



## PLANNING COMMISSION MINUTES

October 6, 2020

7:00 PM

Administration Building,  
4th Floor, BCC Meeting Room, 477 Houston Street,  
Green Cove Springs, FL 32043

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Pledge of Allegiance

Pledge of Allegiance lead by Commissioner Mary Bridgman.

Call to Order

### **Present:**

Commissioner Michael Bourré, Chairman  
Commissioner Ralph Puckhaber, Vice Chairman  
Commissioner Joe Anzalone  
Commissioner Pete Davis  
Commissioner Bill Garrison  
Commissioner Bo Norton  
Commissioner Mary Bridgman  
James Fossa, CCSB

### **Staff Present:**

Chad Williams, Chief of Zoning  
Chereese Stewart, Director of Economic & Development Services  
Ed Lehman, Director of Planning  
Carolyn Morgan, Chief Planner  
John Ward, Director of Emergency Management  
Kellie Collins, Secretary

### 1. **Approval of Minutes**

Planning Commission Minutes for September 1, 2020.

After discussion, Commissioner Ralph Puckhaber moved, seconded by Commissioner Mary Bridgman, and Carried 7 - 0, Approval of Minutes for September 1, 2020..

Commissioner Garrison added comment that Mr. Fossa's name was spelled incorrectly.

### **Public Comment**

Chairman Michael Bourré opened public comment at 7:03 p.m.  
James Otto 2904 - 2910 Blanding Blvd Middleburg FL 32068 addressed the

committee with concerns regarding children being hit at bus stops and that schools should only be at 50 percent capacity, as well as, funding that should go to schools and service members.

Chairman Bourré closed public comment at 7:06 p.m.

### **Public Hearings**

1. Public Hearing to consider CPA 2020-08 to amend 0.46 acres on Suzanne Drive from Urban Core to Commercial

Public hearing to consider CPA 2020-08, amend from Urban Core to Commercial at 145 Suzanne Avenue.

Carolyn Morgan, Chief Planner presented CPA 2020-08 to the committee to amend 0.459 acres on Suzanne Drive from Urban Core to Commercial land use. Staff has reviewed the application and recommends approval of the proposed amendment.

Commissioner Joe Anzalone had questions regarding the previous request for land use change in that area, Commissioner Ralph Puckhaber gave clarification on the previous request that was made for the area and if it will have any impact on this project.

Commissioner Pete Davis questioned if there would be safety issues with the traffic on Blanding Blvd.

Rob Bradley, Bradley, Garrison and Komando, P.A. 129 Kingsley Avenue, Suite 118, Orange Park, FL 32073, addressed the Committee on behalf of Sam Garrison, who is the listed agent. Mr. Bradley explained that the use for the property is unknown at this time and they are seeking only a change in land use. Usage will be determined at a later date. North and West of the property are already commercial land use.

Further discussion by the Commission regarding surrounding land use and parts of this property being commercial currently.

Chairman Bourré opened public comment at 7:15 p.m.

James Otto, landmain1@gmail.com, asked about road trips, and requested to get a map for clarification of land size and concerns of traffic.

Steve VanLeeuwen, 593 William Ellery, Heritage Hills Subdivision, concerns regarding traffic and use of property, as well as, fixing the traffic signals in the area.

Chairman Bourré closed public comment 7:22 p.m.

Commissioner Ralph Puckhaber, as well as Commissioner Anzalone had closing comments about property next to the project that is between Suzanne and Blanding and there is only one way in off Suzanne. The parcel is not very big and there will be challenges, however, having the zoning changed to commercial should not present a huge problem with traffic.

After discussion, Commissioner Ralph Puckhaber made a motion to approve amendment CPA 2020-09. Commissioner Joe Anzalone seconded the motion which carried 7-0 for approval.

2. Public Hearing to consider CPA 2020-09 to change 21 acres from Rural Residential to Rural Fringe

Public Hearing to consider a large scale amendment, CPA 2020-09 amending from Rural Residential to Rural Fringe on 21 acre site located at CR 315 and Jeremy's Drive, tax parcel 020992-009-00.

Carolyn Morgan, Chief Planner, presented amendment to CPA 2020-09 amending from Rural Residential to Rural Fringe on 21 acre site located at CR 315 and Jeremy's Drive, tax parcel 020992-009-00. Staff recommends approval of the amendment.

Chairman Bourré opened the discussion to the staff.

Chairman Bourré questioned the access to the sight.

Commissioner Puckhaber posed questions about the future road structure and the realignment of the 315 site.

Commissioner Garrison pointed out a better depiction of the road design attached to the document presented to the board.

Commissioner Joe Anzalone posed questions about the lot size East of Jeremy Drive and how the future lay out would be.

Commissioner Davis posed a question about whether the road is public or private and how the access to the property is currently set up.

James Fossa from CCSB stated a correction to a typo in the agenda as to the ratio of student generation multiplier being 21 and not 53.

Commissioner Bo Norton asked questions about future road widening of 315 where the site is located.

Ed Lehman Director of Planning and Zoning, addressed the committee and clarified plans for the road widening project that are coming as part of the Mobility Plan.

Applicant invited to speak, but was not in attendance.

Ed Lehman addressed the committee about his concern for the Applicant not being present and asked if they would like to defer the decision to next month until the applicant could be present for questions.

Chairman Bourré opened the public comment at 7:35 p.m.

Russell Ost, President of the Jeremys Glen Subdivision HOA- 3120 Michelle Court Green Cove Springs, FL 32043 addressed staff with concerns for change regarding buffers and value of land based on what the use of the site would be for and the impact

it will have on the current land owners and the wildlife that live in the area. He addressed the committee in saying the homeowners of Jeremy's Glen maintain the current buffer and area around the Subdivision.

Commissioner Puckhaber asked question to Mr. Osts as to the ownership of the strip of land to the north that is just south of the Subdivision Jeremy's Glen, clarification given by Russel Ost that it is a 50 ft. buffer already set in the area.

Commissioner Joe Anzalone asked if property will be part of HOA for Jeremys Glen, clarification was given that it would not be joined with the current HOA at this time.

James Otto 2904-2910 Blanding Blvd. Middleburg, FL addressed the committee as to having a moratorium until the new board comes on. Concerns as to congestion of the traffic in the area of the site.

Chairman Bourré closed public hearing 7:41 p.m.

Commissioner Ralph Puckhaber posed question as notification of the new site not being forwarded to the current residents in the area. Carolyn Morgan gave clarification the such notification for land use change is not sent out.

Commissioner Joe Anzalone motioned for the continuance of the matter be moved to the November 5th meeting so that the current HOA and the Applicant be present for further discussion, questions and concerns.

Commissioner Ralph Puckhaber and Joe Anzalone agreed there needs to be more clarification discussed between the current HOA and the Applicant.

Commissioner Ralph Puckhaber seconded the motion which carried 7-0 for approval of continuance.

3. Public Hearing to consider LDC 2020-03 BF Rural Neighborhood Center  
Public Hearing to consider LDC 2020-03, to amend Branran Field Rural Neighborhood Center in order to amend the uses permitted, site design, sign requirements and the developable area.

Carolyn Morgan, Chief Planner, presented with a Power Point to the committee for the LDC 2020-03 to amend Branran Field Rural Neighborhood Center in order to amend the uses permitted, site design, sign requirements and the developable area.

Chairman Bourré opened the discussion to the staff.  
No discussion from staff at this time.

Chairman Bourré invited the applicant to speak.  
Agent Frank Miller, Gunster 225 Waters Street, Suite 1750 Jacksonville FL spoke on behalf of the applicant, Heptynes, LLC, and addressed the committee about LDR changes needing to be consistent with the comprehensive plan.

Commissioner Ralph Puckhaber posed concerns as to the plan being a shopping center instead of a neighborhood center and the development being 7 acres. Agent Miller gave clarification of the plan being addressed in the comprehensive plan and no need for it to be in the land development plan.

Chairman Bourré opened public hearing at 7:52 p.m.

James Otto- 2904-2910 Blanding Blvd Middleburg FL 32068- addressed the committee about traffic concerns. Also asked about a map of the area, as well as, the possibility for boat storage in this area like the one recently added on 218.

Chairman Bourré Closed public hearing at 7:55 p.m.

Chairman Bourré opened for discussion to the committee after the applicant spoke. Commissioner Ralph Puckhaber questioned how to limit the acreage size in the comprehensive plan to just 7 acres out of the 10 acres. Carolyn Morgan gave clarification as to the process that would have to be changed in order to limit the acreage.

Agent Frank Miller gave an explanation for change of the code for limitation of usage.

Commissioner Joe Anzalone gave points on discuss for allocation of parking and the fact that the project could serve the neighborhood well.

Commissioner Bill Garrison motioned to approve the change, motion seconded by Pete Davis. Carried 7-0 for approval.

4. Public Hearing To Consider Adding Horse Hotels As A Conditional Use Within The AG, AR And AR-1 Zoning Districts

Chad Williams presented to committee for consideration of adding a Horse Hotel as a conditional use with the AG, AR and AR-1 Zoning District. Staff recommends approval.

Chairman Bourré posed discussion about the limits of the intent for usage. Mr. Williams gave clarification of limitations if approved.

Chairman Bourré opened for Staff questions. Commissioner Joe Anzalone asked what prevents a property owner to proceed without making the changes. Mr. Williams gave an answer to which the property owner would be in violation. Mr. Anzalone had a follow up question, Is permitting for septic issues required? Mr. Williams clarified that the property owner would be responsible for an environmental permits if needed. Commissioner Puckhaber made a comment regarding the zoning difference between AR-1 and AR-2.

Chairman Bourré opened public hearing 8:06 p.m.

James Otto 2904 - 2910 Blanding Blvd Middleburg FL 32068 addressed committee regarding polo gaming. Thoroughbreds that are in the Villages. Growth becoming to much in Clay County.

Chairman Bourre' closed public comment 8:09 p.m.

Chairman Bourré brought back to Staff for discussion. No further discussion.

Commissioner Joe Anzalone made a motion to approve and seconded by Ralph Puckhaber which carried 7-0 for approval.

5. Public Hearing to Consider DRI Amendment 2020-03 to Amend Crossings at Fleming Island DRI Development Order

The applicant proposes to amend the Crossings D.O. to allow for conversion of the existing movie theater to other uses.

Ed Lehman Director of Planning and Development presented to the committee to consider DRI Amendment 2020-03 to Amend Crossings at the Fleming Island DRI Development Order.

Chairman Bourré opened for staff questions. No questions were presented.

Chairman Bourré Invited the applicant up to address the committee.

Susan Frasier SLF Consulting, 3517 Park Street, Jacksonville, FL representing Town Center Theatre, to address the committee on the proposed changes to the business. John O'Connor 1590 Allen Lane, Suite 28 Fleming Island, FL 32003, addressed the committee with explanation of amendment request and the hardships he has endured in trying to keep the theatre business going since Covid-19.

Chairman Bourré opened up Public Comment 8:19 p.m.

Ed Lehman reminded the Chairman that he had email letters from Jake Fuchs and Darby Palmer opposing the changes.

Chairman Bourré advised that he would address those letters, but first wanted to address the public that was present for comments.

Don Dice from the Fleming Island Advisory Committee, informed the board that the committee already voted on and agreed to the proposed amendments.

James Otto- 2904-2910 Blanding Blvd. addressed the board as to Florida being a squatters state, wanted to know how much CARES act funding John O'Connor and others have received. Has concerns about the CARES act money not being given to the correct citizens that need it. Concerns on growth in the county.

Chairman Bourré closed public comments 8:23 p.m.

Chairman Bourré brought the agenda item back to the commission for discussion and then he realized that he needed to read the two correspondence sent in from Darby Palmer, 2663 Country Side Drive Fleming Island, FL., requesting to consider not taking away the movie theatre. Jake Fuchs, 1925 Salt Creek Drive, Fleming Island, FL. also requested not to close the theater. (read to staff)

Chairman Bourré continued with discussion from the committee.

Commissioner Joe Anzalone gave comment regarding the theatre business taking a huge hit and what a great impact it has had on the county.

Commissioner Pete Davis gave comment regarding how hard Mr. John O'Connor

worked to get where he is with the theater, also wanted the committee to know that Don Dice is the new chair of the Advisory Committee.

Commissioner Joe Anzalone also gave comments as to how the online companies like Netflix, Hulu and others are also taking away from business for theaters and how he can understand the dilemma that Mr. O'Connor is in.

Commissioner Pete Davis gave additional comments as to how Mr. O'Connor is going to try and keep the theatre if possible but he also understands that at this point the needs to be able to make a profit to be able to continue to keep the business going.

Staff had more questions so Chairmen Bourré asked Mr. John O'Connor to come back up and address the questions posed by the committee, which he did.

Commissioner Ralph Puckhaber gave comment to staff as to Mr. John O'Connor's reputation with the committee and the community.

Commissioner Joe Anzalone motioned, seconded by Commissioner Ralph Puckhaber, motion carries 7-0 for approval.

6. Public Hearing to Consider Rezoning PUD-20-03; Rezoning from PUD to PUD

The applicant is proposing to modify the PUD for the movie theater parcel in Crossings DRI.

Ed Lehman, Planning and Development presented to the committee the proposal to modify the PUD for the movie theater parcel Crossing DRI. Rezoning PUD-20-03; PUD to PUD.

Staff recommendation is to approve the modification.

Chairman Bourré opened for questions from staff. No questions from staff at this time.

Chairman Bourré invited the applicant to speak.

Suzanne Frasier, SLF Consulting, gave clarification for the listed usages that is currently allowed on all Fleming Island properties, and the request for use was based on the scale of the building. All proposed new uses must remain as indoors.

Chairman Bourré opened for public hearing at 8:39 p.m.

James Otto, 2904-2910 Blanding Blvd. posed concerns about internet usage and no interaction and how the movie industry has devastated California, as well as, funds given to businesses.

Chairman Bourré' closed public hearing 8:42 p.m.

Chairman Bourré opened for further discussion to staff. No further discussion.

Commissioner Puckhaber moved a motion to approve staff report. Commissioner Bridgman seconded the motion and carried 7-0 for approval.

7. Public Hearing to Consider Comprehensive Plan Policy Amendments to Incorporate the Mobility Fee

Staff is proposing amendment to Transportation Element policies and Capital

Improvement Element policies to incorporate the mobility fee

Ed Lehman, Director of Planning and Development, presented to committee the Comprehensive Plan Policy Amendments to Incorporate the Mobility Fee.

Staff is proposing amendment to Transportation Element Policies and Capital Improvement Element Policies to incorporate the mobility fee.

Chairman Bourré opened to staff for discussion.

Chairman Bourré gave clarification about approval. The Committee is simply to approve the text amendments to the comprehensive plan and not anything regarding the mobility fee. He also asked if there is a time certain or a cap on the fees, for instance can the new board come in and change the fee amounts.

Ed Lehman instructed Chairman Bourré that yes, the new board could make changes however, it wouldn't be recommended to do without the current study that has previously been paid for to be completed. The Comprehensive plan does have to be updated every 3-4 years.

Ralph Puckhaber posed a question about collecting fees in the districts and if funds will be spent in the area where fees are collected. Ed Lehman gave clarification, that yes the funds would be spent in the district where it is collected for projects needed in those districts.

Commissioner Bill Garrison posed a question about when the study will be done in future, if it is a legislative requirement. Ed Lehman explained that it would be something that is required and will be built into the Ordinance.

Commissioner Ralph Puckhaber asked questions regarding whether the total of fees collected will be the same amount as the impact fees that were previously collected and if it is sufficient. Ed Lehman explained that it is a "needs" plan and should be sufficient to complete the planned projects.

Commissioner Bo Norton posed a question about manufacturing rates, how do they compare to surrounding counties? Ed Lehman explained that they are competitive with the areas in question.

Chairman Bourré posed questions about calculation and if DOT state roads will be included in mobility fee and if funds can be used for bonded projects. Ed Lehman explained that state roads will be included in the mobility fee calculation. And no prevention for the funds being used for bonded projects. There were no further question from the staff.

Chairman Bourré opened for Public hearing 9:04 p.m.

James Otto 2904 - 2910 Blanding Blvd Middleburg, FL 32068 addressed committee requesting getting a road list. Move decisions until new board members have taken their seat. Chairman Bourré closed public hearing 9:07 p.m.



Commissioner Puckhaber motion to approve, Commissioner Joe Anzalone seconded the motion, which carried 7-0 for approval.

Committee asked if staff/county will be available for discussion with the stake holders. Mr. Lehman gave confirmation that they will be available to discuss with stake holders any questions they may have.

Commissioner Joe Anzalone posed questions about when the fee will be incorporated and replacing impact fee with mobility fee. Mr. Lehman gave clarification that the mobility fee "IS" replacing the current impact fee with the new mobility fee and it will be implemented in February 2021, if all goes as planned. Commissioner Mary Bridgman posed questions for best practices, policy shift for mobility fee from impact fee and what percentage of counties have made this change. Mr. Lehman stated no other counties in this region have a mobility fee. Surrounding areas as Tampa Bay, Hillsborough County, Pasco County, Broward County and Dade County do have a mobility fee. Rural counties do not because they generally do not have mobility. Commissioner Puckhaber gave explanation to the committee that the county has been discussing a mobility fee for roughly 10 years. There was no further discussion.

### **Old Business/New Business**

Chairman Bourré reminded staff that due to the election, the next meeting for Planning and Commission is Thursday, November 5, 2020.

Chairman Bourré opened up discussion for any old or new business. There were no items to cover at this time.

### **Public Comment**

Chairman Bourré opened for final public comment 9:15 p.m.

James Otto 2904-2910 Blanding Blvd. Middleburg FL 32068, had concerns about not taking call ins for meetings. BCC impact fees being imposed. And also, about being removed from the BCC meeting previously.

Chairman Bourré closed public comment 9:18 p.m.

Adjournment

Chairman Bourré thanked everyone for being in attendance and meeting adjourned 9:19 p.m.

Attest:

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Committee Chairman

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Recording Secretary