

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 A PORTION OF CERTAIN REAL PROPERTY (TAX PARCEL IDENTIFICATION # 02-05-25-008971-000-00), TOTALING 1.36 ACRES, FROM ITS PRESENT ZONING CLASSIFICATIONS OF BA (NEIGHBORHOOD BUSINESS DISTRICT) AND PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT); PROVIDING A DESCRIPTION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Application PUD-23-0016, submitted by BFC Property Holdings, Inc., seeks to rezone certain real property (a portion of tax parcel identification # 02-05-25-008971-000-00) (the Property) described in Exhibit “A-1”, and depicted in Exhibit “A-2”.

Section 2. The Board of County Commissioners approves the rezoning request. The present zoning classification of the Property is hereby changed from BA (Neighborhood Business District) and PCD (Planned Commercial Development District) to PCD (Planned Commercial Development District), subject to the conditions outlined in the Written Statement attached as Exhibit “B” and depicted on 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 as provided by law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this _____ day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CLAY COUNTY, FLORIDA

By: _____
Jim Renninger its Chairman

ATTEST:

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

Exhibit "A-1"

Legal Description of the Land

THE FOLLOWING LANDS AS DESCRIBED AND SHOWN HEREON AS PER OFFICIAL RECORDS BOOK 1842, PAGE 1476, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA:

A PARCEL OF LAND SITUATED IN SECTION 2, TOWNSHIP 5 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

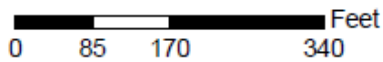
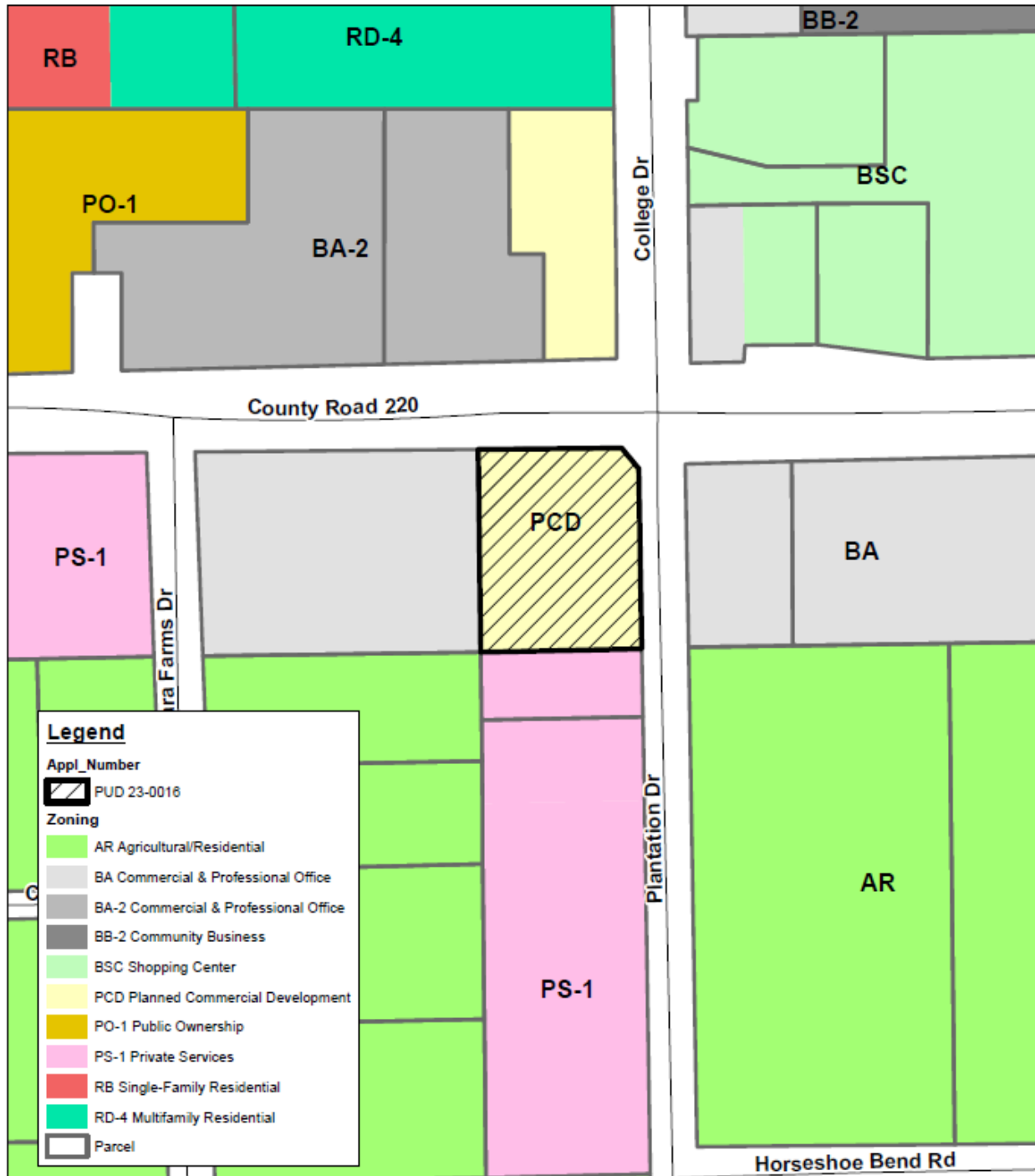
COMMENCE AT THE SOUTHEAST CORNER OF BUSINESS TRACT "B", TARA, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 47 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ON THE EAST LINE OF SAID BUSINESS TRACT "B"; NORTH 00 DEGREES 29 MINUTES 10 SECONDS WEST, 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 01 MINUTES 30 SECONDS EAST, 223.00 FEET TO THE WEST LINE OF PLANTATION DRIVE; THENCE ON SAID WEST LINE NORTH 00 DEGREES 29 MINUTES 10 SECONDS WEST, 179.19 FEET TO THE PROPOSED RIGHT OF WAY LINE OF COUNTY ROAD NO. C-220, (AS PER 100Z RIGHT OF WAY MAP THEREOF PREPARED BY THOMAS C. MULLS SURVEYOR AND MAPPER NO. 3573 DATED SEPTEMBER 13, 1995); THENCE ON SAID PROPOSED RIGHT OF WAY LINE NORTH 45 DEGREES 12 MINUTES 05 SECONDS WEST, 28.43 FEET; THENCE CONTINUE ON SAID PROPOSED RIGHT OF WAY LINE NORTH 89 DEGREES 55 MINUTES 00 SECONDS WEST, 203 FEET TO SAID EAST LINE OF BUSINESS TRACT "B"; THENCE ON SAID EAST LINE SOUTH 00 DEGREES 29 MINUTES 10 SECONDS EAST, 203.29 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 25 EAST, CLAY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BUSINESS TRACT "B", AS SHOWN ON THE PLAT OF TARA, AS RECORDED IN PLAT BOOK 7, PAGE 47, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 00°29'10" WEST, ALONG THE EASTERLY LINE OF SAID BUSINESS TRACT "B", 50.00 FEET, TO THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1482, PAGE 1023 OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE NORTH 89°01'50"EAST, ALONG LAST SAID LINE, 223.00 FEET, TO THE WESTERLY RIGHT OF WAY LINE OF PLANTATION DRIVE (A 60 FOOT RIGHT OF WAY, AS PER SAID PLAT OF TARA); THENCE NORTH 00°29'10"WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 179.19 FEET, TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 220, (A VARIABLE WIDTH RIGHT OF WAY, AS NOW ESTABLISHED); THENCE NORTH 45°12'05" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 28.43 FEET; THENCE NORTH 89°55'00"WEST, CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 203.00 FEET, TO THE AFORESAID EASTERLY LINE OF BUSINESS TRACT "B"; THENCE SOUTH 00°29'10"EAST, ALONG SAID EASTERLY LINE, 203.29 FEET, TO THE POINT OF BEGINNING.

Exhibit "A-2"



**Proposed Zoning
 Rezoning: PUD 23-0016
 from PCD and BA to PCD**



Exhibit B

**Clay County
Planned Commercial Development Written Description
CR 220 and Plantation Drive
January 30, 2024**

Owner Contact Information: **BFC Property Holdings, Inc.**
Attn: Rebecca Hamilton
9540 San Jose Boulevard
Jacksonville, FL 32257
bhamilton@gatepetro.com
Phone (90) 448-3027

Applicant Contact Information: **Rogers Towers, P.A.**
Emily Pierce; M. Hayden Phillips
1301 Riverplace Blvd., Suite 1500
Jacksonville, FL 32207
Email: EPierce@rtlaw.com; HPhillips@rtlaw.com
Phone: (904) 346-5787

Parcel Identification Number: 02-05-25-008971-000-00

Existing Land Use: Commercial
Proposed Land Use: Commercial

Existing Zoning: Planned Commercial Development (PCD) & Neighborhood Business District (BA)

Proposed Zoning: Planned Commercial Development (PCD)

Surrounding Land Use: North - Commercial
South - Rural Fringe
East - Commercial
West - Commercial

Surrounding Zoning: North - PCD, BA-2
South - PS-1
East - BA
West - BA 2

Existing Site Description:

- Vegetation: There is a variety of existing vegetation on site. About forty percent (40%) of the site is covered by mixed scrub type vegetation. The vegetation includes a small pine over story with a dense understory of oaks, saw palmetto, and other shrubs. The remainder of the site includes a mixture of turf with about a fifty (50) foot by fifty (50) foot area containing cat tails.
- Soils: The soils onsite are classified as Ocilla and Pelham fine sands, see Soils Map attached as Exhibit
- Wetlands: There are jurisdictional wetlands on the site. Any impacts will be permitted through the St. Johns River Water Management District and all applicable requirements will be met.
- Drainage: The site drains to the West to what appears to be a drainage swale. A “type c” inlet at the Northwest corner of the property could be utilized as an outfall for the future onsite drainage.
- Flood Zone: Subject property is in Flood Zone “X”
- Acreage: Approximately 1.36 acres

Existing Uses/Improvements:

The site is currently vacant.

Proposed Development:

Permitted Uses:

A self-service tunnel car wash with self-service vacuum stations (the “Car Wash”). In addition to the Car Wash, the following uses shall be permitted subject to approval of an updated site plan by the Zoning Chief, as such alternate uses shall be considered minor changes to the final site plan pursuant to Section 3-31(g) of the Clay County Land Development Code (the “Code”): i) Sale of gasoline including car wash, but without garage or repair facilities; ii) retail sales, including general merchandise, fashion, durable goods and personal services, including those permitted in BA, not subject to maximum gross leasable area; and (iv) those uses permitted by right or by conditional use in the BA zoning district.

Proposed Use:

The applicant proposes to rezone approximately 1.36 acres of property located at the corner of County Road 220 and Plantation Drive, more particularly described in the legal description attached as Attachment “A-3” to this application (the “Property”), from PCD and BA to PCD. The PCD rezoning will permit the entire parcel to be developed as the proposed Car Wash.

The PCD zoning district allows for “[a]ny non-residential use, including commercial” as permitted uses. Therefore, the Permitted Uses are consistent with the PCD zoning district. The Property is located within the Commercial category on the 2025 Future Land Use Map. As described by the Future Land Use Element, the Commercial land use designation “accommodates the full range of sales, services, and office activities.” Additionally, it states that [t]he location of commercial developments shall be concentrated at major intersections” Plantation Drive and CR 220 form a major intersection appropriate for the Permitted Uses. Therefore, the Permitted Uses are consistent with Commercial land use designation.

The proposed Car Wash will contain one (1) automated drive-thru car wash and up to nineteen (19) self-service vacuuming stations (“Vacuum Station(s)”), plus one (1) ADA Vacuum Station. A conceptual site plan of the proposed development is attached as Exhibit “E” to this application (the “Site Plan”) and is incorporated into this Written Description. Although there will be up to nineteen (19) Vacuum Stations, there will be only two (2) motorized vacuums serving those stations. The “Vacuum Service Area,” as shown on the Site Plan, is located at the center of the Property and therefore will be shielded from adjacent roadways and properties. On the Property, there is also an office area with a lounge and restroom.

Development and Design Criteria: The following criteria may be amended by an updated final site plan pursuant the Permitted Uses section above.

Hours of Operation: The hours of operation for the Car Wash are planned to be from 8:00 a.m. until 8:00 p.m. The Applicant plans for the Car Wash to have three (3) employees on-site during operating hours.

Signage: Signs shall be permitted on Plantation Drive and CR 220 consistent with the Sign Regulations of Clay County, Florida. All sign types consistent with the Sign Regulations shall be permitted, including, but not limited to, permanent freestanding signs, permanent attached signs, permanent canopy signs, under-canopy signs, drive-through menu signs, and noncommercial onsite directional signage.

Parking: The Car Wash will provide at least one (1) onsite parking space per employee. This meets the requirements of Appendix A to Article VIII of the Land Development Code (the “Code”), which requires one (1) parking space per employee for car washes. Additionally, the Car Wash will provide for vehicle stacking meeting or exceeding the requirements of Appendix A for car washes. The employee parking spaces and Vacuum Stations will meet the size requirements found in Table 7 of Article VIII of the Code, as shown on the Site Plan. All other Permitted Uses shall provide parking in accordance with Article VIII of the Code or as otherwise reviewed and approved by the Zoning Chief.

Landscaping: Landscaping shall be provided as generally depicted on the Landscape Plan attached as Exhibit “G”, subject to the following:

- i) Perimeter Buffers:
 - a) North: approx. fifteen (15) feet.
 - b) South: approx. ten (10) feet.
 - c) East: approx. fifteen (15) feet.
 - d) West: approx. ten (10) feet.

ii) Interior Landscaping: Landscaping shall not be required in the Vacuum Service Area shown on the Site Plan.

iii) Planting Materials: The planting materials in the buffers along CR 220 and Plantation Drive may deviate from the Article VI requirements due to utility easements along these roads. In such an event, the deviations shall be subject to review and approval by the Zoning Chief.

Access: The location of the access point shown on the Site Plan is schematic and may be subject to realignment and relocation prior to development. The location and design of the access point will be subject to the review and approval of the County Chief Engineer.

Number of Buildings Proposed: 1 proposed building

Building Height: Max height of thirty-five (35) feet

Lighting: Developer will comply with the lighting requirements as set forth Section 8 of the Branan Field Master Plan Land Development Regulations in effect as of the date of this written description.

Ground Coverage in Square Feet/Acreage & Percentage of Site:

i) Building: approx. 5,200 SF

ii) Impervious (Vehicle Use Area & Site Work): approx. 0.71 acres or 40% of the entire site

iii) Retention / Detention Pond: approx. 0.23 acres or 13% of the entire site (Note: the retention pond is entirely located in the PS-1 portion of 02-05-25-008971-000-00 and is not included in this PCD rezoning)

Utility Service:

i) Sewage Treatment: Clay County Utility Authority (“CCUA”)

ii) Water Supply: CCUA

iii) Electricity: Clay Electric

Exhibit C

