



1 **Staff Report and Recommendations for PCD 2022-12**

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3 **Copies of the application are available at the Clay County**
4 **Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043**

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6 **Owner / Applicant Information:**

| | |
|---|---|
| Owner: John Fagan | Address: 1301 Riverplace Blvd., Suite 1500 |
| Agent: Mark Scruby (Rogers Towers, PA) | Jacksonville, FL 32207 |
| Phone: 904-708-8292 | |
| Email: mscruby@rtlaw.com | |

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8 **Property Information**

| | |
|---|---|
| Parcel ID: 32-05-26-021092-000-00 | Address: 3385 CR 315 Green Cove Springs, FL 32043 |
| Current Land Use: RF (Rural Fringe) | Current Zoning: AR (Agricultural Residential) |
| Proposed Land Use: COMM (Commercial) | Acres: 6.266 +/- acres |
| | Acres affected by FLU change: 6.266 acres |
| Commission District: 5, Comm. Burke | Planning District: Green Cove Springs |

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10 **Introduction:**

11 This application is a Rezoning of a single parcel from AR (Agricultural Residential District) to PCD
12 (Planned Commercial Development).

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14 The subject parcel is located on the east and south sides of CR 315 at the intersection with Fuzzy Lane.
15 There is an existing single family home on the parcel with a former cattle pond on the east side of the parcel.

16

17 The applicant desires to construct an RV and Boat Storage business on this site.

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19 A related Comprehensive Plan Amendment is associated with this application which would change the
20 Future Land Use designation from RF (Rural Fringe) to COMM (Commercial).

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Figure 1 – Location Map

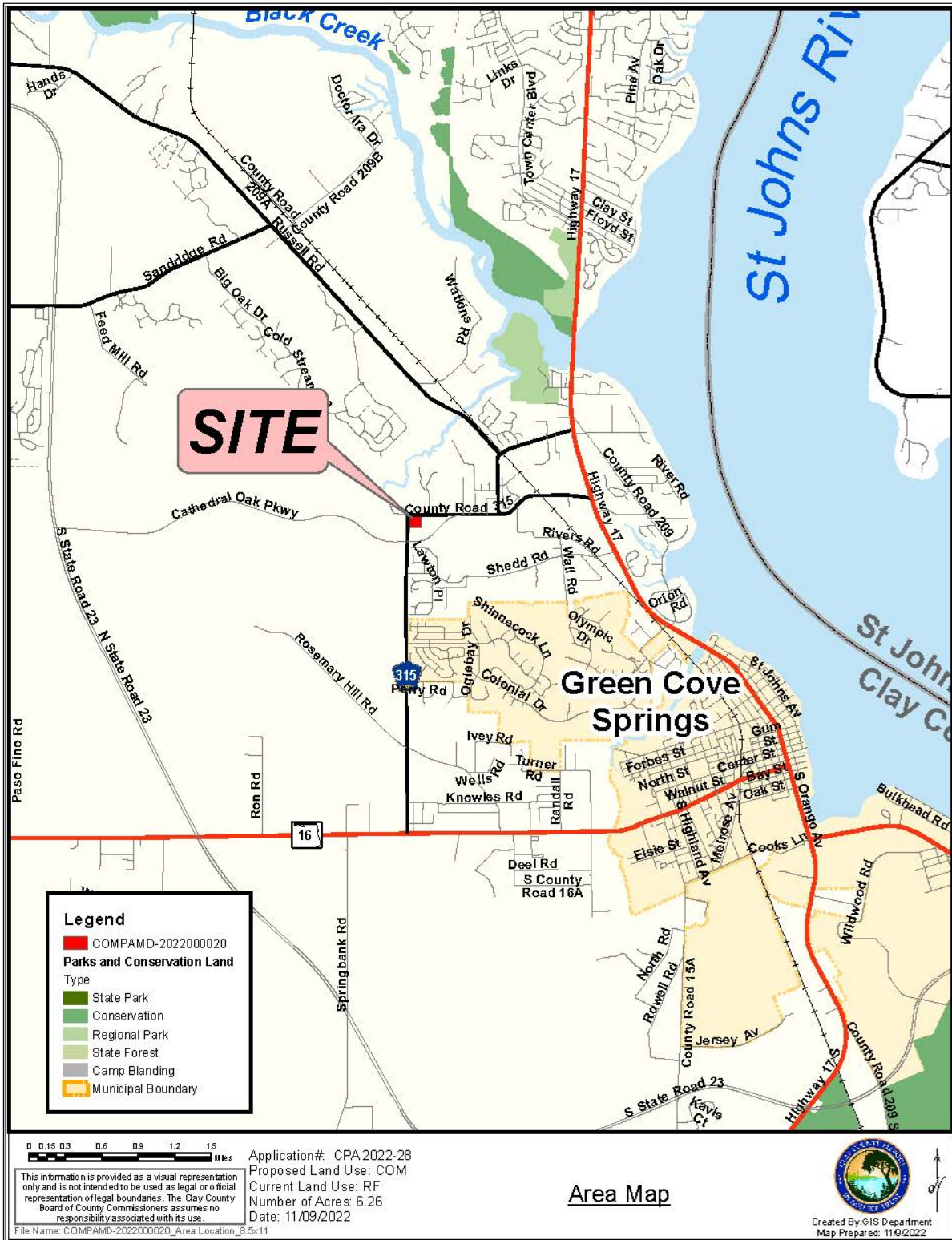


Figure 2 – Parcel Map

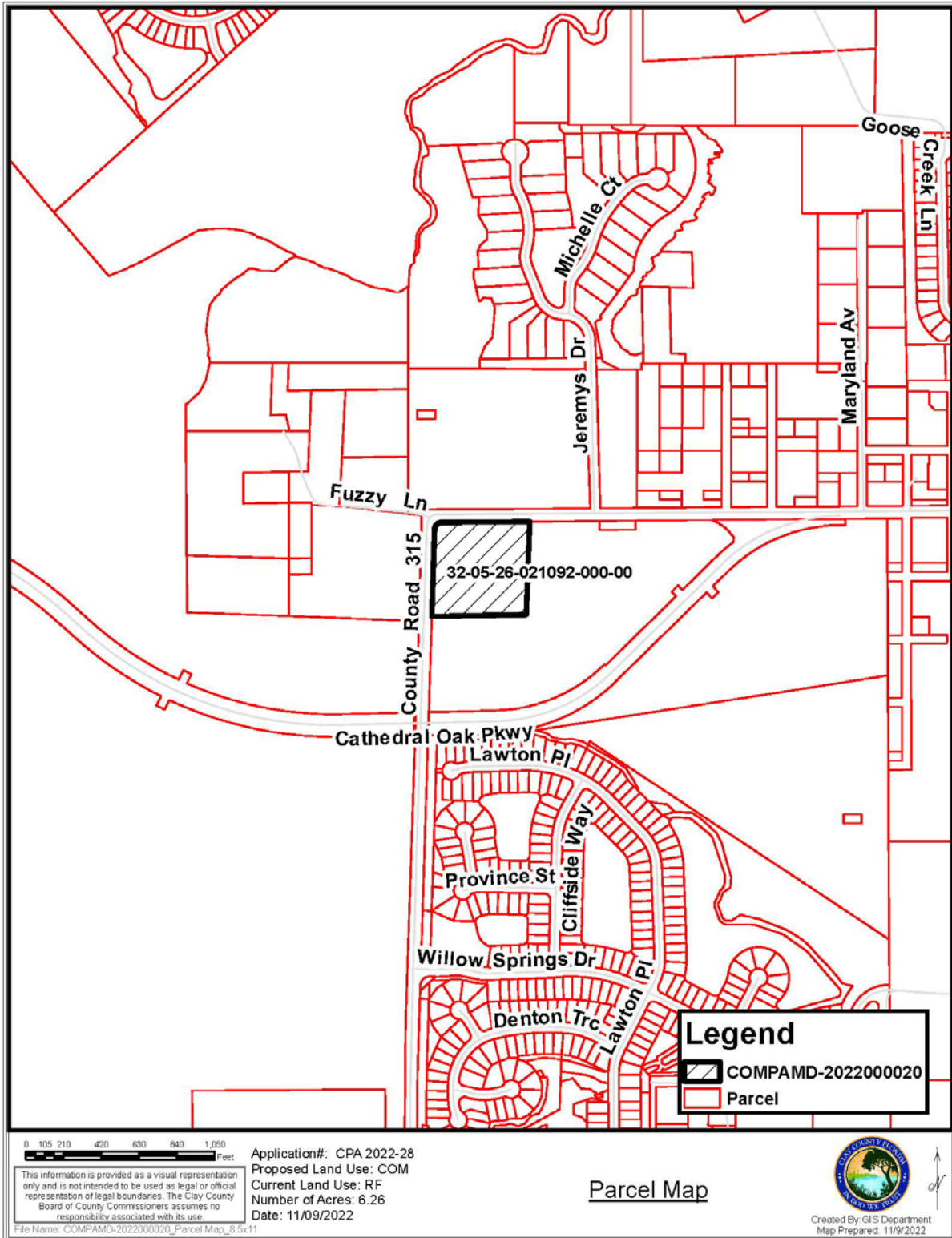
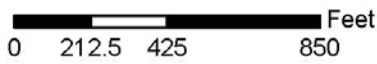
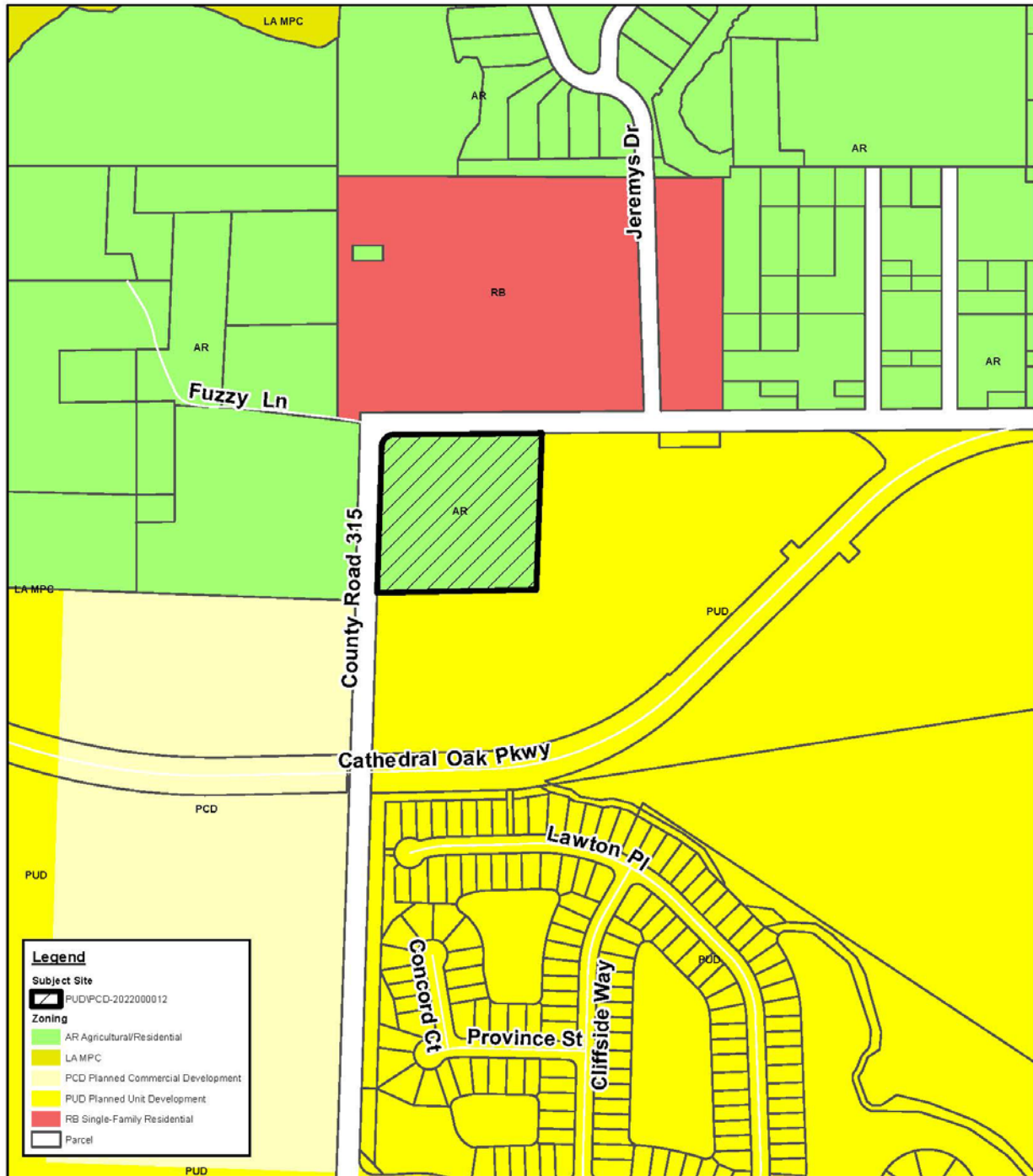


Figure 3 - Aerial Photo



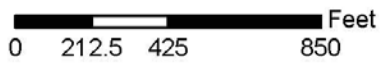
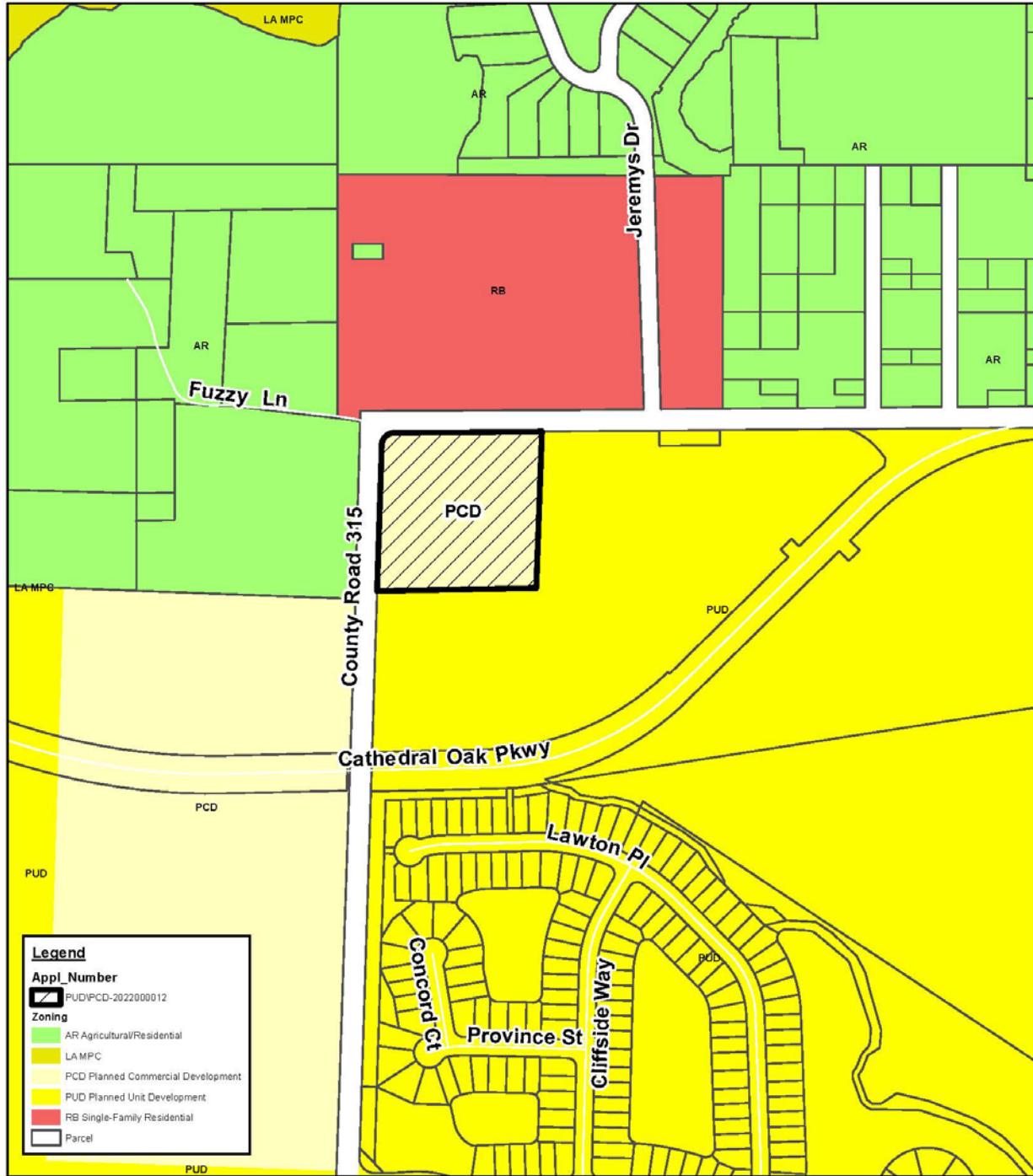
Figure 4 – Existing Zoning Designation Map



Existing Zoning
Rezoning: PUD/PCD-2022000012
from AR to PCD



Figure 5 – Proposed Zoning Designation Map



**Proposed Zoning
 Rezoning: PUD/PCD-2022000012
 from AR to PCD**



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34 **Relevant Clay County 2040 Comprehensive Plan Policies**

35 The following Goals/Objective/Policies support the proposed Comprehensive Plan Amendment:

36 FLU Policy 1.4.1.9 Commercial (COM)

37 The commercial designation accommodates the full range of sales, service, and office activities. These
38 uses may occur in self-contained shopping centers, free standing structures, campus-like business
39 parks, central business districts, or along arterial highways. These areas are intended for larger scale,
40 more intensive community-type commercial uses.

41 The location of commercial development shall be concentrated at major intersections and within
42 Activity Centers and Planned Communities. The development shall create a commercial node, not a
43 strip, with a mixture of retail, office, and hotel uses.

44

45 **Analysis of Proposed Rezoning Amendment to the Code**

46 In reviewing the proposed application for Rezoning, the following criteria may be considered along with
47 such other matters as may be appropriate to the particular application:

48

49 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
50 adjacent and nearby districts;

51 Staff Finding: The proposed change will not create a district that is unrelated to or incompatible with the
52 adjacent and nearby districts. The parcel immediately to the south as well as those across CR 315 to the
53 southwest are also zoned with commercial uses.

54 (b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the
55 real property proposed for change;

56 Staff Finding: The existing AR district boundary is the only such parcel remaining on the south and east side
57 of CR 315. This area has been changing along the east side of CR 315 and south of CR 315 in response to the
58 new east-west road being built in this area. Parcels to the southwest, south and east have been rezoned from
59 AR to PUD and PCD.

60 (c) Whether the conditions which existed at the time the real property was originally zoned have
61 changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed
62 Rezoning;

63 Staff Finding: See (b) above.

64 (d) Whether the affected real property cannot be used in accordance with existing zoning;

65 Staff Finding: The property has a single-family residential use at this time which can continue under the
66 existing zoning. However, the proximity of the new roadway one parcel to the south of the subject parcel
67 means that this would not be the highest and best use of the property once the road is completed.

68 (e) Whether the proposed Rezoning application is compatible with and furthers the County's stated
69 objectives and policies of the Plan;

70 Staff Finding: The proposed rezoning would be compatible with the Comprehensive Plan and further the
71 County's objective to increase commercial opportunities through redevelopment in areas adjacent to
72 roadway of higher functional classification, provided the provisions of Policy 1.4.8(2) are met.

73 (f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a
74 legitimate public purpose;

75 Staff Finding: There is no public purpose served by maintaining the existing AR zoning district for this
76 parcel.

77 (g) Whether maintenance of the status quo is no longer reasonable when the proposed Rezoning is
78 inconsistent with surrounding land use;

79 Staff Finding: The proposed rezoning is not inconsistent with the surrounding land use.

80 (h) Whether there is an inadequate supply of sites in the County for the proposed intensity or density
81 within the district already permitting such intensity or density.

82 Staff Finding: The redevelopment opportunity applicable to the subject parcel serves a greater need by
83 channeling commercial use to an area already served by public facilities and commercial uses thus reducing
84 urban sprawl.

85

86 The proposed rezoning from AR to PCD will be in keeping with the character of the surrounding residential
87 districts as shown in the table below:

| | Future Land Use | Zoning District |
|-------|----------------------------------|--|
| North | Rural Fringe | RB (Single Family homes and vacant land) |
| South | Commercial | PUD (future commercial uses) |
| East | Rural Fringe and Commercial | PUD (future single family homes and a fire station) |
| West | Rural Residential and Commercial | AR (Single Family homes) and PCD (future commercial) |

88

89 FLU Policy 1.4.8

90 Amendments to designate additional commercial land use on the Future Land Use Map and
91 otherwise eligible for consideration as small scale amendments pursuant to Section 163.3187(1)(c),
92 F.S., shall be further limited to those meeting the Infill and/or the Unified Plan criteria following:

93 1) Infill: The application parcel is located between parcels with an existing designation of
94 commercial, institutional and/or industrial land use which (1) are located on the same side of the
95 roadway serving the parcel, and (2) are no more than 500 feet apart as measured at the road right of
96 way.

97 2) Unified Plan: The application parcel increases the depth of parcels with an existing
98 designation of commercial land use provided that (1) the resulting development parcel is greater than
99 10 acres and (2) the resulting dimensions of the development parcel permit a unified plan of
100 development including shared access, signage and infrastructure. Unified Plan Applications shall be
101 limited in location to the intersection of two roadways, one of which must be designated as an arterial
102 or major collector and the other of which must be designated as an arterial, major collector or minor
103 collector. Amendments approved pursuant to these criteria shall be required to proceed as a Planned
104 Unit Development (PUD) or Planned Commercial Development (PCD) requiring shared access,
105 shared signage, and shared infrastructure.

106 3) Subsection 2 shall not apply to those single parcels with multiple land use designations, one
107 of which is commercial, as of January 1, 2021.
108

109 In order to meet the intent of comprehensive plan Policy 1.4.8(2) Unified Plan requirement, the applicant
110 should consider establishing a shared access, signage and infrastructure plan with the parcel immediately to
111 the south (32-05-26-014462-000-00), which is more specifically, the commercial sub-parcel included in the
112 Willow Springs North PUD. The Written Statement provided by the applicant with the Planned Commercial
113 District rezoning application does not include the necessary shared access, signage and infrastructure
114 components applicable to both parcels.

115 PCD zoning limits the type of development that can be approved on this commercial parcel. Any development
116 other than RV and Boat Storage would need the approval of the Board.

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118 **Recommendation**

119 Staff recommends approval of PCD-2022-12.

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