1. *There are **practical difficulties** in carrying out the strict letter of the regulation.*
2. *The Variance request is **not based exclusively upon a desire to reduce the cost** of developing the site.*
3. *The proposed Variance will **not substantially increase congestion** on surrounding public streets, the danger of fire, or other hazard to the public.*
4. *The proposed Variance will **not substantially diminish property values in, nor alter the essential character of, the area surrounding the site**.*
5. *The effect of the proposed Variance is **in harmony with the general intent of this Code** and the specific intent of the relevant subject area(s) of the Code.*

PLANNING AND ZONING COMMENTS

Staff has no objections to the request to allow the parking lot to be located forward of the main building, in closer proximity to Palm Valley Road and Landrum Lane. Additionally, staff does not object to the request to eliminate the eight foot separation between the building and parking area. However, the Planning and Zoning Division has concerns regarding the compatibility of this development in terms of its size, mass, bulk and scale. The combination of the proposed height,

length of building, and total building square footage is problematic as surrounding development is low intensity, consisting primarily of single-family residential development, a community gym, and a few commercial uses. As a result, the approval of this Non-Zoning Variance has the potential to alter the essential character of the surrounding area. It should be noted that the applicant has offered to mitigate the appearance of the independent living facility from Palm Valley Road and Landrum Lane by increasing the width of the landscape buffers adjacent to these roadways. Additional screening and buffering, along with modifications to the design of the facility may increase the compatibility of the project with the surrounding area.

CORRESPONDENCE

Staff has received correspondence relating to the proposed request. Several of the letters were received in early 2015 when the request contemplated a building with a 55' height. Correspondence can be found in Attachment 4 of this staff report.

RECOMMENDED ACTION

Staff finds the request meets the requirements of the Comprehensive Plan; however, the request does not appear to meet the necessary criteria outlined in the Land Development Code.

Further evidence pertaining to the request may be provided during public hearing by the applicant, staff, and testimony by interested participants. This finding may be subject to other competent substantial evidence received at the quasi-judicial public hearing. Additionally the Board may grant a variance that is less than the full requested amount and/ impose reasonable conditions to mitigate for the effect of the variance.

ATTACHMENTS

1. Findings of Fact
2. Application and Supporting Documents
3. Non-Zoning Variance Application and Supporting Documents
4. Correspondence

ATTACHMENT 1
PROPOSED FINDINGS OF FACT

SUGGESTED MOTION / FINDINGS / CONDITIONS TO APPROVE REQUEST

Motion to approve NZVAR 2015-06, Non-Zoning Variance to various provisions of the Palm Valley Overlay District regulations including gross floor area, maximum length of buildings, minimum yard requirements/number of stories, accessory uses and structures, and minimum space required between the parking area and building, specifically located at 4410 Palm Valley Road, subject to the following conditions:

1. The Non-Zoning Variance will be transferable and will run with title to the property.
2. Approval of Non-Zoning Variance does not release project from compliance with all relevant requirements of the Ponte Vedra Zoning District Regulations, St Johns County Land Development Code, Comprehensive Land Use Plan and any other Agency having jurisdiction.
3. The Non-Zoning Variance shall commence within one (1) years of the signing of the Final Order. Failure to commence within the prescribed time shall render the Order invalid and all rights granted herein shall become null and void. Commencement shall be defined as issuance of a Development Permit by St. Johns County Development Review Division.
4. The application, supporting documents, conditions and limitations offered within the application and at the public hearing by the applicant (or representative) will be incorporated herein and shall become part of the final Order, except as may be modified by preceding conditions and limitations.
5. The Non-Zoning Variance is limited to the requested relief from the specific provisions of the Land Development Code. Approval of this request shall not operate as approval or waiver of any other provision of the Land Development Code or Comprehensive Plan. Representations and depictions within application materials shall assist Staff in the recommendation and interpretation of the requested relief but shall not operate as approval of, or as a determination of compliance with, any other provision of the Land Development Code or Comprehensive Plan.
6. The maximum Gross Floor Area shall be 21,000 square feet per acre (pro rata), excluding any jurisdictional wetlands.
7. The maximum length of Buildings parallel, or within 45 degrees parallel, to Palm Valley Road and Landrum Lane shall be 1,100 feet.
8. The maximum number of stories allowed shall be three stories as depicted on the master development plan labeled "Palm Valley Retirement Community", dated 8/21/15 and most recently revised 11-05-15.
9. The Applicant shall construct the independent living facility in substantial conformance with the master development plan labeled "Palm Valley Retirement Community", dated 8/21/15 and most recently revised 11-05-15.

SUGGESTED FINDINGS

1. There are practical difficulties in carrying out the strict letter of the regulation.
2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
5. The effect of the proposed Variance is in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the code.

SUGGESTED MOTION / FINDINGS TO DENY REQUEST

Motion to deny NZVAR 2015-06, Non-Zoning Variance to various provisions of the Palm Valley Overlay District regulations including gross floor area, maximum length of buildings, minimum yard requirements/number of stories, accessory uses and structures, and minimum space required between the parking area and building, specifically located at 4410 Palm Valley Road, based on the following findings:

SUGGESTED FINDINGS

1. There are no practical difficulties in carrying out the strict letter of the regulation.
2. The Non-Zoning Variance request is based exclusively upon a desire to reduce the cost of developing the site.
3. The Non-Zoning Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
4. The proposed Non-Zoning Variance will substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
5. The effect of the proposed Non-Zoning Variance is not in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the code.

(The Agency may choose any or all of the above Findings or may provide additional Findings to support the motion.)

ATTACHMENT 2
APPLICATION AND SUPPORTING
DOCUMENTS



St. Johns County Development Review

Application for: Non-Zoning Variance

Amended Application

Date: November 13, 2015

Property Tax ID No: 0668800000

Project Name: Resort Lifestyle Communities at Palm Valley

Property Owner(s): William D. West and Thomas W. West

Phone Number

Address: c/o Douglas N. Burnett

Fax Number

City: St. Augustine

State: FL

Zip Code: 32080

e-mail

Are there any owners not listed?

No

Yes

If yes please provide information on separate sheet.

Applicant/Representative: Douglas N. Burnett, St. Johns Law Group

Phone Number

904-495-0400

Address: 509 Anastasia Blvd

Fax Number

904-495-0506

City: St. Augustine

State: FL

Zip Code: 32080

e-mail

dburnett@sjlawgroup.com

Property Location: Palm Valley Road and Landrum Lane

Major Access: Palm Valley Road and Landrum

Size of Property: 8.32 acres

Cleared Acres (if applicable)

Zoning Class: OR

No. of lots (if applicable)

Overlay District (if applicable)

Ponte Vedra/Palm Valley

Water & Sewer Provider: St. Johns County Utility Department

Future Land Use Designation: B-RES

Present Use of Property: Vacant Lot

Proposed Bldg. S.F.: 174,045

Project Description (use separate sheet if necessary)

The Applicant seeks variances to allow for the development of the property for a special care housing use in the form of a 130 bed assisted/independent living facility.

Section 3.06.04.A.7 - Gross Floor Area

Section 3.06.04.A.8 - Maximum Length of Buildings

Section 3.06.05 - Minimum Yard Requirements

Section 3.06.05.A.7 - Accessory Uses and Structures

Section 3.06.08.A.1 - Parking for Porte Cochere

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD:

ZVAR 2015-07

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signed By

Printed or typed name(s): Douglas N. Burnett

SUMMARY OF NON-ZONING VARIANCE REQUEST

(NZVAR 2015-06)

A. Project Description

The Applicant, Resort Lifestyle Communities, seeks a variance to certain requirements of the Palm Valley Overlay requirements, for the development of a retirement residential facility at the intersection of Landrum Lane and Palm Valley Road, adjacent to the YMCA Community Center and adjacent to the Palm Cove project (project 2012-18), a single-family residential development that provided for significant buffer, upland conservation and upland preservation along the common boundary. The Resort Lifestyle project will meet or exceed the requirements of the Palm Valley Overlay District Regulations except for those requested in this application. The companion site plan illustrates the general layout of the site with the proposed main structure and improvements.

The intent of the site plan is to portray a single, unified development plan that is cohesive in its architectural design, landscaping, and site planning. The intent of the site plan is also to provide additional controls and development review that avoids piecemeal development and promotes good planning practices.

In addition to the positive aesthetic benefits of the project, the residents of St. Johns County will also benefit by new long-term employment opportunities generated by the project and the additional services that the new retirement residential facility will provide to area residents as they mature and to their family members.

B. Total Acreage

The total land area is approximately 8.32 acres.

C. Retirement Residential Development

The project will provide for assisted living facilities classified as special care housing (per LDC Section 2.03.23) calculated as "beds" so long as no individual kitchens are provided along with associated facilities, such as lobby, reception, cafeteria, recreation space, entertainment space, etc., designed to serve the residents.

LDC Table 2.03.01 designates Special Care Housing as a use that is allowed by right within the Open Rural (OR) District.

Article XII of the LDC defines Special Care Housing as follows:

"Housing that provides a family living environment and may provide limited care and supervision to meet the physical, emotional and social needs of one or more individuals. Special Care Housing includes group homes, congregate care homes, assisted living facilities, and foster homes. Special Care Housing does not include Nursing Homes, except as accessory to congregate care homes and assisted living facilities. Further, Special Care Housing does not include out-patient treatment or rehabilitation centers, medical clinics, or psychiatric care treatment facilities."

- a) As an assisted living facility, traditional nursing home medical services will not be provided on the property. While residents may have their own health care professional visit them, the facility will not be constructed with medical facilities within its buildings and nor will Resort Lifestyle Communities provide such services.
- b) A resident who requires personal or medical services on a regular basis may not continue to live at the facility if such demand for services is more than what a person living in a single family home could have provided. As no medical services are provided by Resort Lifestyle Communities and its facilities are not built to support the needs of a nursing home, residents cannot stay in the facility once they have a demand for serious medical needs.
- c) No nursing home professionals will staff the facility and no licenses for such uses will be obtained or secured in connection with the facility.
- d) Within the primary building, there is provided one guest unit. The unit is maintained much like a hotel room would be and not only serves to house an occasional visitor but also allows potential residents who are considering moving to a Resort Lifestyle Communities project the opportunity to visit the facility and truly experience the lifestyle on a short trial basis.
- e) No full kitchens are provided in the units and nor will the project be designed for such. Each unit will be provided a traditional wet bar with some basic kitchen amenities (e.g., mini-fridge, microwave, etc.) but no oven, stovetop or range.
- f) The total number of people that can live in any unit ("bed") is a maximum of two (2). While there are two (2) and three (3) bedroom units, the extra rooms do not serve to house people. Rather, the additional rooms in larger units are most often where residents put an heirloom furniture set, such as an antique dining room set that they are emotional attached, or used as an office, craft room, etc. System-wide, Resort Lifestyle Communities operates many of these facilities and experiences a low number of units being occupied by more than one person even in the two (2) and three (3) bedroom units.

The site is planned for 124 beds of independent or assisted living care facilities. This proposed plan of development is consistent with the Comprehensive Plan Designation of Residential B and the Zoning Classification of Open Rural.

D. Specimen Tree

The site contains a specimen tree that currently measures approximately 54" in diameter. The applicant will preserve the specimen tree as depicted on the attached site plan.

E. Variances/Waivers

Article XII of the LDC defines a Non-Zoning Variance as follows:

Variance, Non-Zoning: A case-by-case deviation to the rules of this Code, when it is demonstrated that compliance with the Code would be a practical impossibility, and/or upon showing of good cause, an alternative to the Code is provided that conforms to the general intent and spirit of the Code. The Board of County Commissioners may require such conditions that will, in its judgement, substantially secure the same objectives of the standards or requirements so varied or modified.

Compliance with the LDC limitations should not be required for all aspects of this project, as the companion site plan demonstrates conformance to the general intent and spirit of the LDC and a unique design that incorporates enhanced landscaping and a proposed architectural building design to mitigate any shortcomings from the deviation to the LDC proposed. The Applicant requests relief from the following sections of the St. Johns County Land Development Code:

Section 3.06.04.A.7. – Gloss Floor Area (GFA). A variance is requested to apply a twenty-one thousand (21,000) square feet per acre Gross Floor Area (GFA).

The difference in GFA is somewhat negated by the lack of specificity in measurement (whether the measurement is based on an interior measurement, exterior measurement, or something else) and the square footage yielded from measuring net usable versus gross square footage. Without this variance, the site cannot be developed for the intended use.

1. “There are practical difficulties in carrying out the strict letter of the regulation.”

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. Since the site is limited such that only the smallest version of the facility operated by Resort Lifestyle Communities can fit on the property and only with the requested GFA variance, there is a practical difficulty in carrying out the GFA regulation. However, proper stormwater management design will still ensure pre and post development discharge requirements are met despite the reduction in GFA.

2. “The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.”

To the contrary, the requested variance has nothing to do with reducing costs. The variance to GFA is dictated by the minimum requirements necessary for the facility that is operated and developed by Resort Lifestyle Communities around the United States.

3. “The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.”

A reduction in GFA will not impact surrounding streets, increase the danger of fire or be some other hazard to the public. In fact, the low trip generation from the facility

should net a positive impact on traffic compared to other potential uses of the property.

4. "The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site."

A variance to GFA will not impact property values or alter the character of the area, as setbacks will be maintained surrounding the development, which will make the change indiscernible to surrounding properties.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

A variance to GFA, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the GFA variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval.

Section 3.06.04.A.8. – Maximum Length of Buildings. A variance is requested to allow for the primary structure to be longer than one hundred twenty feet (120 ft.) up to 1,100 feet in length. Without this waiver, the site cannot be developed for the intended use.

1. "There are practical difficulties in carrying out the strict letter of the regulation."

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. Since the site is limited such that only the smallest version of the facility operated by Resort Lifestyle Communities can fit on the property and only with the requested MAXIMUM LENGTH OF BUILDINGS variance, there is a practical difficulty in carrying out the MAXIMUM LENGTH OF BUILDINGS regulation. However, proper stormwater management design will still ensure pre and post development discharge requirements are met despite the reduction in MAXIMUM LENGTH OF BUILDINGS. More importantly, the angular positioning of the structure on the site and architectural undulation will also give the structure a less lengthy appearance than an lineal strip building the LDC intends to prevent.

2. "The Variance request is not based exclusively upon a desire to reduce the cost of developing the site."

To the contrary, the requested variance has nothing to do with reducing costs. The variance to MAXIMUM LENGTH OF BUILDINGS is dictated by the minimum requirements necessary for the facility that is operated and developed by Resort Lifestyle Communities around the United States.

3. "The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public."

A reduction in MAXIMUM LENGTH OF BUILDINGS will not impact surrounding streets, increase the danger of fire or be some other hazard to the public. In fact, the low trip generation from the facility should net a positive impact on traffic compared to other potential uses of the property.

4. "The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site."

A variance to MAXIMUM LENGTH OF BUILDINGS will not impact property values or alter the character of the area, as setbacks will be maintained surrounding the development, which will make the change indiscernible to surrounding properties.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

A variance to MAXIMUM LENGTH OF BUILDINGS, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the MAXIMUM LENGTH OF BUILDINGS variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval. Moreover, the angular positioning of the structure on the site and architectural undulation will also give the structure a less lengthy appearance than a lineal strip building the LDC intends to prevent.

Section 3.06.05. – Minimum Yard Requirements.

A variance is requested to the minimum yard requirements that implicitly limits structures to a maximum of two story buildings. The proposed Resort Lifestyles project will be three (3) stories. Increased landscaping will be utilized in the project design, especially at the corner of Landrum Lane and Palm Valley Road, to help screen and reduce the impact of the three (3) story structure.

1. "There are practical difficulties in carrying out the strict letter of the regulation."

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. Since the site is limited such that only the smallest version of the facility operated by Resort Lifestyle Communities can fit on the property and only with the requested MINIMUM YARD REQUIREMENTS variance, there is a practical difficulty in carrying out the MINIMUM YARD REQUIREMENTS regulation. However, proper stormwater management design will still ensure pre and post development discharge requirements are met

despite the reduction in MINIMUM YARD REQUIREMENTS and enhanced landscaping will further mitigate any negative impact from this variance.

2. "The Variance request is not based exclusively upon a desire to reduce the cost of developing the site."

To the contrary, the requested variance has nothing to do with reducing costs. The variance to MINIMUM YARD REQUIREMENTS is dictated by the minimum requirements necessary for the facility that is operated and developed by Resort Lifestyle Communities around the United States.

3. "The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public."

A reduction in MINIMUM YARD REQUIREMENTS will not impact surrounding streets, increase the danger of fire or be some other hazard to the public. In fact, the low trip generation from the facility should net a positive impact on traffic compared to other potential uses of the property.

4. "The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site."

A variance to MINIMUM YARD REQUIREMENTS will not impact property values or alter the character of the area, as setbacks will be maintained surrounding the development, which will make the change indiscernible to surrounding properties.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

A variance to MINIMUM YARD REQUIREMENTS, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the MINIMUM YARD REQUIREMENTS variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval.

Section 3.06.05.A.7. – Accessory Uses and Structures. A variance is requested to allow the parking lot to be constructed closer to Palm Valley Road than the building and to allow for the construction of standalone garages as depicted on the site plan. This requested variance actually makes the project consistent with the dominant site layout for properties located in the area and to construct in accordance with Section 3.06.05.A.7 would be inconsistent with the existing and established development in the area. This Palm Valley Overlay District requirement appears to have been intended for other areas. Further, to comply with this LDC requirement would cause the building to be built closer to the road.

1. "There are practical difficulties in carrying out the strict letter of the regulation."

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. Since the site is limited such that only the smallest version of the facility operated by Resort Lifestyle Communities can fit on the property and only with the requested ACCESSORY USES AND STRUCTURES variance, there is a practical difficulty in carrying out the ACCESSORY USES AND STRUCTURES regulation. However, proper stormwater management design will still ensure pre and post development discharge requirements are met despite the reduction in ACCESSORY USES AND STRUCTURES. More importantly, the requested variance makes the project more in tune with the prevailing site layout for structures in the area.

2. "The Variance request is not based exclusively upon a desire to reduce the cost of developing the site."

To the contrary, the requested variance has nothing to do with reducing costs. The variance to ACCESSORY USES AND STRUCTURES is dictated by the minimum requirements necessary for the facility that is operated and developed by Resort Lifestyle Communities around the United States.

3. "The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public."

A reduction in ACCESSORY USES AND STRUCTURES will not impact surrounding streets, increase the danger of fire or be some other hazard to the public. In fact, the low trip generation from the facility should net a positive impact on traffic compared to other potential uses of the property.

4. "The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site."

5.

A variance to ACCESSORY USES AND STRUCTURES will not impact property values or alter the character of the area, as setbacks will be maintained surrounding the development, which will make the change indiscernible to surrounding properties.

6. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

A variance to ACCESSORY USES AND STRUCTURES, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the ACCESSORY USES AND STRUCTURES variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval.

Section 3.06.08.A.1. – Parking for Porte Cochere. A variance is requested to allow the front of the building to cover a portion of the parking lot for a porte cochere. This section of the LDC is simply not well thought out, as it fails to provide for garages, carports, porte cocheres, or other such architectural components which are extremely common to the area. The Site plan depicts a porte cochere at the main entrance to the building.

1. “There are practical difficulties in carrying out the strict letter of the regulation.”

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. Since the site is limited such that only the smallest version of the facility operated by Resort Lifestyle Communities can fit on the property and only with the requested PARKING FOR PORTE COCHERE variance, there is a practical difficulty in carrying out the PARKING FOR PORTE COCHERE regulation. Importantly, the LDC seems to have failed to contemplate porte cocheres as an important element on many structures in the area and the added convenience and architectural style as being very aesthetically and visually pleasing.

2. “The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.”

To the contrary, the requested variance has nothing to do with reducing costs. The variance to PARKING FOR PORTE COCHERE is dictated by the minimum requirements necessary for the facility that is operated and developed by Resort Lifestyle Communities around the United States.

3. “The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.”

A reduction in PARKING FOR PORTE COCHERE will not impact surrounding streets, increase the danger of fire or be some other hazard to the public. In fact, the low trip generation from the facility should net a positive impact on traffic compared to other potential uses of the property.

4. “The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.”

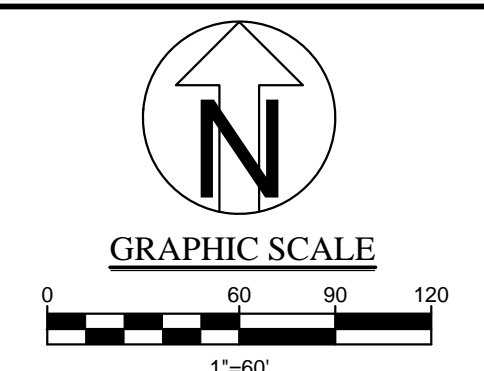
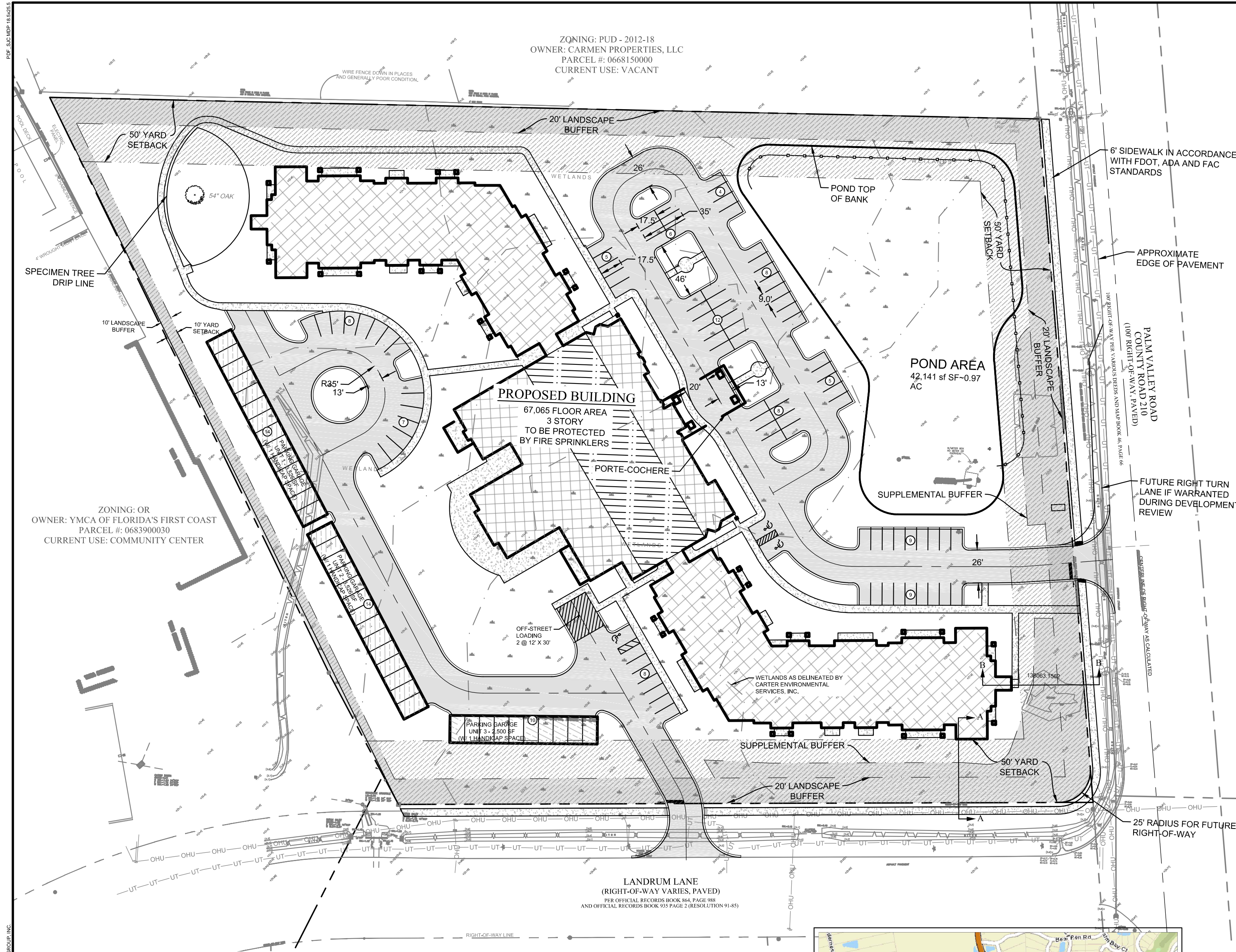
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5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

A variance to PARKING FOR PORTE COCHERE, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan

makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the PARKING FOR PORTE COCHERE variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval.

Supplemental Buffer: The MDP Map incorporates a "Supplemental Buffer" as additional justification for the variance request. The Supplemental Buffer will add landscape buffering to the project from Landrum Lane and Palm Valley Road, especially in the area where the proposed structure is located in closest proximity to the right-of-way. Also attached to the MDP Map is a cross-section depicting the significance of the added buffering.



SITE INFORMATION

- PROJECT NAME: PALM VALLEY INDEPENDENT LIVING
- SITE AREA: 8.32 AC
- ZONING: OR
- OVERLAY DISTRICT: PALM VALLEY
- PROPOSED ZONING: OR
- LAND USE: INDEPENDENT LIVING
- LOT COVERAGE (FAR): 18.51%
- BUILDING SIZE:
 - 1ST FLOOR: 67,065 (GROSS)
 - APPROXIMATE TOTAL: 174,045 SF (GROSS)
 - STORIES: 3 STORY
- GREEN AREA: 211,908 SF
- IMPERVIOUS AREA: 150,780 SF
- IMPERVIOUS SURFACE RATIO: 41.60%
- MINIMUM YARD REQUIREMENTS:
 - * PER SJC LDC § 3.06.05
- FRONT (PALM VALLEY ROAD) 50 FT
- FRONT (LANDRUM LANE) 50 FT
- SIDE 20 FT
- REAR 10 FT
- MINIMUM REQUIREMENT ADJOINING RESIDENTIAL LAND FOR PROPOSED MULTI STORY BUILDING
- MINIMUM BUFFER REQUIREMENTS
 - * PER SJC LDC § 3.06.06
- FRONT (PALM VALLEY ROAD) 20 FT
- FRONT (LANDRUM LANE) 20 FT
- SIDE 10 FT
- REAR 10 FT
- TOTAL ON-SITE WETLANDS: 3.37 AC
- TOTAL ON-SITE WETLAND IMPACTS: 3.37 AC

ST. JOHNS COUNTY PARKING REQUIREMENTS

OFF-STREET PARKING REQUIREMENTS

- * PER SJC ORDINANCE § 6.05.02
- ASSISTED LIVING FACILITY: 1 SPACE / 3BEDS
- FACILITY SPECIFICATIONS: 124 BEDS
- PARKING REQUIRED: 124 BEDS X 3 BEDS / SPACE = 42 SPACES
- PARKING PROVIDED: 122 SPACES (GARAGES INCLUDED)

HANDICAPPED PARKING REQUIREMENTS

- * PER SJC ORDINANCE §
- * PER FLORIDA STATUTE 316.1955 & 316.1956
- * PER A.D.A.G. #4.1.2(5)

TOTAL PARKING IN LOT	REQUIRED ACCESSIBLE SPACES
26-50	2

PARKING REQUIRED: 2 SPACES
PARKING PROVIDED: 3 SPACES

BICYCLE PARKING

- * PER SJC ORDINANCE § 6.05.02(m)
- 5% OF THE REQUIRED OFF-STREET PARKING (5% X 44 SPACES) = 2.20 SPACES
- PARKING REQUIRED: 2.20 SPACES
- PARKING PROVIDED: 3 SPACES

NOTE:

- BOUNDARY AND LEGAL DESCRIPTION SHOWN AS PROVIDED BY GEOMATRICS CORPORATION, INC. DATED 3/26/15, PROJECT # D-15-2127
- SUPPLEMENTAL BUFFER DEPICTS GENERAL LOCATION OF ENHANCED BUFFERING TO JUSTIFY VARIANCES. SUPPLEMENTAL BUFFER MAY BE ADJUSTED DURING CONSTRUCTION PLAN APPROVAL BASED UPON ENGINEERING REQUIREMENTS, BUILDING FOOTER REQUIREMENTS AND OTHER SITE CONDITIONS PROVIDED THE TOTAL SQUARE FOOTAGE OF THE SUPPLEMENTAL BUFFER IS MAINTAINED.

THE MASTER DEVELOPMENT PLAN IS A GENERAL REPRESENTATION OF THE APPROVED PLAN OF DEVELOPMENT. FINAL CONSTRUCTION AND ENGINEERING PLANS MUST DEMONSTRATE COMPLIANCE WITH ALL REQUIREMENTS OF THE P.U.D./P.R.D. AND OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS.

ORDINANCE NUMBER: _____
FILE NUMBER: _____

BOUNDARY SURVEY

DESCRIPTION: PARCEL 1
A part of Lot 3, Section 9, and part of the Andrea Papy Grant, Section 42, Township 4 South, Range 29 East, St. Johns County, Florida being more particularly described as follows: Beginning at the Northwest corner of Section 16 of said Township 4 South, Range 29 East, where the line dividing said Sections 9 and 16 intersect the Easterly line of said Andrea Papy Grant, Section 42, run thence North 88° 04' 00" East, along said line dividing Section 9 and 16, a distance of 577.52 feet to the Westerly line of Palm Valley Road (S. R. No. 210) said Westerly line being 33 feet from the centerline of said roadway, as now established; run thence North 07° 42' 23" West, along said Westerly line of Palm Valley Road, a distance of 534.0 feet; thence South 88° 04' 00" West, parallel with the aforementioned line dividing Sections 9 and 16, a distance of 17.19 feet to a concrete monument at the Southeast corner of lands described in Official Records Volume 166, Page 474, of the public records of said county; continuing parallel with said line dividing Sections 9 and 16, run thence South 88° 04' 00" West, a distance of 677.81 feet; run thence South 38° 49' 00" East, a distance of 433.33 feet to the aforementioned Easterly line of the Andrea Papy Grant, Section 42, a distance of 204.96 feet; thence North 38° 49' 00" West, a distance of 433.33 feet; thence South 88° 04' 00" West, a distance of 101.07 feet; run thence South 29° 04' 00" East, a distance of 596.99 feet to the point of beginning.

PARCEL 2 A part of the Andrea Papy Grant, Section 42, Township 4 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows: Beginning at the Northwest corner of Section 16 of said Township 4 South, Range 29 East, where the line dividing Sections 9 and 16 intersect the Easterly line of said Andrea Papy Grant, Section 42, run thence North 23° 46' 00" East along said Easterly line of the Andrea Papy Grant, Section 42, a distance of 204.96 feet; thence North 38° 49' 00" West, a distance of 433.33 feet; thence South 88° 04' 00" West, a distance of 101.07 feet; run thence South 29° 04' 00" East, a distance of 596.99 feet to the point of beginning.

PARCEL 3 For a point of reference, begin at the Southwest corner of those lands described as Parcel 1 in Official Records Book 1881, Page 1482 of the public records of St. Johns County, Florida (at a 4" square concrete monument (#1578)), run thence North 88° 51' 38" East 3.62 feet to a point lying along the easterly boundary of the land described in Official Records Book 941, Page 1177, of the public records of St. Johns County, Florida and the point of beginning, thence run South 30° 12' 44" East 27.85 feet to a point lying along the Northerly boundary of Landrum Lane (a 100 foot right of way as now established), thence North 87° 25' 45" East along said northerly boundary 543.95 feet to the intersection with the westerly boundary of Palm Valley Road (a 100 foot right of way as now established), thence North 6° 49' 15" West along the westerly boundary of Palm Valley Road to the southerly boundary of the lands described as Parcel 1 in Official Records Book 1881, Page 1482 of said public records, thence run westerly along said southern boundary to the point of beginning. LESS AND EXCEPT Those lands conveyed in Official Records Book 3148, page 1719, Public Records of St. Johns County, Florida.

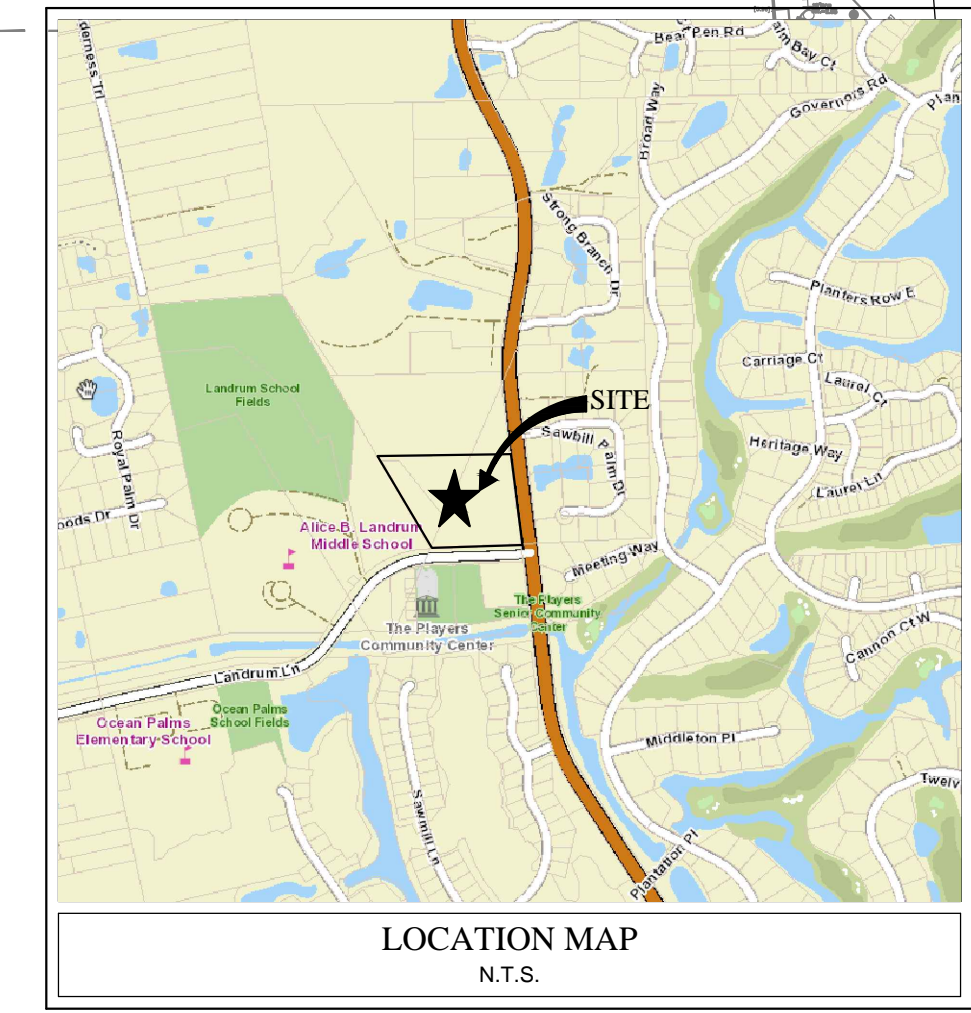
MAXIMUM BUILDING HEIGHT

	THREE STORY AREA "WINGS"	40'
	SINGLE STORY AREA "CORE"	24'
	THREE STORY AREA "CORE"	48'
	1 STORY GARAGE	14'

* BUILDING HEIGHT AS MEASURED FROM GRADE.

LEGEND

	YARD SETBACK	50'
	LANDSCAPE BUFFER	20'
	OFF-STREET LOADING AREA	



REVISIONS

NO.	DATE	DESCRIPTION
1	11-04-15	ISSUED FOR PERMIT REVIEW
2	11-04-15	ISSUED SUPPLEMENTAL BUFFER, CROSS SECTION, AND COVERED PARKING

DESIGNER: CHW
CHECKER: CMW
TITLE: TI
DATE: 8/21/15
DRAWN BY: 14594

ST. JOHNS COUNTY PARKING REQUIREMENTS

OFF-STREET PARKING REQUIREMENTS

- * PER SJC ORDINANCE § 6.05.02
- ASSISTED LIVING FACILITY: 1 SPACE / 3BEDS
- FACILITY SPECIFICATIONS: 124 BEDS
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PARKING REQUIRED: 2 SPACES
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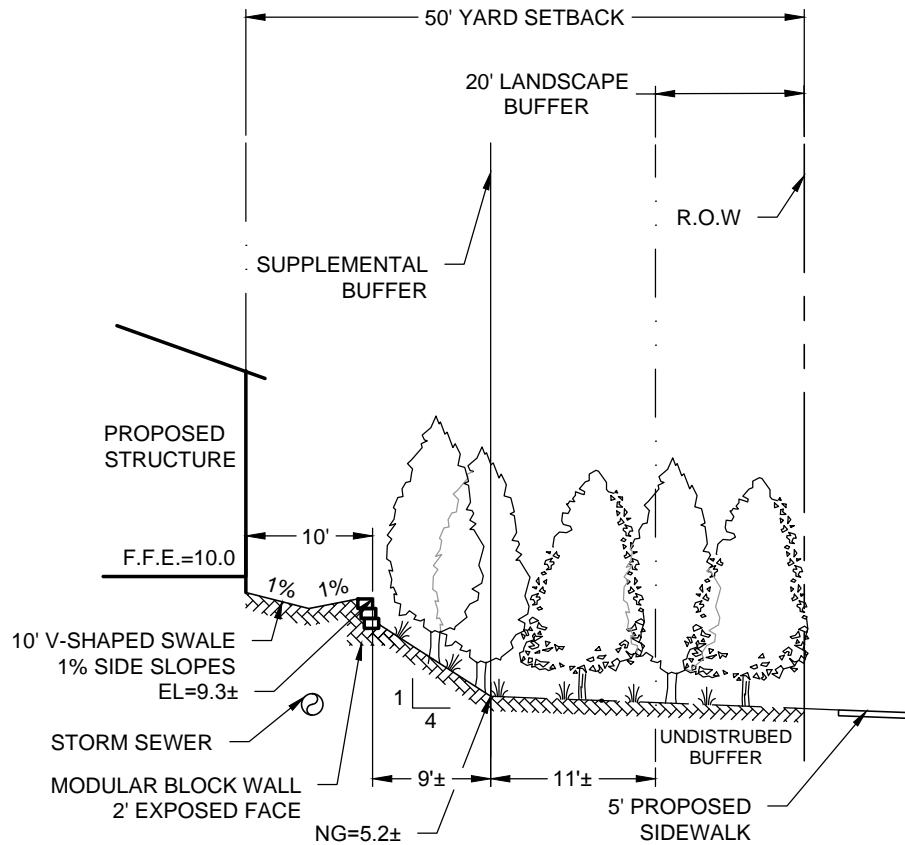
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ORDINANCE NUMBER: _____
FILE NUMBER: _____

MATTHEWS DESIGN GROUP, INC.
P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FLORIDA 32084
PHONE: 904.826.1334
FAX: 904.826.4547
INFO@MATTHEWSDESIGN.NET

MASTER DEVELOPMENT PLAN
PALM VALLEY RETIREMENT COMMUNITY
ST. JOHNS COUNTY, FLORIDA
PREPARED FOR:
CAMERON GENERAL CONTRACTORS

SHEET No. **1**
OF 1

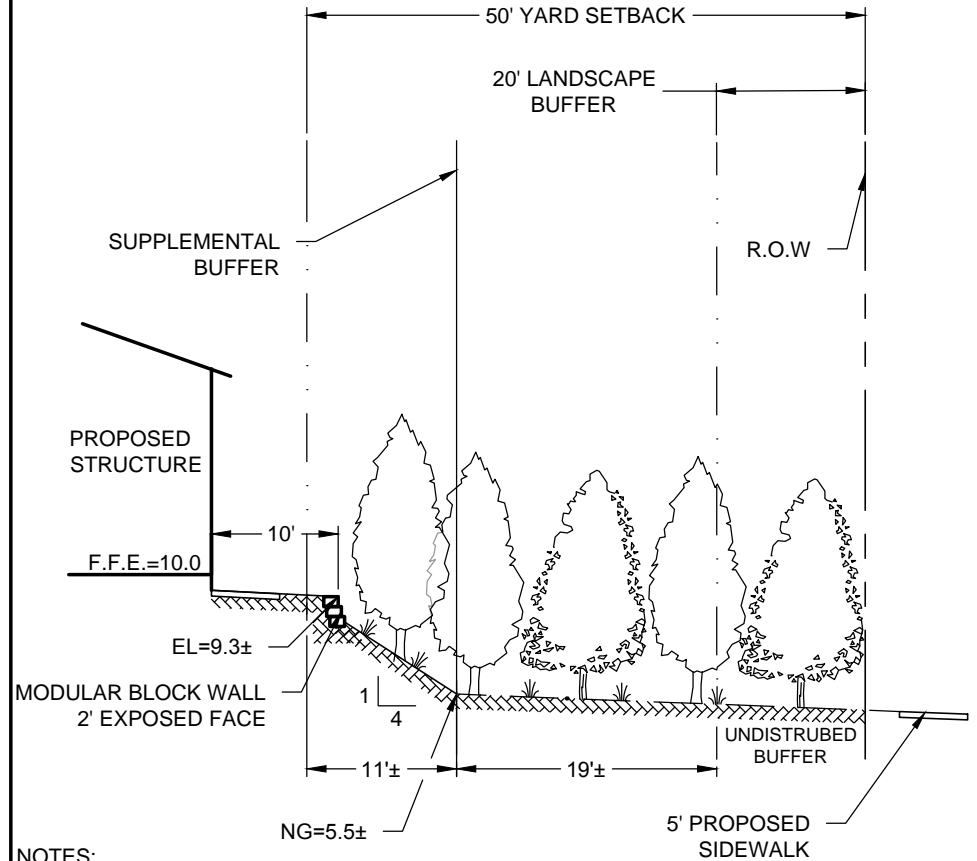


NOTES:

- CROSS SECTION COMPLETED WITHOUT THE BENEFIT OF SURVEY, GEOTECHNICAL INFORMATION, OR FINAL SITE. ALL ELEVATIONS AND DIMENSIONS ARE CONSIDERED APPROXIMATE.
- PLANTING TO BE SPECIFIED BY LICENSE LANDSCAPE ARCHITECT.
- OWNER'S STRUCTURAL ENGINEER TO APPROVE PROPOSED DEPTHS OF STORM SEWER.

CROSS-SECTION A-A

SCALE: N.T.S




NOTES:

- CROSS SECTION COMPLETED WITHOUT THE BENEFIT OF SURVEY, GEOTECHNICAL INFORMATION, OR FINAL SITE. ALL ELEVATIONS AND DIMENSIONS ARE CONSIDERED APPROXIMATE.
- PLANTING TO BE SPECIFIED BY LICENSE LANDSCAPE ARCHITECT.
- OWNER'S STRUCTURAL ENGINEER TO APPROVE PROPOSED DEPTHS OF STORM SEWER.

CROSS-SECTION B-B

SCALE: N.T.S

SHEET No.: 1 OF 1	CONCEPTUAL SUPPLEMENTAL BUFFER EXHIBIT-OPTION 3 (BLOCKWALL)		DSGN BY: CMW	MATTHEWS DESIGN GROUP, INC.  P.O. BOX 3126, 7 WALDO STREET ST. AUGUSTINE, FLORIDA 32084 PHONE: 904.826.1334 FAX: 904.826.4547 INFO@MATTHEWSDESIGN.NET
	PALM VALLEY RETIREMENT COMMUNITY ST. JOHNS COUNTY, FLORIDA PREPARED FOR CAMERON GENERAL CONTRACTORS		DWG BY: CMW CHK BY: TI DATE: 10/30/15 JOB No.: 14094	



RLC
RESORT LIFESTYLE
COMMUNITIES

Retirement Resorts

MATTHEWS DESIGN GROUP, INC.

P.O. BOX 3126, 7 WALDO STREET
ST. AUGUSTINE, FLORIDA 32084

PHONE: 904.826.1334

FAX: 904.826.4547

INFO@MATTHEWSDESIGN.NET

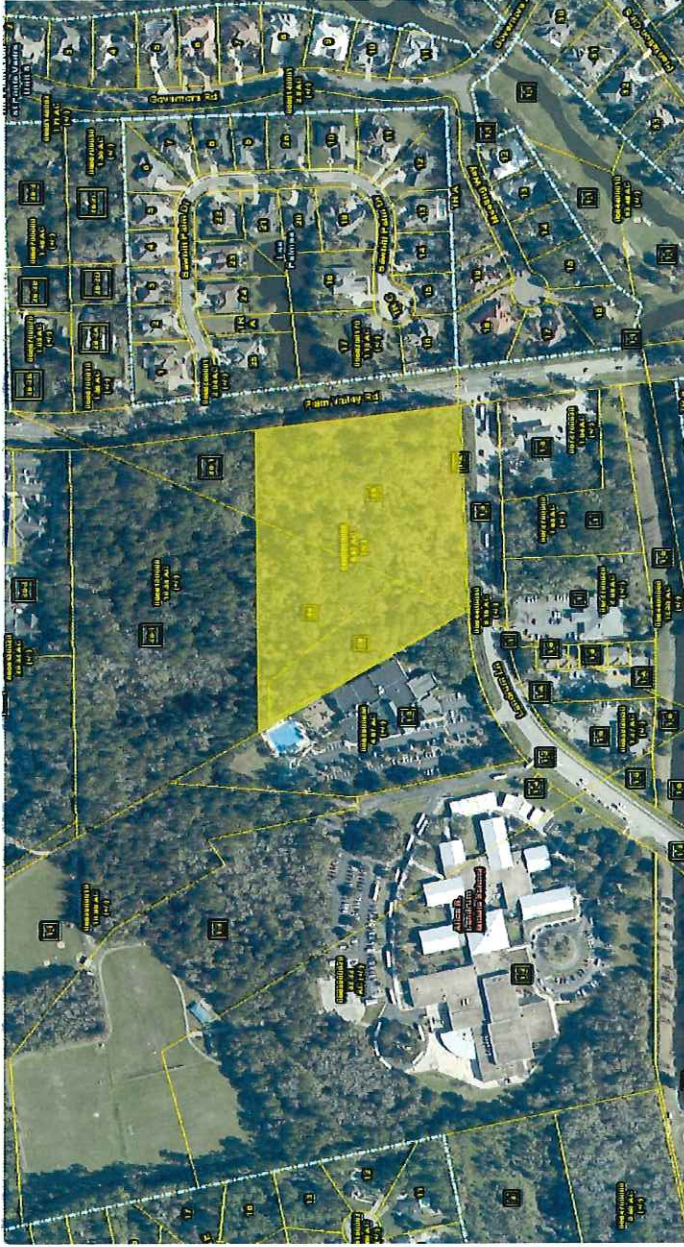


St. Johns LAW GROUP

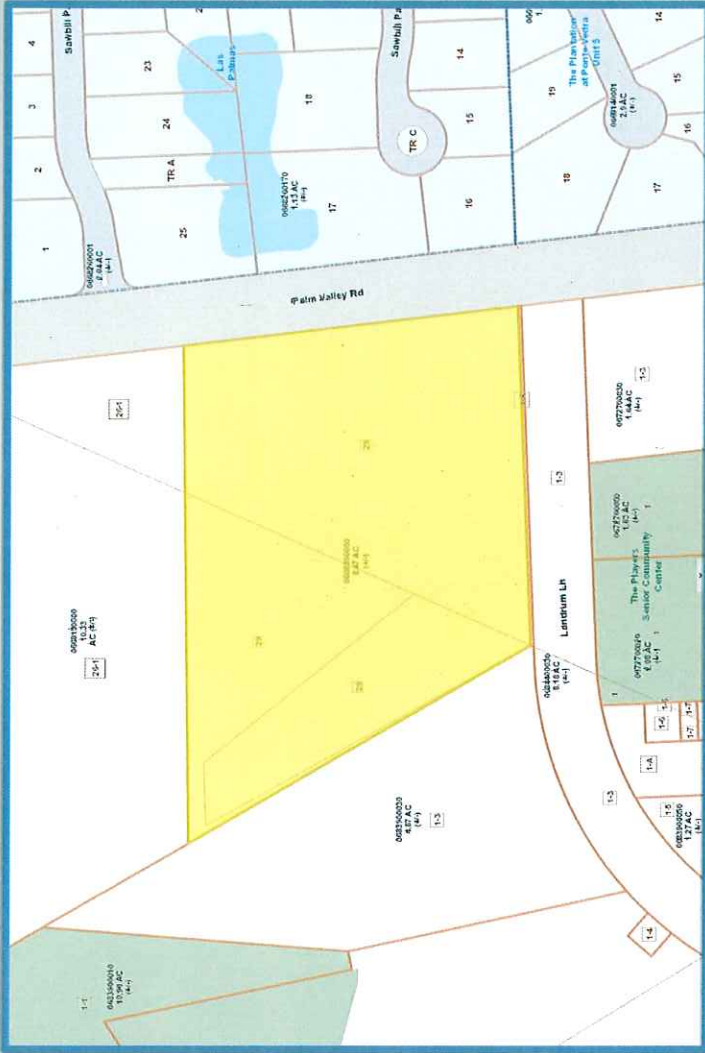
Dedicated and Responsive Service

Location:

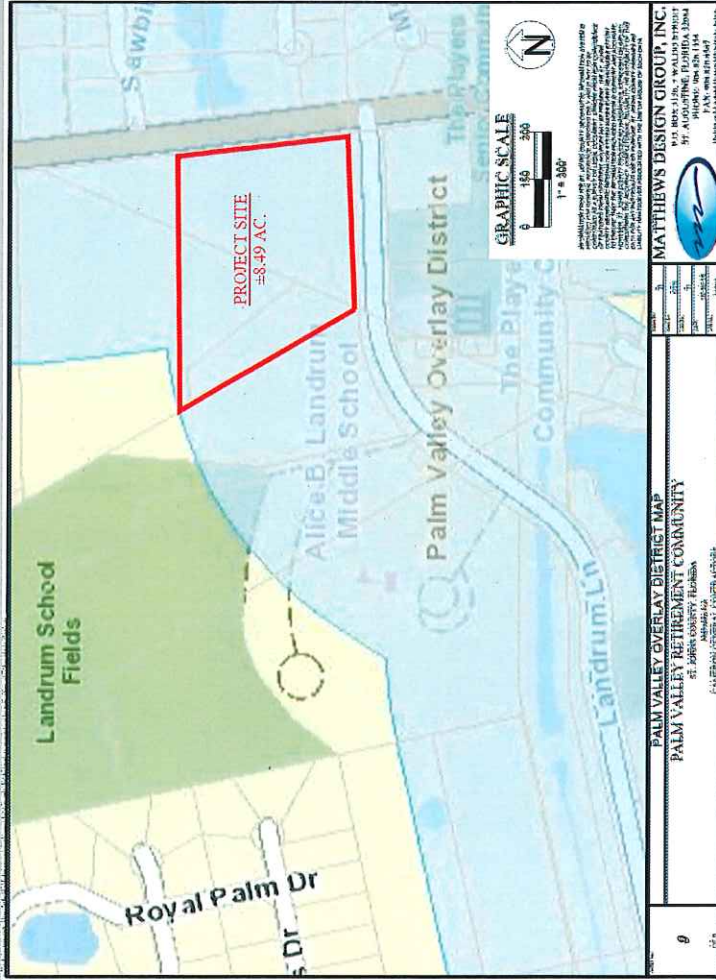
- Northeast Corner of Landrum Lane and Palm Valley Road
- Adjacent to YMCA
- Near Landrum Middle School



Resort Lifestyle Communities



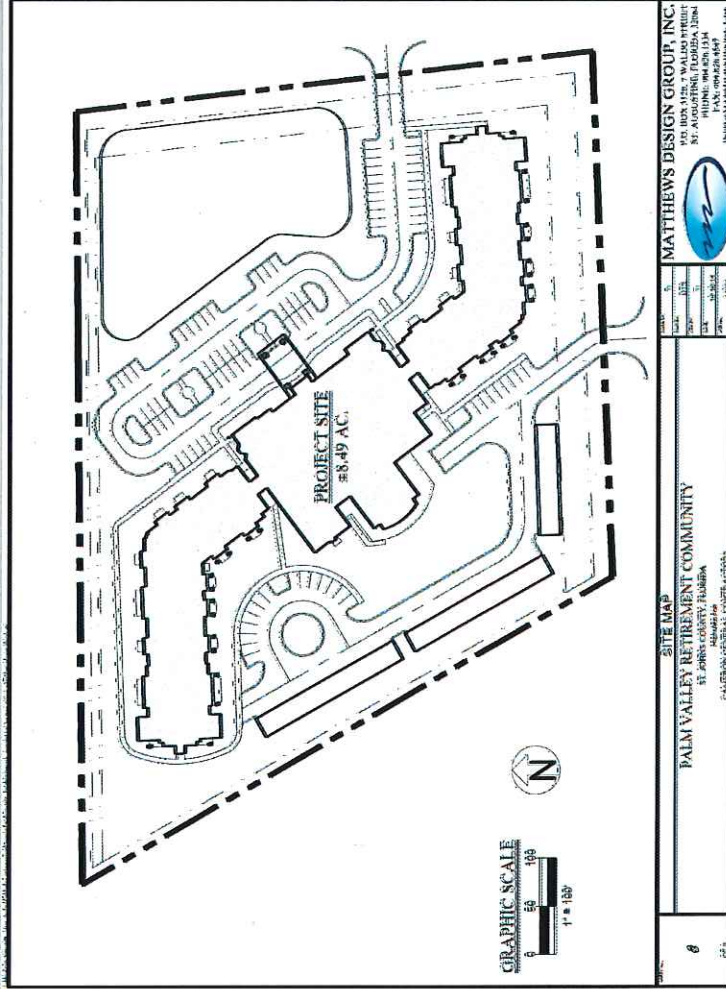
Resort Lifestyle Communities



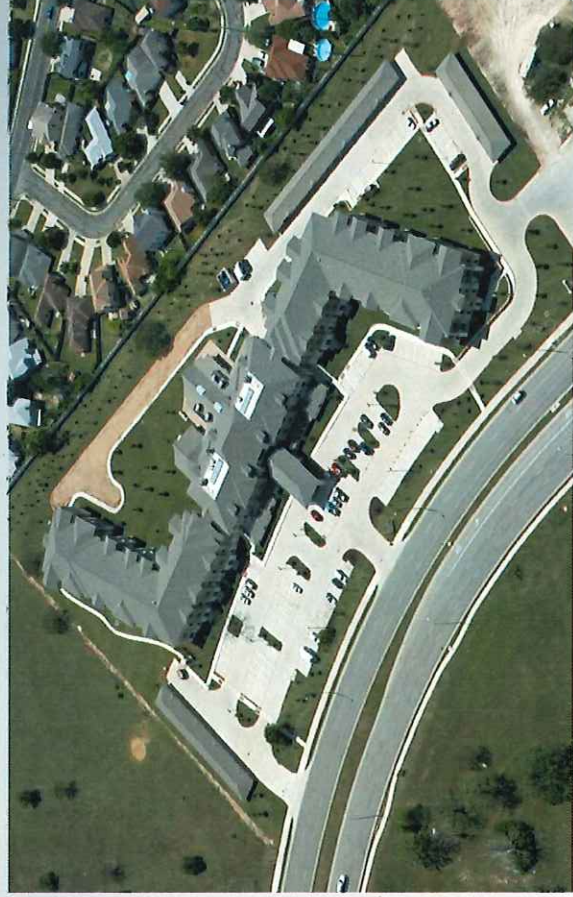
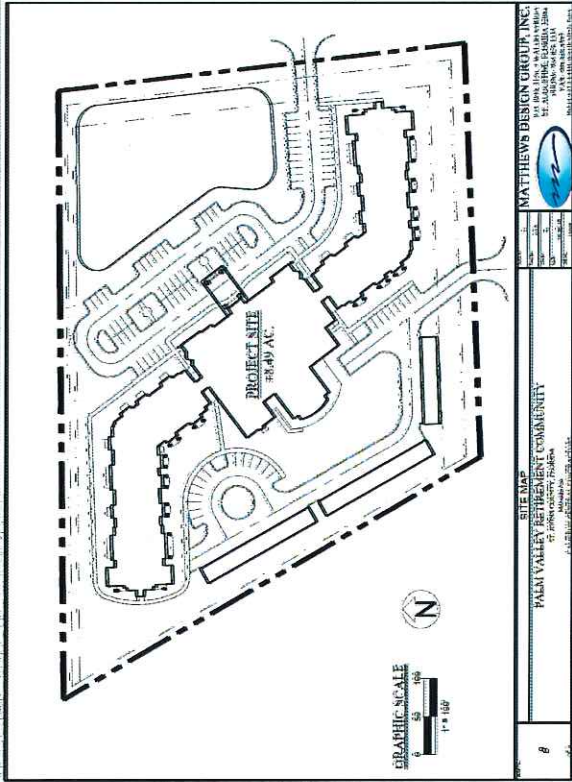
Resort Lifestyle Communities



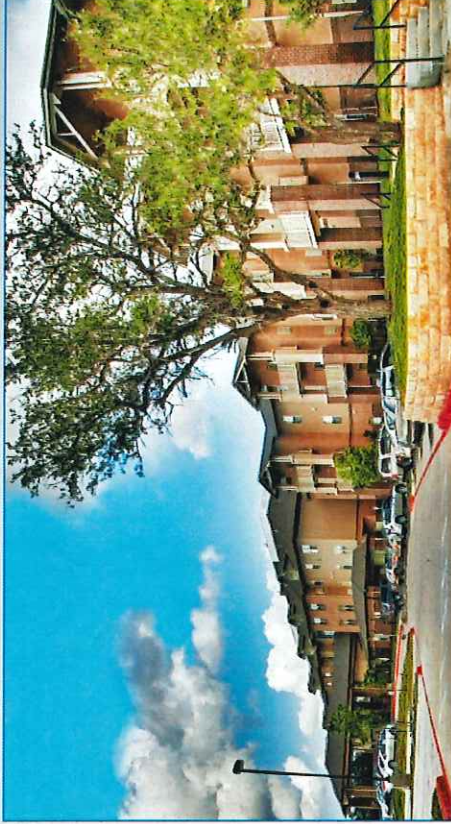
Resort Lifestyle Communities



Resort Lifestyle Communities



Resort Lifestyle Communities



Resort Lifestyle Communities

Community Model



Standardized Project

- 7 – 10 Acres
- 3 Stories
- ~180,000 Gross Square Feet
- 130 Units
- Studio, One, Two and Three Bedroom Units



Community Model

Amenities

Service

- Live-in Managers
- 24/7 Professionally Staffed
- Medical Alert System 24/7
- Concierge Services
- Free Scheduled Transportation
- Resort Style Dining
- Valet Parking
- Weekly Housekeeping
- Full Time Maintenance
- Home Health Care Welcome

Community

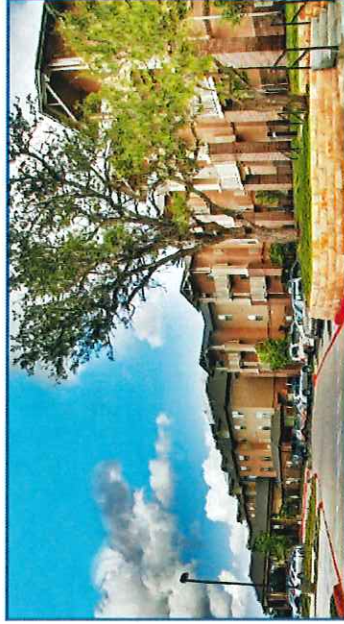
- 150-seat Theatre
- On-Site Bank
- Pharmacy/Gift Shop
- Salon/Barber
- Library
- Billiards
- Communications Center (Internet, Mail, Copy & Fax)
- Garages & Storage Options
- Elevators to All Floors

Home

- Full Modern Kitchens
- Spacious Closets
- Washer & Dryer Hook-Ups
- Individual Climate Controls
- Pet Friendly
- All Utilities Paid (except phone)
- Cable Included
- Patios & Balcony Options

Fun

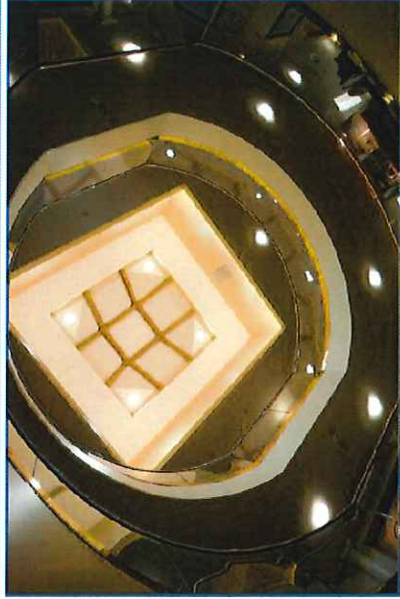
- Full Time Lifestyle Director
- Daily Social Invitations & Activities
- Shopping & Outings
- Lounge
- Resident Travel Program
- Fitness Center 24/7
- Free Fitness Classes
- Whirl Pool/Spa



www.RLCommunities.com

RLC
RESORT LIFESTYLE
COMMUNITIES

Community Imagery



Community Imagery



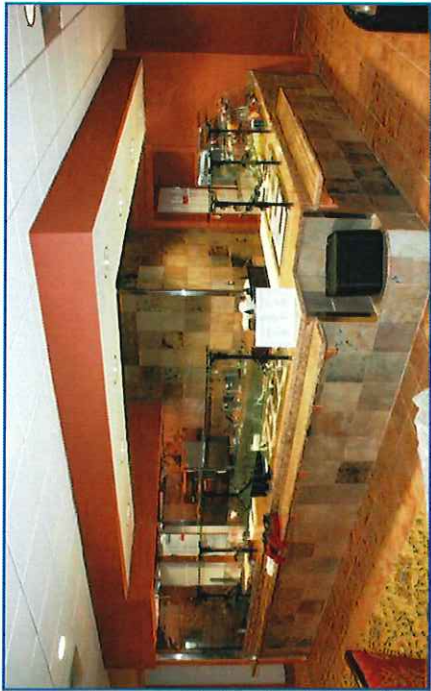
Community Imagery



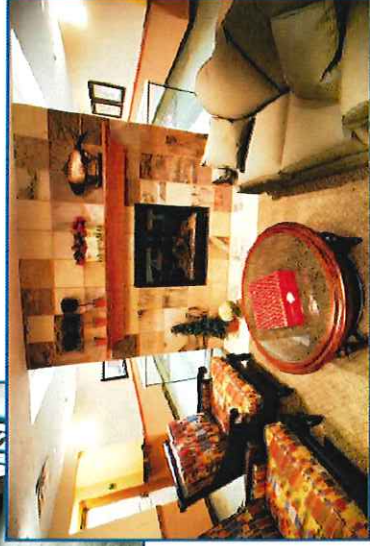
Community Imagery

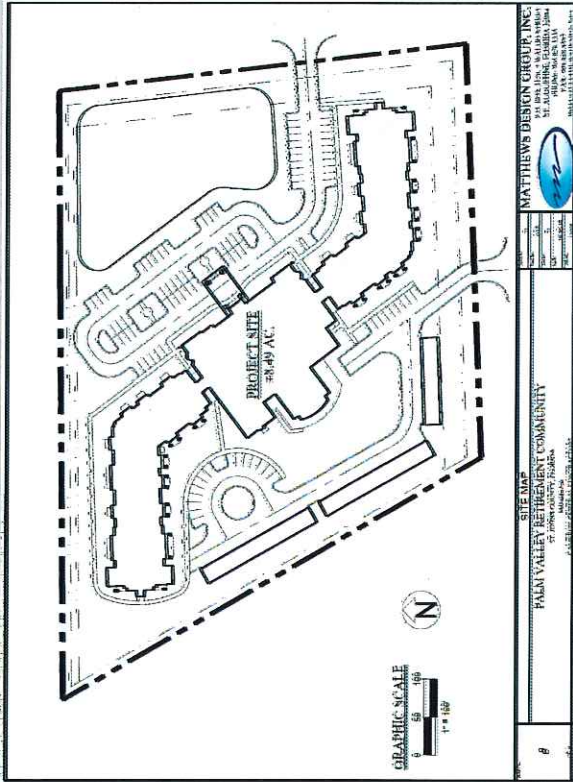


Community Imagery



Community Imagery





SITE MAP
PALM VALLEY RETIREMENT COMMUNITY
 MATTHEWS DESIGN GROUP, INC.
 11111 W. 11TH AVENUE, SUITE 100
 DENVER, CO 80233
 PHONE: 303.751.1111
 WWW.MATTHEWSDESIGN.COM



Resort Lifestyle Communities

ATTACHMENT 3
ZONING VARIANCE APPLICATION AND
SUPPORTING DOCUMENTS



St. Johns County Development Review

Application for: Zoning Variance

Amended Application

Date: October 26, 2015

Property Tax ID No: 0668800000

Project Name: Resort Lifestyle Communities at Palm Valley

Property Owner(s): William D. West and Thomas W. West

Phone Number

Address: c/o Douglas N. Burnett

Fax Number

City: St. Augustine

State: FL

Zip Code: 32080

e-mail

Are there any owners not listed?

No

Yes

If yes please provide information on separate sheet.

Applicant/Representative: Douglas N. Burnett, St. Johns Law Group

Phone Number

904-495-0400

Address: 509 Anastasia Blvd

Fax Number

904-495-0506

City: St. Augustine

State: FL

Zip Code: 32080

e-mail

dburnett@sjlawgroup.com

Property Location: Palm Valley Road and Landrum Lane

Major Access: Palm Valley Road and Landrum

Size of Property: 8.32 acres

Cleared Acres (if applicable)

Zoning Class: OR

No. of lots (if applicable)

Overlay District (if applicable)

Ponte Vedra/Palm Valley

Water & Sewer Provider: St. Johns County Utility Department

Future Land Use Designation

B-RES

Present Use of Property: Vacant Lot

Proposed Bldg. S.F.

174,045

Project Description (use separate sheet if necessary)

The applicant is seeking a zoning variance to LDC, Table 6.01 Building Height, which limits the height of structures in coastal areas to 35' to allow an independent living facility with a height of 48'.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD:

N/A

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of owner or person authorized to represent this application:

Signed By

Printed or typed name(s): Douglas N. Burnett

SUMMARY OF ZONING VARIANCE REQUEST

(ZVAR 2015-07)

A. Project Description

The Applicant, Resort Lifestyle Communities, seeks a variance to certain requirements of the Land Development Code, for the development of a retirement residential facility at the intersection of Landrum Lane and Palm Valley Road, adjacent to the YMCA Community Center and adjacent to the Palm Cove project (project 2012-18), a single-family residential development that provided for significant buffer, upland conservation and upland preservation along the common boundary. The companion site plan illustrates the general layout of the site with the proposed main structure and improvements.

The intent of the site plan is to portray a single, unified development plan that is cohesive in its architectural design, landscaping, and site planning. The intent of the site plan is also to provide additional controls and development review that avoids piecemeal development and promotes good planning practices.

In addition to the positive aesthetic benefits of the project, the residents of St. Johns County will also benefit by new long-term employment opportunities generated by the project and the additional services that the new retirement residential facility will provide to area residents as they mature and to their family members.

B. Total Acreage

The total land area is approximately 8.32 acres.

C. Retirement Residential Development

The project will provide for assisted living facilities classified as Special Care Housing (per LDC Section 2.03.23) calculated as "beds" so long as no individual kitchens are provided along with associated facilities, such as lobby, reception, cafeteria, recreation space, entertainment space, etc., designed to serve the residents.

LDC Table 2.03.01 designates Special Care Housing as a use that is allowed by right within the Open Rural (OR) District.

Article XII of the LDC defines Special Care Housing, which this project shall be subject to, as follows:

"Housing that provides a family living environment and may provide limited care and supervision to meet the physical, emotional and social needs of one or more individuals. Special Care Housing includes group homes, congregate care homes, assisted living facilities, and foster homes. Special Care Housing does not include Nursing Homes, except as accessory to congregate care homes and assisted living facilities. Further, Special Care Housing does not include out-patient treatment or rehabilitation centers, medical clinics, or psychiatric care treatment facilities."

- a) As an assisted living facility, traditional nursing home medical services will not be provided on the property. While residents may have their own health care professional visit them, the facility will not be constructed with medical facilities within its buildings and nor will Resort Lifestyle Communities provide such services.
- b) A resident who requires personal or medical services on a regular basis may not continue to live at the facility if such demand for services is more than what a person living in a single family home could have provided. As no medical services are provided by Resort Lifestyle Communities and its facilities are not built to support the needs of a nursing home, residents cannot stay in the facility once they have a demand for serious medical needs.
- c) No nursing home professionals will staff the facility and no licenses for such uses will be obtained or secured in connection with the facility.
- d) Within the primary building, there is provided one guest unit. The unit is maintained much like a hotel room would be and not only serves to house an occasional visitor but also allows potential residents who are considering moving to a Resort Lifestyle Communities project the opportunity to visit the facility and truly experience the lifestyle on a short trial basis.
- e) No full kitchens are provided in the units and nor will the project be designed for such. Each unit will be provided a traditional wet bar with some basic kitchen amenities (e.g., mini-fridge, microwave, etc.) but no oven, stovetop or range.
- f) The total number of people that can live in any unit ("bed") is a maximum of two (2). While there are two (2) and three (3) bedroom units, the extra rooms do not serve to house people. Rather, the additional rooms in larger units are most often where residents put an heirloom furniture set, such as an antique dining room set that they are emotional attached, or used as an office, craft room, etc. System-wide, Resort Lifestyle Communities operates many of these facilities and experiences a low number of units being occupied by more than one person even in the two (2) and three (3) bedroom units.

The site is planned for 124 beds of independent or assisted living care facilities. This proposed plan of development is consistent with the Comprehensive Plan Designation of Residential B and the Zoning Classification of Open Rural.

D. Variances/Waivers

Article XII of the LDC defines a Zoning Variance as follows:


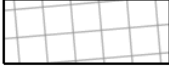
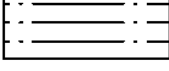
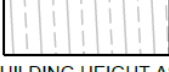
Variance, Zoning: Variance is a relaxation of the terms of this Code where such Variance will not be contrary to the public interest, and where, by reason of the exceptional narrowness, shallowness, or unusual shape of a specific piece of property, or by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or by reason of the Use or

Development of property immediately adjoining the piece of property in question, the literal enforcement of the requirements of this Code would cause either undue hardship to carry out the spirit and purpose of this Code, or would be contrary to the spirit and purpose of this Code. In this context personal, family or financial difficulties, loss of prospective profits and neighboring violations or hardships created by any act of the owner are not considered hardships justifying a Variance.

A literal enforcement of the Code requirements to this Property would result in an undue hardship and be contrary to the spirit and intent of the LDC. The Applicant requests relief from the following sections of the St. Johns County Land Development Code:

LDC Table 6.01. – Building Height. A variance is requested to the maximum building height limitation of 35 feet to allow the building to be constructed up to 48 feet in height. The facility proposed is a proven design that is adopted system-wide by Resort Lifestyle Communities and is absolutely essential to the viability of the project. Without the additional height, the project cannot proceed. The project must be three stories in height. Additional height is also necessary and, in part, essential for life safety to control the air exhaust in the event of a fire, as air volume in the attic space is needed.

The project will be limited in height as set forth in the table below and as shown on the MDP Map:

MAXIMUM BUILDING HEIGHT		
	THREE STORY AREA "WINGS"	40'
	SINGLE STORY AREA "CORE"	24'
	THREE STORY AREA "CORE"	48'
	1 STORY GARAGE	14'
*BUILDING HEIGHT AS MEASURED FROM GRADE.		

Resort Lifestyle Communities operates and is developing facilities similar to the intended facility all over the United States. As a result, the applicant knows the minimum requirements needed for the facility to be successful. This dictates the need for added height. However, the applicant is utilizing the smallest version of the facility operated by Resort Lifestyle Communities, which in turn allows for a minimum 50 ft building setback for the main structure. More importantly, the angular positioning of the structure on the site, architectural undulation and the central location the highest portion of the structure will also give the structure a less tall appearance.

As depicted on the site plan, the property has an unusual shape and is at the corner of an intersection.

The variance, considering the site plan accompanying this request, is squarely within the intent of the Code. The site plan makes the plan of development more akin to a planned development where projects are allowed minor deviations to the LDC's strict requirements to make a unified and unique plan of development for a site. That is exactly what is contemplated by Resort Lifestyle Communities for this project and the height variance is more than mitigated by the overall plan of development and the site plan that will be a condition of the variance approval.

Supplemental Buffer: The MDP Map incorporates a "Supplemental Buffer" as additional justification for the variance request. The Supplemental Buffer will add landscape buffering to the project from Landrum Lane and Palm Valley Road, especially in the area where the proposed structure is located in closest proximity to the right-of-way. Also attached to the MDP Map is a cross-section depicting the significance of the added buffering.

ATTACHMENT 4
CORRESPONDENCE REGARDING
PROJECT

Danielle Handy

From: Kimberly Daniels
Sent: Tuesday, November 17, 2015 2:52 PM
To: Danielle Handy; Dawn Lange
Subject: FW: File Number ZVAR-2015000007

FYI

Kimberly Daniels
Application Review Technician
St. Johns County Planning and Zoning Department
4040 Lewis Speedway
St. Augustine, Fl. 32084
Phone: (904) 209-0675
kdaniels@sjcfl.us

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the St. Johns County Board of County Commissioners and employees regarding public business are public records available to the public and media through a request. Your e-mail communications may be subject to public disclosure.

From: Barb Gressa [<mailto:bkgressa@gmail.com>]
Sent: Tuesday, November 17, 2015 2:37 PM
To: FAXPLANDEPT
Subject: File Number ZVAR-2015000007

As a resident of the Las Palmas neighborhood in St. Johns County, I object to the proposed variance at the corner of Old County 210 and Landrum Lane. First, the higher sight line of the proposed buildings will detract from the overall appearance of the corner of Old County 210 and Landrum Lane. I specifically bought a home in Las Palmas, because it was located in a community of single family homes. A view of a tall, commercial size building will lower the property value of homes in the Las Palmas neighborhood.

Second, I have a concern regarding the increase in traffic at that corner. Currently, it is difficult to pull out of Sawbill Palm Drive onto Old County 210 during peak hours. The line of traffic headed to Ocean Palm Elementary and Landrum Middle School causes considerable congestion. In addition, there is no sidewalk or pedestrian crosswalk on that corner. This is an unsafe intersection for pedestrians.

Lastly, I believe there is plenty of land in St. Johns County for this type of housing without rezoning the corner of Old County 210 and Landrum Lane. The current zoning regulations were put in place to protect the homeowners in the area and prevent over-crowding. I plan to attend the Public Hearing on Thursday, November 19, 2015 @ 1:30 p.m.

Barbara Gressa
132 Sawbill Palm Drive
Ponte Vedra Beach, FL 32082

(904) 460-8800

Danielle Handy

From: Marie Colee
Sent: Tuesday, November 17, 2015 11:36 AM
To: Danielle Handy
Cc: Dawn Lange
Subject: FW: File number: ZVAR-2015000007

Marie Colee
Assistant Program Manager
St. Johns County Planning and Zoning Division
4040 Lewis Speedway
St. Augustine, FL 32084
(904) 209-0662 - office
mcolee@sjcfl.us

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the St. Johns County Board of County Commissioners and employees regarding public business are public records available to the public and media through a request. Your e-mail communications may be subject to public disclosure.

-----Original Message-----

From: Kristen [<mailto:kristen.gavazzi@gmail.com>]
Sent: Tuesday, November 17, 2015 9:53 AM
To: FAXPLANDEPT
Subject: Re: File number: ZVAR-2015000007

>
> Dear Planning Board,
> I would like to express my deep opposition to the proposed plan to possibly extend a variance to the Resort Lifestyle Project on Palm Valley Road in PVB. As a direct neighbor in the Las Palmas development, I not only think the allowance will deteriorate our personal view from the back of our property but will also interrupt the wildlife in the area that my kids love and want to protect. Lastly, I am deeply worried about the traffic problems we will experience by this project as a whole. We are already being burdened by the explosive growth in our small community as I don't think the roads were planned for this much development. Feel free to come and check out our traffic issues from the growth of Nocatee, etc.. We are in trouble as a community if this development plan gets approved to move forward.
> Thank you for your consideration,
> Kristen Gavazzi
> 133 Sawbill Palm Drive, PVB



Palm Valley Community Association
148 Canal Boulevard, Ponte Vedra Beach, FL
Board of Directors

Friday, July 10, 2015

Ms. Suzanne Konchan
Director of Growth Management & Planning - St Johns County
St Augustine, FL

Dear Suzanne,

As a community organization, we have been monitoring the new developments that are being proposed within the Palm Valley area. Our Growth Management/Traffic & Roadway Action Committee (GMTRAC) has a process in place where we follow the developments and review them for any proposed variances or perceived impact to our community. Included in that process is the opportunity for developers to meet with and present their developments to the GMTRAC which is opened up to the full PVCA membership, as well as, interested non-members in those situations to ensure that details can be shared to a broad audience and so that feedback can be expressed directly to the developer on any concerns that may exist.

As a general statement, the PVCA is not in favor of approving increased density for any new developments proposed. With that in mind, our primary concerns and focus are related to variance requests for increased density beyond what is allowed within existing zoning guidelines. Directly related to that is our concern about the cumulative traffic impact that additional developments will have on what are already congested roadways, especially if we grant density requests that exceed that defined for the current zoning. As you know, there are over six "small developments" in Palm Valley already in the planning process, with several other developments already underway and even more expected soon. Despite these facts, there is no county plan currently in place that will address the necessary improvements to existing road & pedestrian infrastructure within the area

The following are our comments pertaining to the current developments that are under evaluation. With that in mind, we will continue to work with the respective developers and the county planners regarding updates to the developments and provide additional feedback as they progress through the review/approval process. In addition, it is our intention to provide our input to the PZA and BCC at the proper time and where appropriate.

Developments Currently Tracked by PVCA:

Palm Valley Gardens

Our concern here is the request for increased density, which we oppose, and related concerns about the possibility of allowing developers to obtain greater density at one location in exchange for construction of affordable housing in another. It is our belief that this approach is outside the intended purpose of the policy and should be carefully considered.

Aside from these issues, we do appreciate the stated intent of the developer to maintain and enhance the property in the style of the surrounding area through landscape design and maintenance of the existing tree canopy.

Palm Cove

In this case, we again are not in support of the increased density being requested which almost doubles that allowed by the current zoning. We appreciate the benefits of a LEED development in our community but are not in favor of trading density for a relatively unquantifiable environmental benefit.



Palm Valley Community Association
148 Canal Boulevard, Ponte Vedra Beach, FL
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In addition, we are directly concerned about the specific building variances being requested and the traffic access to Palm Valley Rd. that is immediately adjacent to the proposed Resort Lifestyles Assisted Living Center.

Possum Trot

Overall we like the approach that the owner and developer are taking with this project. Specifically we appreciate the intent to maintain, as much as possible, the natural vegetation and trees, as well as the approach to the entry drive.

At this time our primary concern is the existing traffic on Palm Valley Rd and the safety issue that an entrance at Canal could potentially create, especially given the current traffic situation during school commute times with Palmer Academy. If this project is approved, we would request that a traffic light be required at the intersection of Canal Boulevard and Palm Valley Rd.

Eagle Cove

As we were told by the developer, the original zoning request was for RS-3 which would have been an increase in density beyond current zoning which we would have opposed. The developer has now advised our GMTRAC committee that he is satisfied with 18 units and is changing the request to RS-2. The PVCA would support the change to RS-2 with the expectation that density stays at the proposed 18 units.

As with other developments in this adjacent area, our primary concern is the existing traffic on Palm Valley Rd and the safety issue that an additional road access could potentially create, especially given the current traffic situation during school commute times with Palmer Academy.

Resort Lifestyle

At this time there are mixed views regarding the size and nature of this kind of development in the community. Our group recognizes that this type of independent living has benefits but, concerns exist about its location and the type of commercial density it brings to what is primarily a residential area. We do appreciate the developers approach to creating a design those attempts to compliment the surrounding area and which attempts to minimize, the visual impact from the roadway.

In addition, it is noted that the developer has requested a variance to permit a three story structure which in some areas exceeds height regulations. Our understanding is that this would require a variance change in addition to density and building size variances which we would not want to see become a precedent-setting event for other projects in the future.

Our additional concern is that there will be two entrances located very close to what is already a congested intersection at peak times of the day. Including the proposed Palm Cove development, it would contribute to a total of three entrances in close proximity to entrances from the adjacent highly used Shell station and the existing neighborhood across the street on Palm Valley Road. Next to all of these entrances there is the YMCA and TPC community center where, on busy days, both businesses have significant traffic at peak times which is in addition to the traffic created by student transportation for the three schools located on Landrum Lane (Ocean Palm, Landrum & Cambridge Prep). Although it is being stated that this will be a low traffic count development, there remain questions about the small number of trips being described for such a facility.



**Palm Valley Community Association
148 Canal Boulevard, Ponte Vedra Beach, FL
Board of Directors**

Water's Edge

Our primary concern with the proposed zoning change is specifically the degree of density being requested which we do not support. The proposed number of homes exceeds the prevailing zoned density of either RS-1 (one unit per acre) to the north, as well as, the RS-2 (two units per acre) zoned density along Palm Valley Road. With that in mind, the proposed lots would be smaller than those already existing to the south. The additional density of homes would also impact traffic at an already awkward intersection of Palm Valley Road (Route 210) and 210A.

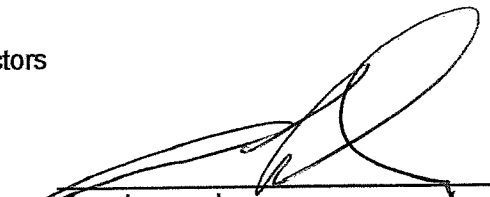
We'd like to thank you and your team again for the time and cooperation in working with us. As mentioned, we will continue to monitor the development and will provide you with additional feedback as it progresses through the process. Please feel free to contact us if you would like to discuss any of the above.

Best regards,


Palm Valley Community Association - Board of Directors



Gary Philips




Greg Leonard




Diane Tatum



Ethel Campbell



Debra Lamir



Brian Hurdis



Riddley Boligan

cc. Jay Morris
Danielle Handy
Georgia Katz

Resort Lifestyle proposed Development

At this time there are mixed opinions about seeing developments of this size and nature in the Palm Valley community. Our association recognizes that this type of independent living is of value but noteworthy concerns exist about its location, the type of commercial density it represents and the changes it will bring to what is primarily a residential area of the community.

We do appreciate the developer's approach to creating a design that attempts to compliment the surrounding area and which attempts to minimize its visual impact from the roadway. However, it is significant to us that the developer has requested a height variance to permit a three story structure which in some areas will exceed height restrictions in the area. Our understanding is that this would require a variance change in addition to other variances around density and building size.

We would not be in favor and would oppose granting variances on the height restrictions and any other variances that exceed what is allowed in our Overlay District details. We have grave concerns about anything that can become a precedent for future development. There was good, sound reasoning that was considered when the Overlay District was created and we do not want to see it changed.

Our additional concern is that there will be two entrances located very close to what is already an extremely congested intersection at peak times of the day. Considering the proposed Palm Cove development and the additional density that is being sought, it would mean three entrances in a close proximity to entrances from the adjacent, highly used, Shell station and the existing neighborhood across the street on Palm Valley Road.

Next to all of these entrances there is the YMCA and TPC community center where, on busy days, both businesses have significant traffic at peak times. Add all these concerns to the traffic created by student transportation for the three schools located on Landrum Lane (Ocean Palm, Landrum & Cambridge Prep) and you have the recipe for major congestion. Although it is being stated that this will be a low traffic count development, there remains questions about the small number of trips being assessed to such a facility. Bottom line, the design as presently proposed on 10 acres should probably be located on a much larger parcel with the space to accommodate the intentions of the developer without having to ask the community to incur the consequences and live with the results of what appears to be an overly ambitious plan for this site.

Sincerely,
Palm Valley Community Association – Board of Directors

Danielle Handy

From: Jennifer Bruno <brunobeach@msn.com>
Sent: Friday, May 29, 2015 3:45 PM
To: Commissioner Bill McClure; Commissioner James K. Johns; Commissioner Jeb Smith; Commissioner Jay Morris; Michael Wanchick; Suzanne Konchan; Danielle Handy
Cc: editor@coastalnewline.com; pvrecorder@opcfla.com; editor@beachesleader.com
Subject: Proposed Resort Lifestyle in Palm Valley

Dear County Commissioners and County Planners,

The proposed commercial development of an assisted living center (Resort Lifestyle) on Landrum Ln and Palm Valley Rd on St. Johns County Parcel ID#066880-0000 is requesting a number of variances (exceptions): more concrete, more use per acre, more height, more length, visible garage/building and the lack of an 8ft strip of greenery. These exceptions do not fit with the surroundings of Palm Valley. Allowing a three story building in this area sets a bad precedent.

However, as egregious as the visual impact these variances would have on the Palm Valley Community, it pales in comparison to the safety issue that these exceptions would exacerbate in an area that serves families with preschool and school age children as well as our Seniors: Landrum Middle School, Ocean Palms Elementary, Cambridge Prep, Winston YMCA and the Senior Center. This commercial business will have two entrances that will disrupt school traffic especially colliding with the Landrum Middle School carline. Rainy days for Landrum carline would be made even more precarious since on these days the line wraps itself along Palm Valley Rd thus blocking both entrances of this proposed business. This additional congestion caused by this business requesting such variances will make it very difficult for emergency personnel to visit the proposed business let alone have easy access to the schools located on Landrum Lane. The variances allow for more customers at 130 beds making 260 residents. These residents will need more staff, more food deliveries, more medical supply deliveries, have more visitors, etc. than the same proposed business not requesting such variances.

Pedestrian children heavily utilize this area from Landrum Middle School and Ocean Palms Elementary. The pedestrian children who will be placed in the most hazardous position by accepting the variances (exceptions) are the children in the aftercare program at the YMCA. During school days, these children cross Landrum Ln at various points and times. They love visiting the Daily's across this proposed business. There are no crosswalks between the YMCA, the proposed business and Daily's. The only crosswalk is in front of Landrum Middle located at a distance in the opposite direction of Daily's with no sidewalk connecting the YMCA on its shared side with Landrum Middle.

Palm Valley Road is already woefully inadequate for its current traffic load and there are no plans to help alleviate the traffic hazards this causes. Variances (exceptions) of any kind that cause any greater traffic problems should not be permitted in the Palm Valley area. If Resort Lifestyle finds that the only way it can be profitable on that parcel of land is with variances (exceptions) then it is not the right business for Palm Valley and will not serve our community well, but pose greater safety hazards.

Sincerely,
Jennifer Bruno
Concerned Citizen of Palm Valley

Danielle Handy

From: Richard <seabird45@aol.com>
Sent: Thursday, April 16, 2015 3:54 PM
To: Suzanne Konchan
Subject: Resort Lifestyles at Palm Valley

RE: Resort Lifestyles at Palm Valley

Dear Ms. Konchan,

It has come to my attention that a Variance Request was filed for St. John's County Parcel ID# 066880-0000. The property is located at the corner of Landrum Lane and Palm Valley Road in Ponte Vedra. I am a resident in a nearby community. In reviewing the Variance Request and collateral materials obtained from the agent of the proposed developer, I made note of the request to construct a building with a 47' height. I am strongly opposed to such an intense use of the property for several reasons. First and foremost, the height being requested is incompatible to the surrounding community; it would be an anomaly. The 47' height being requested converts to a 3 story commercial building. Although there are some community commercial uses in the area, one would have to drive several miles to A1A to find such an intense use. There is no precedent for such a use in the area of the proposed development. Allowing such a development creates a precedent for the area that is undesirable and inappropriate and has the potential of further damaging the community. Furthermore, the area consists mostly of single family residential communities with some ancillary commercial to serve the immediate needs of the community. The proposed development is requesting a density of approximately 15 dwelling units/acre. That is equivalent to an apartment complex density calculation. There is no development with that density within approximately 4-5 miles from the proposed development. The existing community has geographical and perceived barriers created by roadways. The existing community is an enclave, if you will, of single family homes, minimal intensity commercial to serve the needs of the community members, as well as, schools that are located in very close proximity to the proposed development. It is certainly not appropriate for a project with the density, intensity, and height being proposed to be approved for the community.

In closing, I trust in the elected officials to serve the needs of the community at large. This development proposal is not for the benefit of the residents, but in fact for the profits of an out of state entity. Approval would not benefit the community at large. Thus, the correct decision for the benefit of the constituents of the elected officials is to reject and/or deny the proposal for a variance. It could be argued that the type of facility being proposed would in fact serve the needs of the community. I do not disagree with the need for such a proposed development. However, the site selected is inappropriate. A more appropriate location would be along a corridor that provides the appropriate zoning and height limitations to support such an intense use (e.g.: A1A) as proposed. The very simple fact that a variance is being requested supports the argument that the intended use is inappropriate and the variance request should therefore be denied. I could go on about the 2 lane roadway that the proposed development will front upon and the increased traffic implications, the proximity to a traffic signal, proximity to a school which already causes traffic issues at peak loads, and several other matters. However, in an effort to not belabor the issue, the proposed development is the wrong use for the wrong parcel. Two wrongs do not make it right.

Richard Bartlett
seabird45@aol.com

Danielle Handy

From: Melissa Cihlar <melissajordancihlar@gmail.com>
Sent: Thursday, April 16, 2015 9:03 AM
To: Suzanne Konchan; Danielle Handy; Commissioner Jay Morris; Melissa Lundquist; Commissioner Bill McClure; Commissioner Rachael Bennett; Commissioner Jeb Smith
Subject: NO to Resort Lifestyles at Palm Valley

Dear Commissioners:

It has come to my attention that a Variance Request was filed for St. John's County Parcel ID# 066880-0000. The property is located at the corner of Landrum Lane and Palm Valley Road in Ponte Vedra. I am a resident in Old Palm Valley, a nearby community. In reviewing the Variance Request and collateral materials obtained from the agent of the proposed developer, I made note of the request to construct a building with a 47' height. I am strongly opposed to such an intense use of the property for several reasons. First and foremost, the height being requested is incompatible to the surrounding community; it would be an anomaly. The 47' height being requested converts to a 3 story commercial building. Although there are some community commercial uses in the area, one would have to drive several miles to A1A to find such an intense use. **There is no precedent for such a use in the area of the proposed development.** Allowing such a development creates a precedent for the area that is undesirable and inappropriate and has the potential of further damaging the community. Furthermore, the area consists mostly of single family residential communities with some ancillary commercial to serve the immediate needs of the community. The proposed development is requesting a density of approximately 15 dwelling units/acre. That is equivalent to an apartment complex density calculation. **There is no development with that density within approximately 4-5 miles from the proposed development.** The existing community has geographical and perceived barriers created by roadways. The existing community is an enclave, if you will, of single family homes, minimal intensity commercial to serve the needs of the community members, as well as, schools that are located in very close proximity to the proposed development. It is certainly **not appropriate for a project with the density, intensity, and height being proposed to be approved for the community.**

This development proposal is not for the benefit of the residents, but in fact for the profits of an out of state entity. Approval would not benefit the community at large. Thus, the correct decision for the benefit of the constituents of the elected officials is to reject and/or deny the proposal for a variance. It could be argued that the type of facility being proposed would in fact serve the needs of the community. I do not disagree with the need for such a proposed development. However, **the site selected is inappropriate. A more appropriate location would be along a corridor that provides the appropriate zoning and height limitations to support such an intense use (e.g.: A1A) as proposed. The very simple fact that a variance is being requested supports the argument that the intended use is inappropriate and the variance request should therefore be denied.** I could go on about the 2 lane roadway that the proposed development will front upon and the increased traffic implications, the proximity to a traffic signal, proximity to a school which already causes traffic issues at peak loads, and several other matters including the use of increased medical vehicles since they will not have on-site medical for the retirees. However, in an effort to not belabor the issue, **the proposed development is the wrong use for the wrong parcel.**

VALLEY!

PLEASE DO NOT APPROVE RESORT LIFESTYLES AT PALM

Thank you,

Melissa Cihlar
104 Palm Bay Court
Ponte Vedra Beach, FL 32082

Danielle Handy

From: Becky Dykstra <abdykstra@sbcglobal.net>
Sent: Monday, April 20, 2015 6:37 PM
To: Suzanne Konchan; Danielle Handy; Melissa Lundquist; Commissioner Bill McClure; Commissioner Rachael Bennett; Commissioner Jay Morris; bccd2@sjcfl.us
Subject: Just Say NO to Resort Lifestyles Development at Landrum Lane and Palm Valley Road

Hello Commissioners,

We strongly urge you to deny the variance requests for this proposed development. This development does not fit it with the surrounding area, and would significantly and negatively impact our neighborhood. Please, please, please do not grant their variance requests!!!

Andy and Becky Dykstra, 904-955-1486

We agree wholeheartedly with the letter below, written by a neighbor:

RE: Resort Lifestyles at Palm Valley

It has come to my attention that a Variance Request was filed for St. John's County Parcel ID# 066880-0000. The property is located at the corner of Landrum Lane and Palm Valley Road in Ponte Vedra. I am a resident in a nearby community. In reviewing the Variance Request and collateral materials obtained from the agent of the proposed developer, I made note of the request to construct a building with a 47' height. I am strongly opposed to such an intense use of the property for several reasons. First and foremost, the height being requested is incompatible to the surrounding community; it would be an anomaly. The 47' height being requested converts to a 3 story commercial building. Although there are some community commercial uses in the area, one would have to drive several miles to A1A to find such an intense use. There is no precedent for such a use in the area of the proposed development. Allowing such a development creates a precedent for the area that is undesirable and inappropriate and has the potential of further damaging the community. Furthermore, the area consists mostly of single family residential communities with some ancillary commercial to serve the immediate needs of the community. The proposed development is requesting a density of approximately 15 dwelling units/acre. That is equivalent to an apartment complex density calculation. There is no development with that density within approximately 4-5 miles from the proposed development. The existing community has geographical and perceived barriers created by roadways. The existing community is an enclave, if you will, of single family homes, minimal intensity commercial to serve the needs of the community members, as well as, schools that are located in very close proximity to the proposed development. It is certainly not appropriate for a project with the density, intensity, and height being proposed to be approved for the community.

In closing, I trust in the elected officials to serve the needs of the community at large. This development proposal is not for the benefit of the residents, but in fact for the profits of an out of state entity. Approval would not benefit the community at large. Thus, the correct decision for the benefit of the constituents of the elected officials is to reject and/or deny the proposal for a variance. It could be argued that the type of facility being proposed would in fact serve the needs of the community. I do not disagree with the need for such a proposed development. However, the site selected is inappropriate. A more appropriate location would be along a corridor that provides the appropriate zoning and height limitations to support such an intense use (e.g.: A1A) as proposed. The very simple fact that a variance is being requested supports the argument that the intended use is inappropriate and the variance request should therefore

be denied. I could go on about the 2 lane roadway that the proposed development will front upon and the increased traffic implications, the proximity to a traffic signal, proximity to a school which already causes traffic issues at peak loads, and several other matters. However, in an effort to not belabor the issue, the proposed development is the wrong use for the wrong parcel. Two wrongs do not make it right.

Danielle Handy

From: Suzanne Konchan
Sent: Tuesday, March 17, 2015 3:45 PM
To: 'Keith Hyatt'
Cc: Danielle Handy
Subject: RE: Variance for Parcel 066880-0000

Mr. Hyatt,

Thank you for the time to send these comments, we will make sure they are also included in all of our staff report packages for public hearing. Staff is currently awaiting a response to staff comments from the applicant, at which time we will assess whether the application is complete for the purposes of setting a public hearing. Danielle Handy, whose is also copied on this e-mail, is the project manager for this application. Feel free to e-mail her if you should have any questions as this application proceeds, or you may reach her at 904-209-0732. Also feel free to contact me also, my contact information can be found below.

Respectfully,

Suzanne Konchan, AICP
Director, Growth Management Department
St. Johns County
4040 Lewis Speedway
St. Augustine, FL 32084
(904) 209-0712 ph
(904) 599-8917 mobile
(904) 209-0713 fax
skonchan@sicfl.us

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From: Keith Hyatt [mailto:K.Hyatt@focusmg.com]
Sent: Friday, March 13, 2015 2:41 PM
To: Suzanne Konchan
Subject: Variance for Parcel 066880-0000

Dear Ms. Konchan,

It has come to my attention that a Variance Request was filed for St. John's County Parcel ID# 066880-0000. The property is located at the corner of Landrum Lane and Palm Valley Road in Ponte Vedra. I am a resident in a nearby community. My address is 233 Shell Bluff Ct. In reviewing the Variance Request and collateral materials obtained from the agent of the proposed developer, I made note of the request to construct a building with a 55' height. I am strongly opposed to such an intense use of the property for several reasons. First and

foremost, the height being requested is incompatible to the surrounding community; it would be an anomaly. The 55' height being requested converts to a 3 story commercial building. Although there are some community commercial uses in the area, one would have to drive several miles to A1A to find such an intense use. There is no precedent for such a use in the area of the proposed development. Allowing such a development creates a precedent for the area that is undesirable and inappropriate and has the potential of further damaging the community. Furthermore, the area consists mostly of single family residential communities with some ancillary commercial to serve the immediate needs of the community. The proposed development is requesting a density of approximately 15 dwelling units/acre. That is equivalent to an apartment complex density calculation. There is no development with that density within approximately 4-5 miles from the proposed development. The existing community has geographical and perceived barriers created by roadways. The existing community is an enclave, if you will, of single family homes, minimal intensity commercial to serve the needs of the community members, as well as, schools that are located in very close proximity to the proposed development. It is certainly not appropriate for a project with the density, intensity, and height being proposed to be approved for the community.

In closing, I trust in the elected officials to serve the needs of the community at large. This development proposal is not for the benefit of the residents, but in fact for the profits of an out of state entity. Approval would not benefit the community at large. Thus, the correct decision for the benefit of the constituents of the elected officials is to reject and/or deny the proposal for a variance. It could be argued that the type of facility being proposed would in fact serve the needs of the community. I do not disagree with the need for such a proposed development. However, the site selected is inappropriate. A more appropriate location would be along a corridor that provides the appropriate zoning and height limitations to support such an intense use (e.g.: A1A) as proposed. The very simple fact that a variance is being requested supports the argument that the intended use is inappropriate and the variance request should therefore be denied. I could go on about the 2 lane roadway that the proposed development will front upon and the increased traffic implications, the proximity to a traffic signal, proximity to a school which already causes traffic issues at peak loads, and several other matters. However, in an effort to not belabor the issue, the proposed development is the wrong use for the wrong parcel. Two wrongs do not make it right.

Regards,

Keith Hyatt

Senior Consultant

813.281.0062 Office | 813.281.0063 Fax | 904.669.4757 Cell

k.hyatt@focusmg.com

Focus Management Group

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www.focusmg.com

Danielle Handy

From: Melissa Lundquist
Sent: Thursday, February 26, 2015 11:37 AM
To: Suzanne Konchan
Subject: FW: variance in PVB

FYI...

Melissa A. Lundquist, MBA
BCC Manager
St. Johns County Board of County Commissioners
500 San Sebastian View
Saint Augustine, FL 32084
(904) 209-0563

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-----Original Message-----

From: Melissa Lundquist On Behalf Of Commissioner Jay Morris
Sent: Thursday, February 26, 2015 11:34 AM
To: 'Douglas Burnett'
Cc: Commissioner Jay Morris
Subject: FW: variance in PVB

Doug,

Commissioner Morris requested that the below email be forwarded to you.

Thanks,
Melissa Lundquist on behalf of Commissioner Jay Morris

Melissa A. Lundquist, MBA
BCC Manager
St. Johns County Board of County Commissioners
500 San Sebastian View
Saint Augustine, FL 32084
(904) 209-0563

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-----Original Message-----

From: ERIKA ROGERS MARINO [<mailto:erogers@optonline.net>]
Sent: Wednesday, February 25, 2015 10:01 AM
To: Commissioner Jay Morris
Subject: variance in PVB

Hi Mr. Morris - I understand a developer is proposing a lovely, independent living home for Landrum Ln/Palm Valley Rd and has requested a 55' height variance. I'm told that the reason they want this height is to accommodate their central AC system. Is it possible to suggest that they look into installing a GEO Thermal HVAC system? My understanding is that you drill down so parts of the system are below ground, not requiring as much above ground space.

If this works for them, perhaps they can still create the living environment they desire without needing the height variance.

Just a thought that perhaps you can pass along to them so they can explore if it would work for them while complying with current rules.

Erika Rogers Marino

Danielle Handy

Subject: FW: Variance for Parcel 066880-0000

From: Anastasia OConnor <anastasia_oconnor@yahoo.com>

Date: February 25, 2015 at 3:30:38 PM EST

To: Commissioner Jay Morris <bccd4@sjcfl.us>, "bccd5@sjcfl.us" <bccd5@sjcfl.us>, "bccd1@sjcfl.us" <bccd1@sjcfl.us>, "bccd2@sjcfl.us" <bccd2@sjcfl.us>, "bccd3@sjcfl.us" <bccd3@sjcfl.us>

Subject: Variance for Parcel 066880-0000

Reply-To: Anastasia OConnor <anastasia_oconnor@yahoo.com>

Dear Commissioners:

Today, a variance was filed for St. Johns County Parcel ID 066880-0000, located at the corner of Palm Valley Road and Landrum Lane in Ponte Vedra. A hearing for the variance has not yet been set. Hopefully, this letter will encourage you to not grant a variance for the project. One of the items requested in this variance is a request to build to 55'. Please carefully consider the impact such a structure would have on a rural, county road that is surrounded by single family housing developments and farms. This parcel is not the right for such a variance. I urge to vote against it.

Thank you for your consideration.

Anastasia O'Connor
585 967-2220

Danielle Handy

Subject: FW: Palm Cove PUD

From: Ellen Avery-Smith [<mailto:eaverysmith@rtlaw.com>]
Sent: Thursday, February 26, 2015 2:42 PM
To: Suzanne Konchan
Cc: 'raduchindris@yahoo.com'
Subject: Palm Cove PUD

Good afternoon, Suzanne.

It is our understanding that someone has applied to the County to construct a 55-foot-tall assisted living or similar facility on St. Johns County Parcel ID No. 066880-0000. As you know, our client, Radu Chindris of Carmen Properties, LLC, is the owner and developer of the adjacent Palm Cove PUD, which includes single-family residential units which have a maximum allowable height of 35 feet. You can certainly understand that Carmen Properties is adamantly opposed to the location of a 55-foot-tall structure or structures next to its residential project. Certainly such buildings heights are incompatible with the surrounding community and future land use and zoning designations for adjacent and nearby properties.

Can you please send us any documents that have been filed with the County for this proposed facility?

Thanks for the help.

Ellen

Ellen Avery-Smith | Shareholder



Rogers Towers, P.A. | 100 Whetstone Place, Suite 200 | St. Augustine, Florida 32086
Direct 904.825.1615 | Fax 904.825.4070 | eaverysmith@rtlaw.com | www.rtlaw.com

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Thank you.