

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY FLORIDA, PURSUANT TO ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, KNOWN AS THE ZONING AND LAND USE LDRs ADOPTED PURSUANT TO ORDINANCE 93-16, AS AMENDED, PROVIDING FOR THE REZONING OF TWO PARCELS (TAX PARCEL IDENTIFICATION NUMBERS 28-04-25-008040-004-00 AND 28-04-25-008040-001-00) COMPRISING 23.74 ACRES, FROM AR (AGRICULTURAL/RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

Be It Ordained by the Board of County Commissioners of Clay County:

Section 1. Application PUD-2022-11, submitted by property owners William Larry Carter and YL21, LLC, seeks to rezone two parcels of real property (tax parcel identification numbers 28-04-25-008040-004-00 and 28-04-25-008040-001-00) (the Property) described as follows:

See attached Exhibit "A"

Section 2. The Board of County Commissioners approves the rezoning request. The present zoning classification of the Property, AR (Agricultural/Residential District), is changed to PUD (Planned Unit Development), subject to the conditions outlined in the Written Statement, attached as Exhibit "B", and as set forth in the site plan attached as Exhibit "C".

Section 3. Nothing herein contained shall be deemed to impose conditions, limitations or requirements not applicable to all other land in the zoning district wherein said lands are located.

Section 4. The Building Department is authorized to issue construction permits allowed by zoning classification as rezoned hereby.

Section 5. This Ordinance shall become effective upon the Ordinance adopting the comprehensive plan amendment requested in Application CPA 2022-19 becoming effective.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of January, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chairman

ATTEST:

By: _____
Tara S. Green,
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Exhibit "A"

LEGAL DESCRIPTION #1 (TITLE COMMITMENT # FL252202155JC/DC2200544):

A PARCEL OF LAND SITUATE IN THE S.E. 1/4 OF N.E. 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE N.E. CORNER OF S.E. 1/4 OF N.E. 1/4 OF SAID SECTION 28; THENCE ON THE N. LINE THEREOF RUN S. 89°59' W., 217.0 FEET; THENCE S. 21°39'49"W., 250.34 FEET; THENCE N. 62°06'45" W., 398.96 FEET; THENCE N. 00°07'40" W., 46.00 FEET TO THE N. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE S. 89°59' W, 662.19 FEET TO THE W. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE S. 00°08'30" E., 1340.76 FEET TO THE S. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE N. 89°49' E., 455.53 FEET TO THE NORTHWESTERLY LINE OF STATE ROAD NO. 21; THENCE ON LAST SAID LINE N. 55°12' E., 1055.83 FEET TO THE E. LINE OF SAID S.E. 1/4 OF N.E. 1/4; THENCE ON LAST SAID LINE N. 00°07' W., 737.03 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 508, PAGE 205, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 639, PAGE 533, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 639, PAGE 534, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 769, PAGE 702, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1101, PAGE 590, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1531, PAGE 1042, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA. (PARCEL NUMBER 104)
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1675, PAGE 31, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 1784, PAGE 4, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 3057, PAGE 1482, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA. (PARCEL NUMBER 102)
- THE LANDS SET FORTH AND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 3733, PAGE 328, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.
- ANY LAND LYING WEST OF BEAR RUN BOULEVARD.

TOGETHER WITH:

LEGAL DESCRIPTION #2 (TITLE COMMITMENT # FL252209143JC/DC2202399):

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE SOUTH 01 DEGREES 07 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 28, 1336.85 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 217.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 39 MINUTES 49 SECONDS WEST, ALONG THE NORTHERLY LINE OF THE LANDS CONVEYED IN OFFICIAL RECORD BOOK 244, PAGE 424, OF THE PUBLIC RECORDS OF SAID CLAY COUNTY, FLORIDA, 250.34 FEET; THENCE NORTH 62 DEGREES 06 MINUTES 45 SECONDS WEST, ALONG THE SAID NORTHERLY LINE, 398.96 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 40 SECONDS WEST ALONG SAID NORTHERLY LINE AND THE NORTHERLY PROLONGATION THEREOF 76.04 FEET; THENCE NORTH 78 DEGREES 44 MINUTES 23 SECONDS EAST, 264.70 FEET; THENCE SOUTH 80 DEGREES 22 MINUTES 00 SECONDS EAST, 207.23 FEET; THENCE SOUTH 21 DEGREES 39 MINUTES 49 SECONDS WEST, 50.66 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING IN AND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 28, 1336.85 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28, 217.00 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 21 DEGREES, 39 MINUTES 49 SECONDS EAST, 32.28 FEET; THENCE NORTH 89 DEGREES, 59 MINUTES, 00 SECONDS EAST, 190.02 FEET TO THE WEST RIGHT OF WAY LINE OF OAK DRIVE (A 40.0 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 00 DEGREES 07 MINUTES 00 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE 30.03

FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, ALONG SAID NORTH LINE, 202.00 FEET TO THE POINT OF BEGINNING

EXHIBIT B

WRITTEN DESCRIPTION

For

Republic Multi-Family PUD

November 1, 2022, as revised January 6, 2023

I. PROJECT DESCRIPTION

A. This application seeks the approval of a proposed multi-family development north of Blanding Boulevard between Oak Lane and Bear Run Boulevard. The site is directly north of a commercial strip mall and ±0.5 miles from Ridgeview High School in Clay County, Florida. The subject parcels (PINs: 28-04-25-008040-001-00 and 28-04-25-008040-004-00) total approximately 23.75 acres located at 0 Oak Drive and 0 Fountain Drive in Orange Park, Florida. The parcels are currently vacant, except for a barn on the northern parcel.

The proposed project includes 270 multi-family residential units with a companion land use amendment for a proposed maximum density of 16 units per net acre. Other site improvements include ingress/egress on Oak Lane, 2.77 acres of wetland preservation, project recreation and amenity space which may include a clubhouse, pool, dog walk area, interconnected sidewalk, stormwater ponds, recreation space (connected sidewalks), and open space, as defined in the LDC. The proposed development would provide market-rate multi-family housing in a compatible location that has single-family development to the north (Bear Run Subdivision) and east (Tanglewood Village and Ridgewood Subdivisions), and commercial development to the south, immediate east, and immediate north of the parcels (Poochie’s Dog Park) and government uses southwest of the parcels.

In addition to the requested rezoning from Agriculture/Residential (AR) to PUD, this project includes a companion land use amendment from Urban Core (UC-10) to Urban Core (UC-16).

Project Team

Owner	Engineer	Planning & Traffic
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Republic Properties Corporation 1201 Maryland Avenue, SW, #850 Washington, DC 20024	Skiles Engineering, LLC 217 County Club Park, #306 Birmingham, AL 35213	Kimley-Horn & Associates, Inc. 12740 Gran Bay Pkwy W, Ste 2350 Jacksonville, FL 32258
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- A. Current Zoning District: Agriculture/Residential District (AR)
- B. Requested Zoning District: Planned Unit Development (PUD)
- C. Current Land Use Category: Urban Core-10 (UC-10)

- D. Requested Land Use Category: Urban Core (UC-16)
- E. Parcel Identification Numbers (PINs): 28-04-25-008040-001-00, 28-04-25-008040-004-00

II. QUANTITATIVE DATA

- A. Total Acreage: ±23.75
- B. Total number of proposed dwelling units: 270 units
- C. Max Density Allowed in UC-16: 16 units per net acre
(Net acreage = gross acreage minus preserved wetlands)
- D. Required open space: 10% of gross acreage
- E. Required recreation space: 4% of the 10% open space
- F. Total amount of land coverage of all buildings and structures: ±2.63 Acres
- G. Phase schedule of construction (include initiation dates and completion dates):
Notwithstanding the time limitations in Section 3-33 of the LDC, construction will commence within five (5) years and be completed within ten (10) years of the approval of this PUD

III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code?

The Proposed PUD provides for flexibility in site design that could otherwise not be accomplished through conventional zoning. The proposed PUD differs from the usual application of the Zoning Code in that it binds the Applicant and successors to the PUD Written Description and Site Plan.

- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the County.

All facilities on this site will be privately owned, operated and managed.

IV. USES AND RESTRICTIONS

- A. Permitted Uses:

All permitted uses and conditional uses shall be consistent with Article III Section 3-19 of the Clay County Land Development Code Multi-Family Residential Zoning District (RD) or as otherwise provided in this PUD.

1. Single-family attached or detached dwellings, multiple-family dwellings, dormitories, rooming houses, and accessory buildings incidental thereto, subject to the following:
 - a. On lots of more than one acre:
 - i. No accessory structure shall exceed the height of the primary structure; and,
 - ii. All other lot requirements must be met as established within this Article.
 2. No accessory structure or use may be constructed or established on any lot prior to the issuance of a building permit for the principal structure. Accessory structures are prohibited within the side and front yards.
 3. Satellite dish receivers to serve the development in which located.
 4. On-premises consumption of alcoholic beverages within recreation- and clubhouse type facilities developed as part of a unified plan of development and only for use by the residents and their guests and licensed under Chapter 11-C of the Florida Division of Alcoholic Beverage and Tobacco.
 5. Recreational facilities and areas, which may include a swimming pool (subject to LDC Section 3-5(bp)), dog park (not subject to LDC Section 3-5(u)), clubhouse and other similar-uses.
 6. Washing facilities for use by residents.
 7. Storage of travel trailers, recreational vehicles and boats provided such units are stored in a separate area, landscaped, and maintained. Storage of these units shall not be permitted on individual lots.
 8. Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The duration of each garage sale shall be a maximum of 72 hours and may be conducted only within daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.
 9. Community mailboxes
- B. Conditional Uses. The following uses are permitted subject to the conditions provided in Sec. 20.3-5.
1. Home occupations.
 2. Public and private water and sewer facilities.
 3. Temporary buildings or structures.
 4. Portable Storage Structures.

C. Permitted Accessory Uses and Structures:

Permitted accessory uses and structures shall be consistent with Article III Section 3.19 of the Clay County Land Development Code.

V. DESIGN GUIDELINES

A. Lot Requirements:

1. Minimum width and area.

- a. Width—60 feet.
 - b. Area—10,000 square feet.
 - 2. Maximum lot coverage by all buildings and structures.
 - a. 30%
 - 3. Minimum yard requirements (as measured from the overall property boundary)
 - a. Front (East along Oak Ln.)—20 feet
 - b. Side (North) —20 feet
 - c. Side (South) —20 feet
 - d. Rear (West along Bear Run)—25 feet
 - 4. Maximum height of structures
 - a. 45 feet
 - 5. Minimum Distance between buildings
 - a. Front/Front—60 ft.
 - b. Front/Side—40 ft.
 - c. Front/Rear—60 ft.
 - d. Rear/Rear—40 ft.
 - e. Rear/Side—30 ft.
 - f. Side: Side—20 ft.
- B. Ingress, Egress and Circulation:

1. Parking Requirements.

The vehicle parking requirement shall be consistent with the current Clay County Land Development Code requirements of 1.5 spaces per 1 bedroom Unit and 2 spaces per 2 or 3 bedroom Unit.

2. Vehicular Access.

- a. The project shall provide vehicular access to the Property from Oak Lane as conceptually shown on the site plan. A potential secondary emergency vehicle access may also be provided as conceptually shown on the site plan. In the event the developer acquires property adjacent to Bear Run Boulevard and the property meets the County’s access management standards, the developer may obtain an additional secondary access in the future from Bear Run Boulevard. This future access location shall be reviewed and approved through an administrative modification by the Clay County Planning and Development Department.

3. Pedestrian Access.

Pedestrian access shall be provided by sidewalks installed throughout the development and connected to Oak Lane.

C. Signs:

All signs will comply with Article VII of the Clay County Land Development Code (LDC).

D. Landscaping:

Landscaping, buffers, and screening shall be consistent with LDC perimeter buffer requirements as currently stated in Article VI Section 6-8 and Article III, Sec 3.33.(j).

E. Recreation and Open Space:

The Property shall be developed in accordance with Clay County 2040 Comprehensive Plan Recreation and Open Space Element (Exhibit I) and Article III, Sec 3.33.(d.2.iii.) of the current Clay County Land Development Code (Planned Unit Developments (PUD) Zoning).

LDC Article III, Sec 3.33(d.2.iii): Recreation space must be equal to or greater than 10 percent of the gross acreage. Of this 10 percent, 4 percent must be for usable recreation purposes as defined by the growth management plan and shown on the conceptual site plan.

F. Utilities:

Water, Sanitary Sewer and Electric will all be provided by the Clay County Utility Authority (CCUA).

G. Wetlands:

The proposed development includes approximately 2.77 acres of wetland preservation with approximately 4.32 acres of impacted wetlands.

H. Stormwater:

The project will follow the requirements of the St Johns River Water Management District's permitting process and requirements set forth during the permitting process.

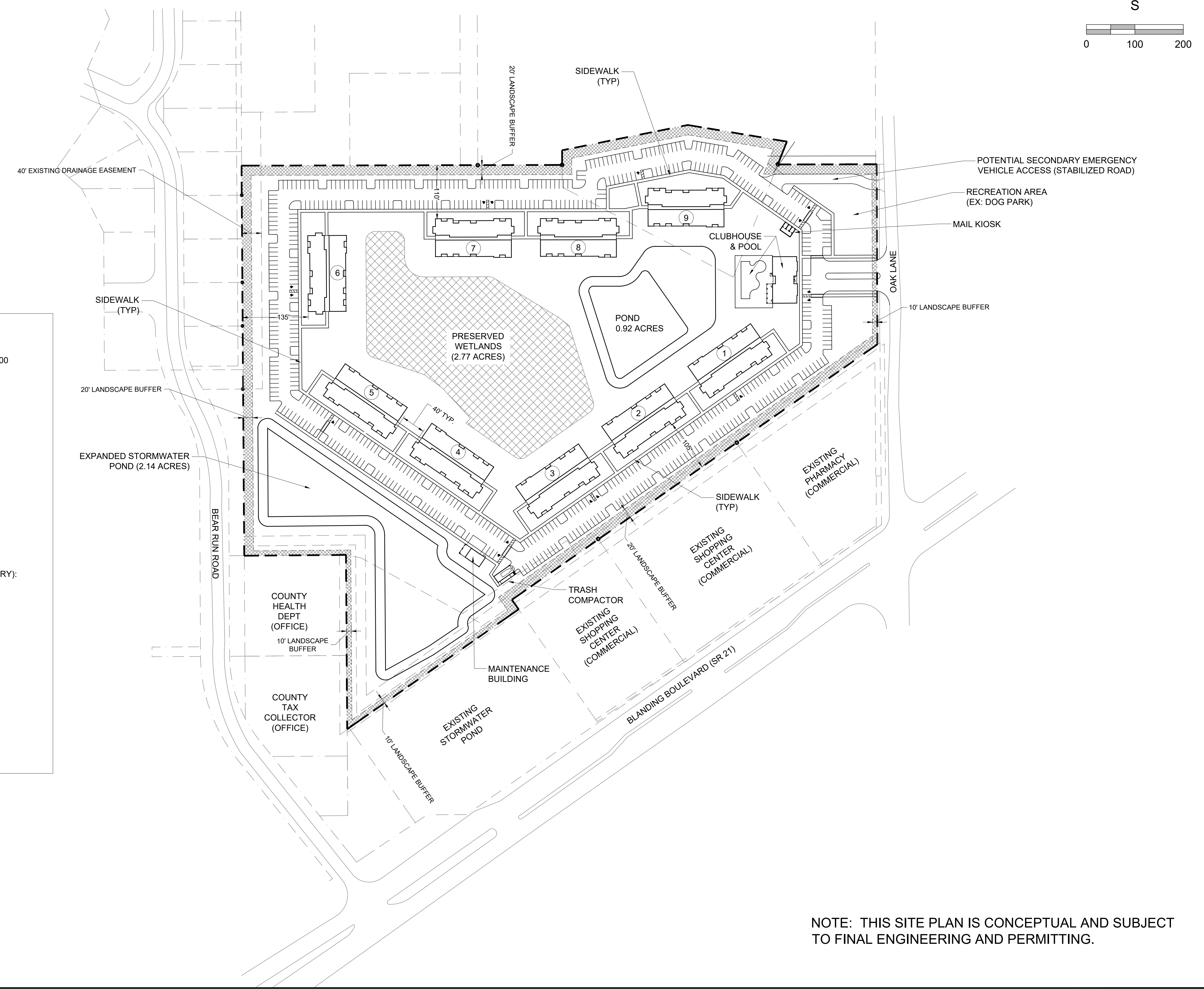
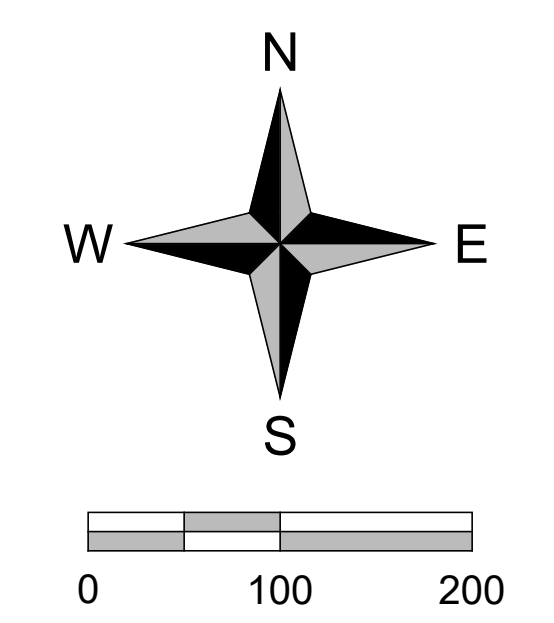
VI. TRAFFIC IMPACT ANALYSIS

Based on the Trip Generation, 11th Edition, published by the Institute of Transportation Engineers, the proposed 270 apartment units are anticipated to generate 1,806 Daily trips, 107 AM peak hour trips (26 inbound trips, 81 outbound trips), and 137 PM peak hour trips (86 inbound trips, 51 outbound trips). Based on the FDOT 2020 Quality / Level of Service Handbook, Oak Lane's two-way peak hour level of service D capacity would be approximately 1,200 vehicles per hour (Class II, 2 lanes undivided, non-state roadway adjustment). A turning movement count at the Blanding Boulevard / Oak Lane / Knight Boxx Road intersection was conducted on Tuesday, August 16, 2022 from 4:00 PM to 6:00 PM. Based on the turning movement count, the highest existing two-way hourly volume counted on Oak Lane between 4:00 PM and 6:00 PM was 249 vehicles per hour. Therefore, Oak Lane currently operates at approximately 21 percent of its level of service D capacity ($249/1200 = 21\%$). With the addition of the project traffic (137 PM peak hour trips), the projected two-way PM peak hour volume on Oak Lane would be 386 vehicles per hour, which would occupy approximately 32 percent of Oak Lane's level of service D capacity.

VII. DEVELOPMENT PLAN APPROVAL

The development plan approval process of this project will be consistent with the Clay County LDC Section 2-9 Planned Development Review Process.

Exhibit "C"



SITE DEVELOPMENT SUMMARY:

ADDRESS: 0 OAK LANE & 0 FOUNTAIN DRIVE

PARCEL NUMBER: 28-04-25-008040-001-00 & 28-04-25-008040-004-00

TOTAL SITE AREA = 23.74 ACRES

NO. OF RESIDENTIAL BUILDINGS = 9

270 MULTI-FAMILY UNITS

EXISTING ZONING = AR
PROPOSED ZONING = PUD
EXISTING FLUM = UC-10
PROPOSED FLUM = UC-16 (16 UNITS/ACRE)

ADJACENT USE:
NORTH = COM & SF
EAST = COM
SOUTH = COM
WEST = GOVERNMENT & SF

MAXIMUM BUILDING HEIGHT = 45 FEET

SETBACKS (AS MEASURED FROM THE OVERALL PROPERTY BOUNDARY):
FRONT (EAST ALONG OAK LANE) = 20 FT
SIDE (NORTH) = 20 FT
SIDE (SOUTH) = 20 FT
REAR (WEST ALONG BEAR RUN ROAD) = 25 FT

PARKING TO BE PROVIDED PER STANDARD CODE

OPEN SPACE = MINIMUM 10%
STORMWATER POND = ±3.06 ACRES (13%)
ACTIVE RECREATION = ±1.15 ACRES (5%)
WETLANDS PRESERVED = ±2.77 ACRES (12%)
WETLANDS IMPACTED = ±4.32 ACRES (18%)
BUILDING COVERAGE = ±2.63 ACRES (11%)

LANDSCAPE BUFFERS
SINGLE FAMILY RESIDENTIAL = 20 FT.
COMMERCIAL = 20 FT.
OFFICE = 10 FT.
PUBLIC R.O.W. = 10 FT.

Republic Multifamily PUD
Clay County, Florida

ISSUE/DESCRIPTION	DATE
Application	11/01/2022
Update	12/15/2022

NOTE: THIS SITE PLAN IS CONCEPTUAL AND SUBJECT TO FINAL ENGINEERING AND PERMITTING.

Overall Site Plan