



# Staff Report and Recommendations for COMP 24-0013

Copies of the submitted application are available at the Clay County Administration Office, 3<sup>rd</sup> floor, located at 477 Houston Street Green Cove Springs, FL 32043

## Owner / Applicant Information (as provided in the application)

<b>Owner:</b> 3305 Hwy 17 GCS LLC	<b>Address:</b> 1890 Kingsley Ave, Suite 103
<b>Phone:</b> (904) 355-6775	Orange Park, Fl. 370733
<b>Email:</b> mike@tropiccenterprises.com	

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<b>Agent:</b> Janis Fleet	<b>Address:</b> 11557 Hidden Harbor Way
<b>Phone:</b> (904) 666-7038	Jacksonville. Fl. 32223
<b>Email:</b> jfleetarchitectsplanners.net	

## Property Information

<b>Parcel ID:</b> 39-05-26-015159-000-00	<b>Address:</b> 3305 US Hwy 17 Green Cove Springs, Fl. 32043
<b>Current Zoning:</b> BA-2 (Commercial and Professional Office) BB (Intermediate Business District) AR (Agricultural/Residential District)	<b>Land Use:</b> Commercial and Rural Fringe
<b>Zoning Proposed:</b> PCD (Planned Commercial Development)	<b>Land Use Propose:</b> Commercial <b>Acres :</b> 0.63 ac. <b>Total Parcel:</b> 4.22 ac
<b>Commission District:</b> 5 (Commissioner Burke)	<b>Planning District:</b> Springs

## Introduction

This is an application for a small-scale amendment to the Future Land Use Map (FLUM). The proposal would change the land use designation on 0.63 acres from Rural Fringe to Commercial. The 0.63 acres is a portion of a larger parcel which totals 4.22 acres in size.

## Description

This is a request to amend the FLUM on a portion of parcel 39-095-26-015159-000-00 from Rural Fringe to Commercial. The subject parcel is 4.22 acres in size with 3.59 acres of the parcel designated Commercial on the FLUM and 0.63 acres designated Rural Fringe. This request, if adopted, would designate the entire parcel Commercial future land use. There is a companion application to amend the Zoning Atlas for this parcel to Planned Commercial Development. The parcel has approximately 530 ft of frontage on Hwy 17.

35 The property to the north of the subject parcel has a future land use designation of Commercial and contains  
36 an existing commercial use as well as residential use.

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38 South is property zoned PUD with RF future land use. This parcel is developed with a skilled nursing  
39 facility. West across U.S. Hwy 17 is undeveloped property with Commercial future land use and commercial  
40 zoning. East of the subject parcel is land that is designated Rural Fringe of the future land use and is zone  
41 Agricultural Residential (AR). The proposed land use amendment and companion zoning change are being  
42 requested to facilitate the development of a restaurant with event space. Table 1 below summarizes the land  
43 use, zoning and type of use for the adjacent parcels.

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Table 1 – Adjacent Parcel Summary

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
North	BB (Intermediate Business) AR (Agricultural/Residential)	COM (Commercial) RF (Rural Fringe)
East	AR (Agricultural/Residential)	RF (Rural Fringe)
West (across Hwy 17)	BB (Intermediate Business)	COM (Commercial)
South	PUD (Planned Unit Development)	RF (Rural Fringe)

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47 Figure 1 shows the location of the parcel while Figure 2 provides an aerial view of the site. Figures 3 and 4  
48 illustrath the existing Land Use and Zoning patterns surrounding the subject property.

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Figure 1 – Parcel Map

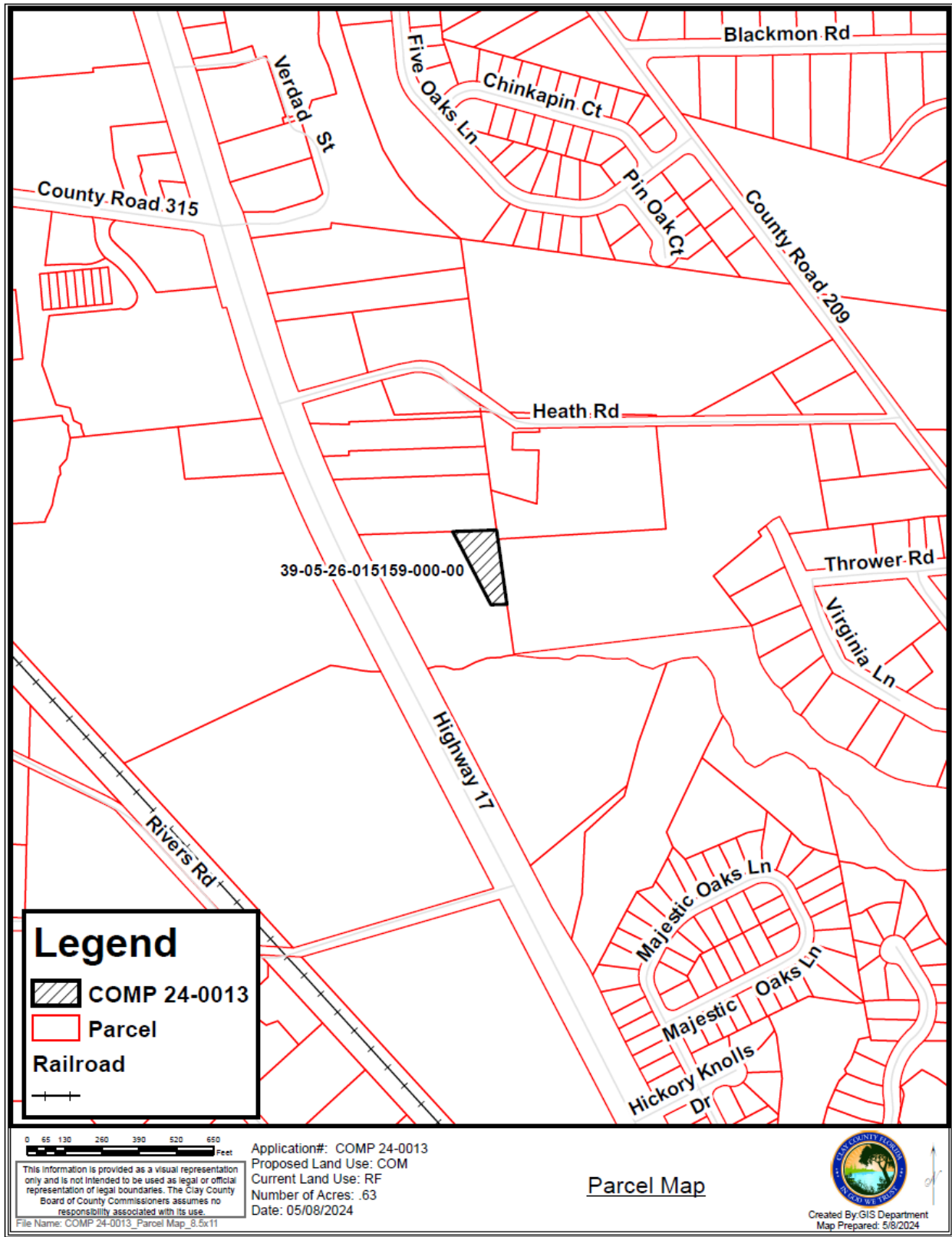


Figure 2 – Aerial Map



Figure 3 – Existing Land Use Designation Map

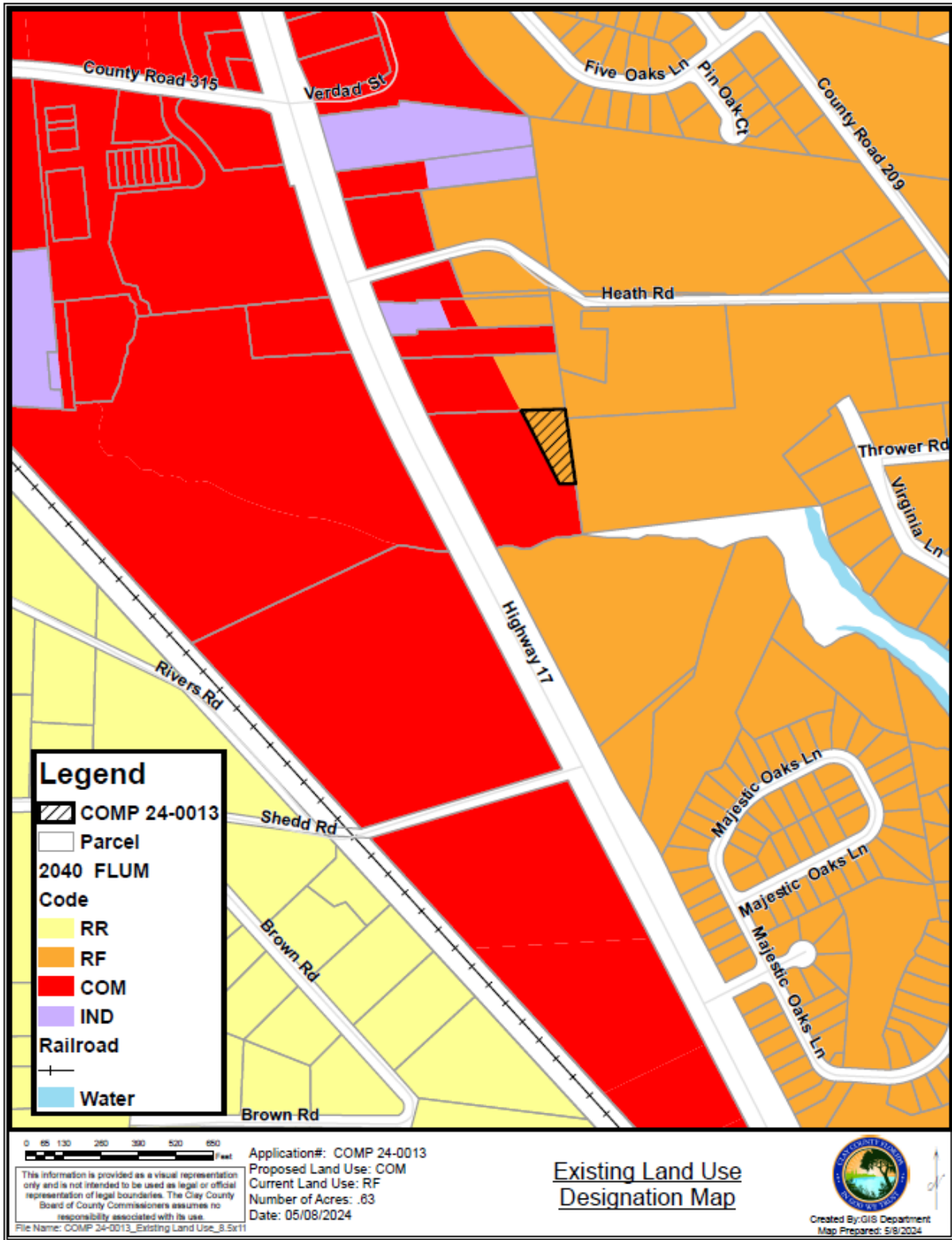
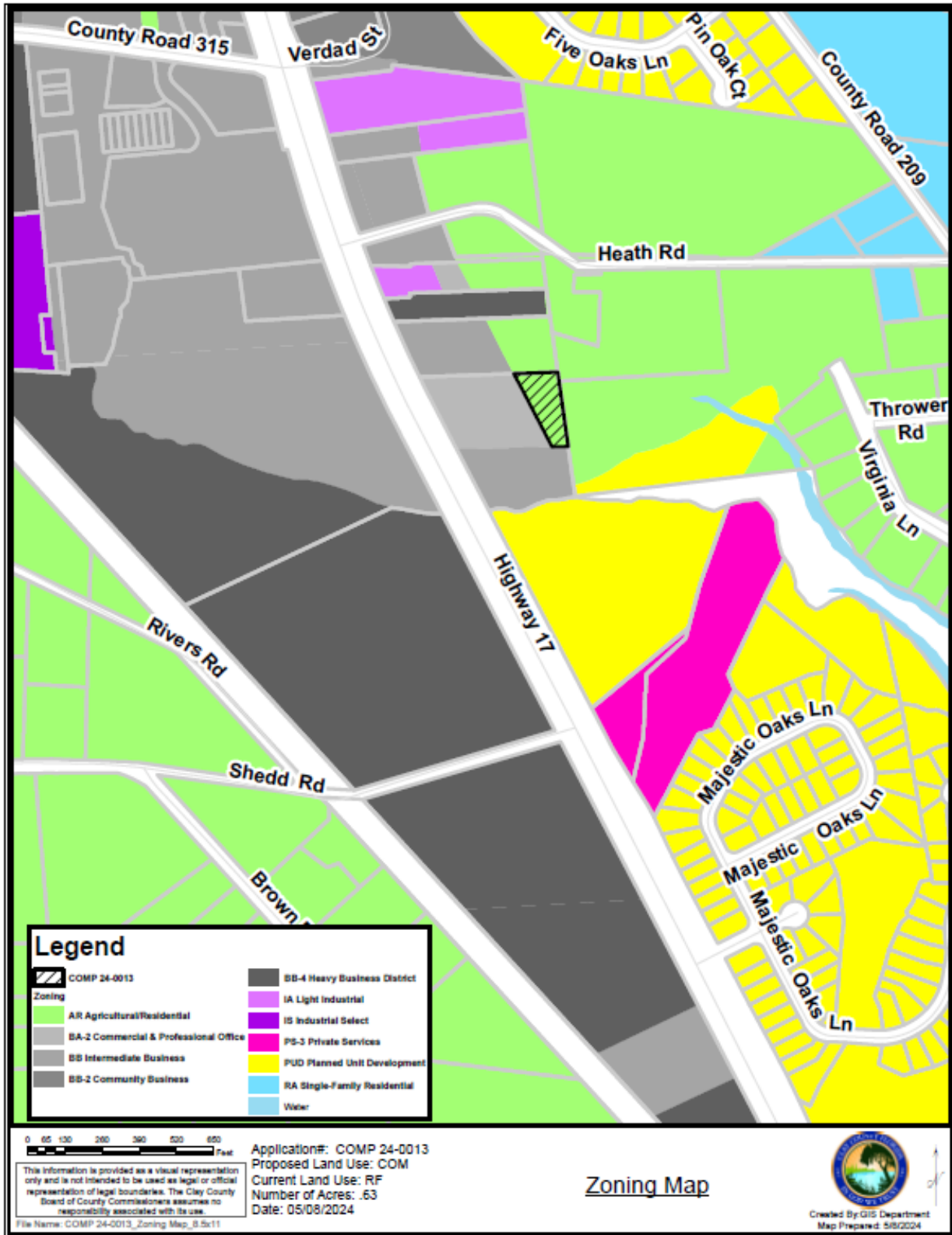


Figure 4 – Zoning Map



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

82 The subject property is currently designated Rural Fringe. The following Comprehensive Plan policy  
83 describes the Rural Fringe land use designation and permitted development intensity.

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85 **FLU POLICY 1.4.1(5)**

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87 Rural Fringe – “RF” (Suburban): This designation is reserved for land accessible to existing Urban  
88 Services and located in the areas where extension of central water and (where applicable) sewer service  
89 can be easily provided. Densities in this area shall be a maximum of three units per net acre and a  
90 minimum of one unit per net acre. This density category is almost exclusively characterized by single-  
91 family detached housing units but may also include two and three family residential developments.

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93 A maximum density of 7 units per net acre may be allowed within the Rural Fringe designation on the  
94 Future Land Use Map for the provision of housing for the elderly or handicapped and housing for very  
95 low, low income and moderate-income households. Location shall be based on need and criteria  
96 assessing proximity to the following: employment, mass transit, health care, parks, commercial  
97 services, and central utility services, as detailed in the Housing Element and land development  
98 regulations.

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100 The subject property is proposed to be designated Commercial. The following Comprehensive Plan policy  
101 describes the Commercial land use designation and permitted development intensity.

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103 **FLU POLICY 1.4.1(9)**

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105 9) Commercial- “COM”: The commercial designation accommodates the full range of sales, service,  
106 and office activities. These uses may occur in self-contained shopping centers free standing  
107 structures, campus-like business parks, central business districts, or along arterial highways. These  
108 areas are intended for larger scale, more intensive community-type commercial uses.

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110 The locations of commercial development shall be concentrated at major intersections and within  
111 Activity Centers and Planned Communities. The development shall create a commercial node, not  
112 a strip, with a mixture of retails, office, and hotel uses.

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114 **FLU POLICY 1.4.8**

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

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120 1) Infill: The application parcel is located between parcels with an existing designation of  
121 commercial, institutional and/or industrial land use which (1) are located on the same side of

122 the roadway serving the parcel, and (2) are no more than 500 feet apart as measured at the road  
123 right of way.

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

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

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138 **Analysis of Proposed Amendment**

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140 The requested amendment would change the land use on 0.63(+/-) acres from Rural Fringe to Commercial.  
141 The property subject to this request is a portion of a larger 4.22-acre parcel. The remainder of the parcel is  
142 designated Commercial on the FLUM and this request would result in the entire parcel being designated  
143 Commercial future land use.

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145 **Table 1 – Summary of Application**

COMP 24-0013	Acreage	Existing Land Use Category	Existing Maximum Intensity/Density	Proposed Land Use Category	Proposed Max. Intensity/Density	Net Increase or Decrease in Maximum Density
Tax Parcel: #39-05-26-015159-000-00	0.63 ac	Rural Fringe (RF)	1 du	Commercial (COM)	F.A.R. 40%	<u>Decrease</u> 1 du  <u>Increase</u> 10,977 sf

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147 **Availability of Services**

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149 Traffic Facilities:

150 Trip Generation calculated as: Fine Dining Restaurant (ITE 931)  
151 Peak Hour of Generator – Weekday, PM Peak Hour  
152 Maximum Development of 10,977 sf; Average Rate 8.28 per 1,000 = 91 trips

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154 The County's Mobility Fee will apply to development of this property.

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Schools:

The proposed land use change will not result in any additional residential units and therefore will have no impact on schools.

Recreation:

The proposed use will have no impact on the demand for recreation facilities.

Water and Wastewater:

Development on the site will be served by central utilities from the City of Green Cove Springs.

Stormwater/Drainage:

Stormwater management for any new construction will meet County and Water Management District standards.

Solid Waste:

Clay County has existing solid waste service to the area.

**Table 2 - Existing Capacity for Solid Waste**

	Solid Waste	Units
Total Permitted Airspace	67,675,940	Cubic Yards
Available Airspace as of 1/11/2016	2,898,560	Cubic Yards
Future Airspace Available	47,559,070	Cubic Yards
Density	1.15	Ton per Cubic Yard
Total Available	54,692,930	Tons
Average Monthly	89,857	Tons
Site Life	584	Months
	48.7	Years

174 Source: Waste Management, Inc. of Florida, for NE Florida Region, 1/23/17. The data cannot be subdivided.

**Land Suitability**

Soils

The subject property contains both Meggett series and Surrency series soil types. Both soils types show severe limitations for small commercial buildings primarily due to wetness issues and shrink-swell issues. See Figure 5.

Flood Plain:

The 0.63 acres subject to this land use change is primarily located in Flood Zone X. The very north and south portions of the 0.63 acres is located in Flood Zone AE See Figure 6.

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186 Topography:  
187 The subject property is relatively flat with an elevation ranging around from between 5 ft. to 10 ft. See  
188 Figure 7

189 Regionally Significant Habitat: The subject property is in an urban setting. No significant natural habitats  
190 exist. See Figure 8.

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192 Historic Resources: There are no archaeological sites or historic structures located proximate the subject  
193 property. See Figure 9

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195 Compatibility with Military Installations:  
196 The subject property is not located in the Noise Land Use Impact Area associated with Camp  
197 Blanding.

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Figure 5 – Soil Map

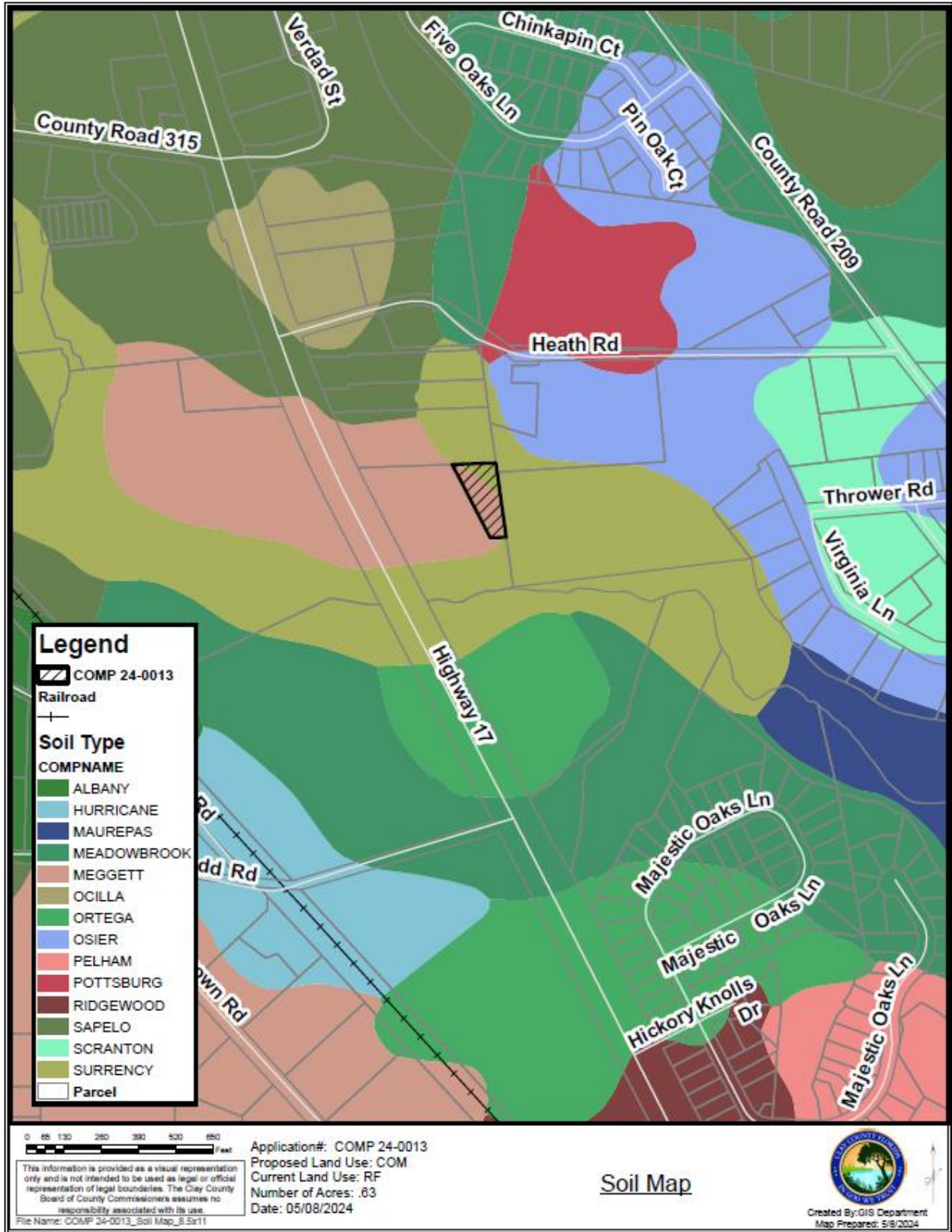


Figure 6 – Flood Zone Map

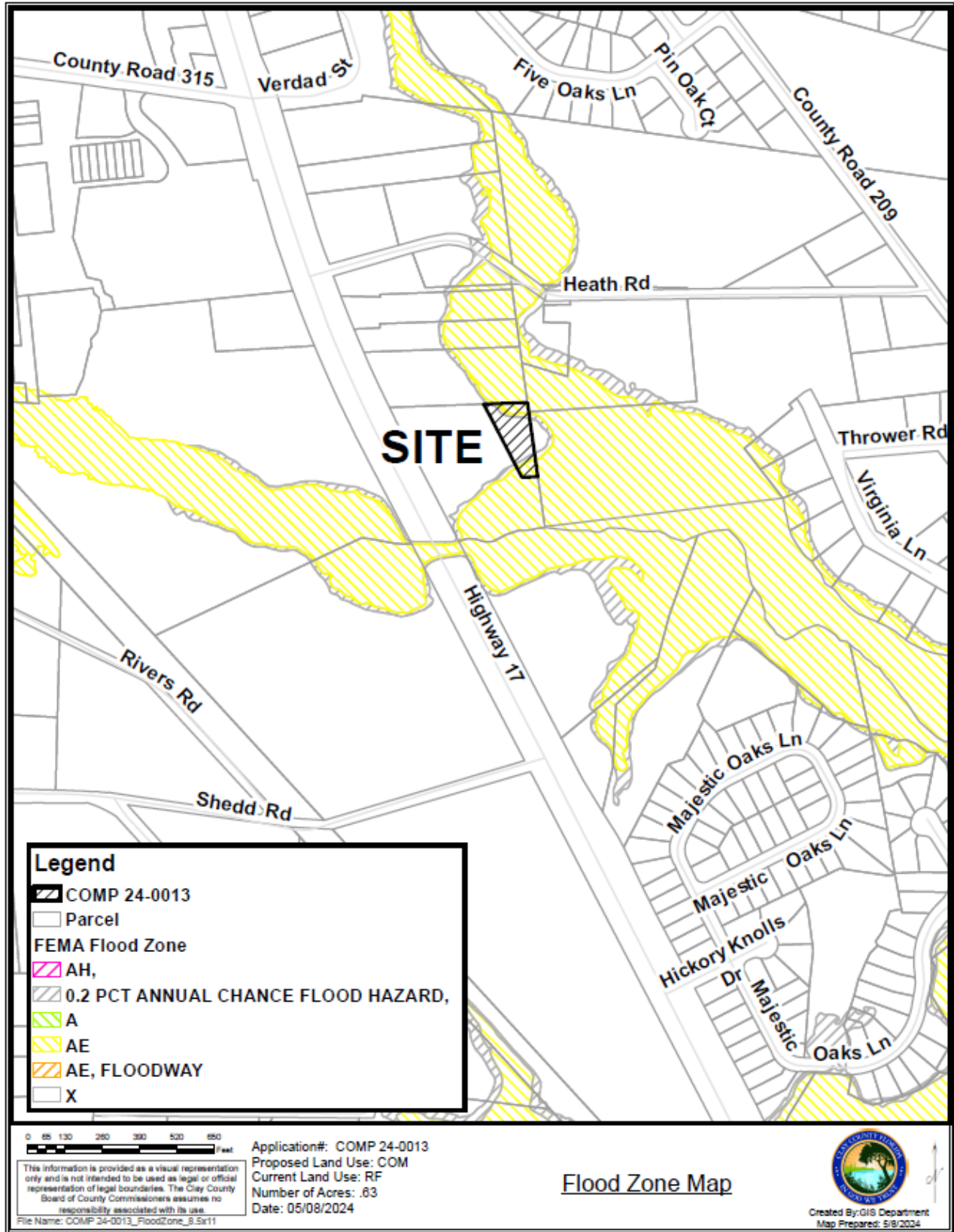


Figure 7 – Topo Map

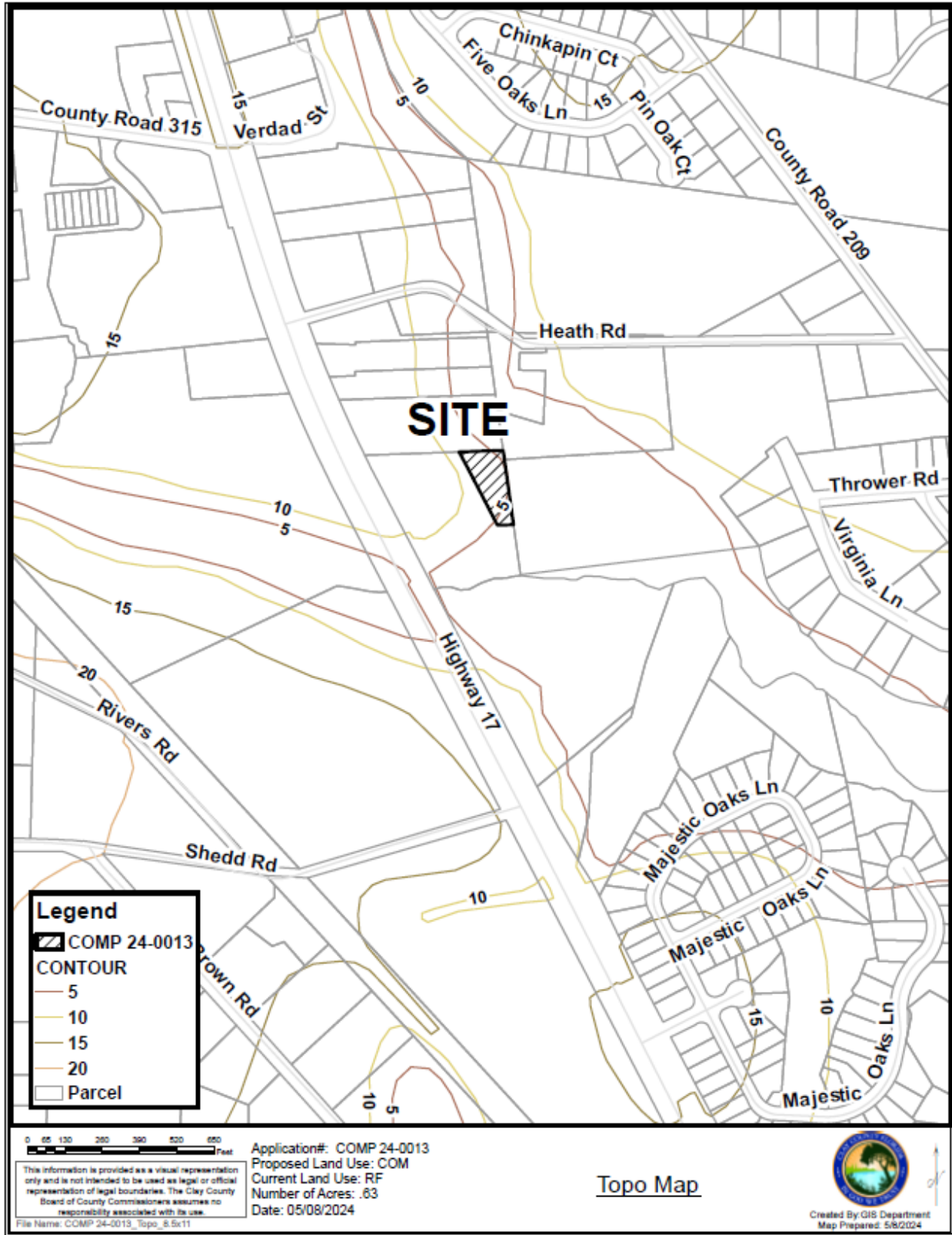
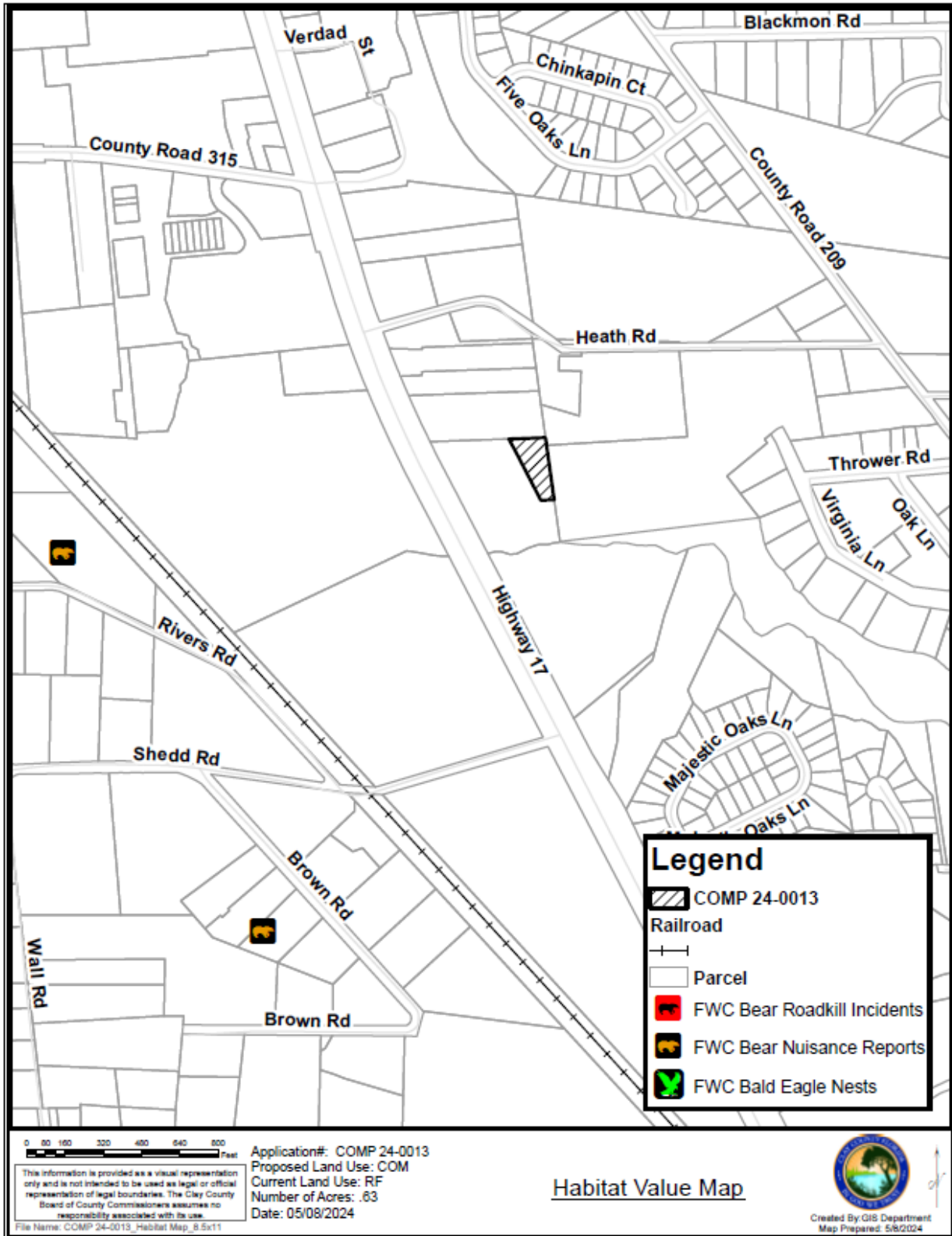


Figure 8 – Habitat Value Map





211 **Analysis Regarding Urban Sprawl**

212 It is the intent of Clay County to discourage the proliferation of Urban Sprawl. As required by FS 163.3177,  
213 all proposed comprehensive plan amendments are to be analyzed to ensure that urban sprawl and its  
214 negative impacts are not promoted.

- 215 1. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as  
216 low-intensity, low-density, or single-use development or uses.
- 217 2. Promotes, allows, or designates significant amounts of urban development to occur in rural areas  
218 at substantial distances from existing urban areas while not using undeveloped lands that are  
219 available and suitable for development.
- 220 3. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns  
221 generally emanating from existing urban developments.
- 222 4. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native  
223 vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes,  
224 rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
- 225 5. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active  
226 agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and  
227 prime farmlands and soils.
- 228 6. Fails to maximize use of existing public facilities and services.
- 229 7. Fails to maximize use of future public facilities and services.
- 230 8. Allows for land use patterns or timing which disproportionately increase the cost in time, money,  
231 and energy of providing and maintaining facilities and services, including roads, potable water,  
232 sanitary sewer, stormwater management, law enforcement, education, health care, fire and  
233 emergency response, and general government.
- 234 9. Fails to provide a clear separation between rural and urban uses
- 235 10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and  
236 communities.
- 237 11. Fails to encourage a functional mix of uses.
- 238 12. Results in poor accessibility among linked or related land uses.
- 239 13. Results in the loss of significant amounts of functional open space.

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241 Specifically, the proposed amendment shall be determined to discourage the proliferation of urban sprawl  
242 because it incorporates a development pattern or urban form that achieves the following:

- 243 1. Directs economic growth and associated land development to geographic areas of the community  
244 in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
- 245 2. Maximizes the use of existing and future public facilities.
- 246 3. Supports infill development.
- 247 4. Provides for a functional mix of uses.

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249 The proposed land use change is an expansion of Commercial land use on a parcel which is already  
250 partially designated Commercial. The property subject to this land use change and companion rezoning  
251 is located in an urbanizing area of the County. There are existing central utilities in the area that are

252 provided by the City of Green Cove Springs which has available capacity to serve the proposed  
253 development.

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255 **Summary and Recommendation**

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257 The proposed amendment would change the future land use designation of 0.63 acres from Rural Fringe  
258 to Commercial. The proposed amendment is consistent with the goals, objectives and policies of the  
259 adopted comprehensive plan, is compatible with surrounding uses and does not promote urban sprawl.

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261 Staff recommends approval of Comprehensive Plan Amendment COMP 24-0013 to amend the 2040 Future  
262 Land Use Map for 0.63 acres from Rural Fringe to Commercial as shown on Figure 9 below.

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Figure 9 – Proposed Land Use Designation Map

