



Rezoning Application PUD 24-0005

Staff Report

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

Owner / Agent Information

Owner: 3305 Hwy 17 GCS LLC
Phone: 904-355-6775
Email: mike@tropicenterprises.com

Address: 1890 Kingsley Ave, Suite 102
Orange Park, Fl. 32073

Agent: Janis Fleet
Phone: (904) 666-7038
Email: jfleetarchitectsplanners.net

Address: 11557 Hidden Harbor
Jacksonville, Fl. 32223

Property Information

Parcel ID:	39-05-26-015159-000-00	Address:	3305 US Hwy 17 Green Cove Springs, Fla 32043
Current Zoning:	BA-2 (Commercial and Professional Fringe Office District) BB (Intermediate Business District) AR (Agricultural/Residential District)	Land Use:	Commercial and Rural
Zoning Proposed:	PCD (Planned Commercial District)	Acres Total:	4.22

Commission District:	5 (Commissioner Burke)	Planning District:	Spring
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Background

This is a request to rezone a single parcel totaling 4.22 (+/-) acres from BA-2 (Commercial and Professional Office), BB (Intermediate Business) and AR (Agricultural/Residential) to PCD (Planned Commercial District). The parcel is designated Commercial and Rural Fringe on the adopted Future Land Use map. A companion small scale land use change has been submitted that would result in the entire parcel being designated commercial. The parcel is undeveloped and is located in the east side of U.S. Hwy. 17 north of Green Cove Springs and south of Heath Road.

The existing BA-2 zoning category only allows commercial and professional offices having a gross floor area limited to twenty-five hundred (2,500) square feet per building. The AR zoning allows single family dwelling units and other agricultural land uses. As proposed, the PCD will allow for the development of

34 restaurants with on-site consumption of alcohol which is not permitted in either the BA-2 or AR zoning
35 districts.

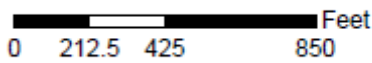
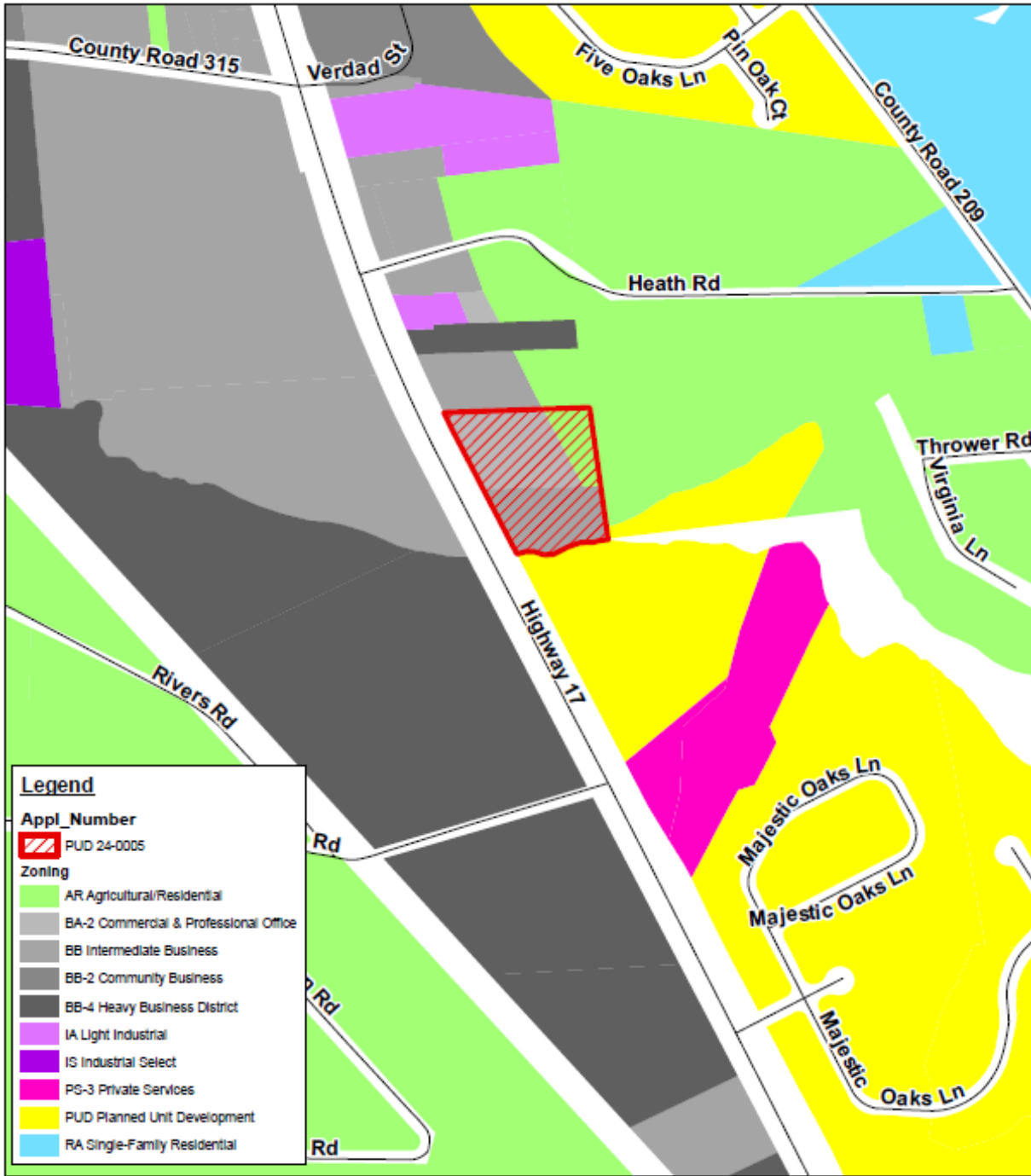
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37 The parcel is bordered on the north by BB and AR zoning district with commercial and residential uses.
38 South is property zoned PUD which is developed with a skilled nursing facility. West across U.S. Hwy 17
39 is undeveloped property with commercial zoning. East of the subject parcel is land that is zone
40 Agricultural/Residential (AR) and is developed with residential uses. The parcel includes 1.36 acres of
41 wetlands at the southern portion of the property and another 0.09 acres of wetlands is located in the
42 northeast corner of the property. The wetlands provide a buffer to the surrounding properties.

43
44 The PCD rezoning request is to facilitate the development of commercial uses, specifically a restaurant with
45 allowed on-site consumption of alcohol and allow for events that include weddings, family reunions, class
46 reunions, company retreats and picnics, or other similar events or celebrations.

47
48 **Surrounding Zoning & Land Use**

	ZONING	FUTURE LAND USE
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)

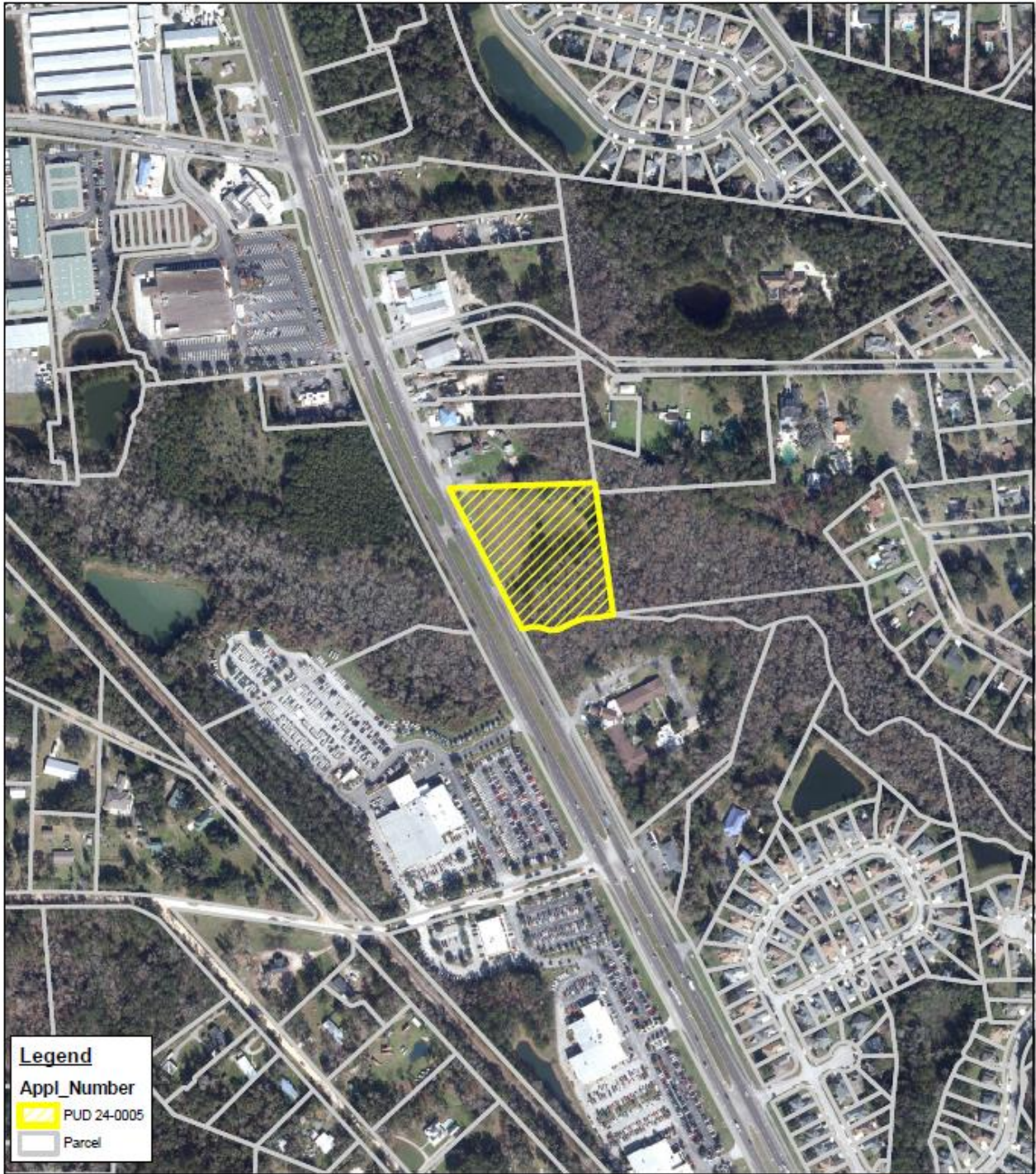
Surrounding Zoning



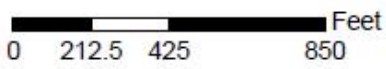
Existing Zoning
Rezoning: PUD 24-0005
from BB, BA-2, AR to PCD



Aerial of Site



Legend
Appl_Number
PUD 24-0005
Parcel



**Rezoning: ZON 24-0014
from BB, BA-2,AR to PCD**



55 **Proposed PCD Zoning District**

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57 The application for the proposed PCD provides a written statement describing the allowable uses and
58 development standards. Please refer to applicant’s written statement (EXHIBIT A) and site plan (EXHIBIT
59 B) as attached for specific uses, development standards and restrictions.

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61 **Development Summary**

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63 The PCD rezoning will permit the parcel to be developed with commercial uses. The Written Statement
64 limits the permitted uses of the PCD as follows: Restaurants, including restaurants selling alcoholic
65 beverages for on-premises consumption, Drive-in restaurants, Night clubs, bars, taverns, and other
66 establishments wherein alcoholic beverages are sold for on-premises consumption, Event Venue, Outdoor
67 seating and music, Commercial and professional offices, Retail stores and shops, Banks and financial
68 institutions with drive-in facilities

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70 Development and Design Criteria:

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72 *Setbacks:*

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Minimum front setback from U.S. Hwy. 17 – 15 feet

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Minimum rear setback - 30 feet

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Minimum side setback - 30 feet

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* Setbacks apply to all structures (principle and accessory)

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78 *Signage:*

79 Signs shall meet the requirements of the Article VII of the Land Development Code

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81 *Landscaping:*

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Landscaping shall be provided consistent with the requirements of Article VI, Tree Protection & Landscape
83 Standards, of the County Land Development Code. Twenty (20) foot “B” Type lands cape buffer is required
84 adjacent to residentially zoned property.

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86 *Number of Buildings Proposed:*

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One (1) proposed building approximately 9,000(+/-) square feet in size.

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89 *Lot Coverage:*

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Maximum lot coverage of all structures 35%

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92 *Building Height:*

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Max height of forty-five (45) feet

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95 *Lighting:*

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Development will comply with the lighting requirements adopted in the Lake Asbury Master Plan Land
97 Development Regulations in effect as of the date of this written description.

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Existing Zoning Districts

The existing BA-2 zoning district permits the following uses:

Commercial and professional offices having a gross floor area limited to twenty-five hundred (2,500) square feet per building including, but not limited to, offices for doctors, dentists, osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering offices, accounting, auditing and bookkeeping services, real estate sales, insurance companies, finance offices.

Building and uses immediately and exclusively accessory to the uses permitted in above, including automobile parking facilities, central heating and cooling systems, emergency generating plants, storage of documents and other property, training schools for employees, living quarters for a custodian or caretaker of the office building or buildings.

The above are uses subject to the following limitations:

Sale, display, preparation and storage to be conducted within a completely enclosed building.

Products to be sold only at retail.

The existing BB zoning district provides for the development of business facilities designated to accommodate trade generally supported by vehicular traffic, and related to needs generated by traffic demands.

Permitted uses include the following:

Automobile sales, service, and rentals; tire sales and service (both new and used); repair garages; mobile home sales and service; motorcycle sales and service; wholesale bakeries; sale of utility buildings; commercial heating and air conditioning; plumbing and electrical shops; farm machinery, truck, trailer, rental, sales and service; wholesale sales rooms and storage rooms; retail meat markets; hardware stores (outside display); commercial parking lots; commercial plant nurseries; building supply materials; boat and motor sales and service; pawn shops; funeral homes; ambulance services; auctions; animal hospitals; miniature golf courses; go-cart tracks; lawnmower and outboard rentals, sales and service; drugstores; grocery stores; feed and hay processing and sales; and fertilizer stores.

Automobile body shops; cabinet shops; welding shops; sheet metal works; well drilling and pump service; and plumbing, electrical and mechanical fabricators.

140 Night clubs, bars, taverns, and other establishments wherein alcoholic beverages are sold for on-
141 premises consumption, when in compliance with the provisions of Section 3-47.

142
143 Service stations and sale of gasoline and retail petroleum products.

144
145 Flea market of a temporary nature associated with charitable, educational or religious
146 organizations.

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148 Adult entertainment establishments and sexually oriented businesses as defined in the Adult
149 Entertainment Regulations established under Chapter 2.3 of the Clay County Code, subject to the
150 provisions of Sec. 3-48.

151
152 Restaurants, including restaurants selling alcoholic beverages for on-premises consumption.

153
154 The existing AR zoning district provides a transition between agricultural and the more urban residential
155 areas; and to create a rural residential environmental wherein natural constraints applicable to development
156 can be recognized and protected in a manner compatible with the needs of the resident.

157
158 Permitted Use include the following:

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160 Single-family or mobile home dwelling with their customary accessory uses

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162 For lots greater than one (1) acre in size, permitted uses include the non-commercial keeping and
163 raising of horses, cattle, sheep, goats, swine and other similar animals.

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165 For lots of one (1) acre or less in size, permitted uses include the non-commercial keeping and
166 raising of horses, cattle, sheep, swine, goats and other similar farm animals; provided, however, that
167 no more than two (2) horses, cattle, sheep, swine, goats and other large farm animals six (6) months
168 of age or older shall be permitted to be raised, grazed, kept or maintained per one-half (1/2) acre of
169 land. No animal pen, stall, stable, or other similar animal enclosure shall be located nearer than fifty
170 (50) feet to the property.

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172 Agricultural accessory uses that are customary and incidental to principal agricultural use shall be
173 permitted as follows:

- 174 (i) Accessory buildings directly incidental to the agricultural pursuits listed above.
175 (ii) Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided
176 the structure does not exceed three thousand (3,000) square feet of gross floor area.
177 (iii) Stand for the sale of products which are raised on the premises.

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179 General agricultural pursuits of a variety similar, but not limited to, truck gardens, forestry, crop
180 raising, horticulture, greenhouses, nurseries, groves, apiculture and pisciculture.

181

182 The sale of said products and commodities which are raised on the premises. Retail roadside sales
183 permitted only from conforming structures on private property.

184
185 Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The
186 duration of each garage sale shall be a maximum of 72 hours and may be conducted only within
187 daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.

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189 Storage of petroleum products

- 190 (i) Petroleum used for heating and/or cooking not to exceed 500 gallons.
- 191 (ii) Gasoline to be used by owner of residence not to exceed 50 gallons.

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193 Satellite dish receivers for individual use.

194
195 The parking of commercial vehicles by the owner of the primary residence with a limit of one (1)
196 per acre and a maximum of two (2) vehicles, may be parked in the rear or side yard, except
197 refrigerated vehicles and vehicles carrying hazardous materials.

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199 Private boat pier or slip for the use of occupants of principal residential structures of the lot;
200 provided said pier or slip does not interfere with navigation.

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202 **Staff Assessment and Recommendation**

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204 The applicant is requesting a change in zoning from request to rezone a single parcel totaling 4.22 (+/-)
205 acres from BA-2, BB and AR to PCD for 4.22. The requested PCD zoning is consistent with the proposed
206 Commercial future land use of the parcel.

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208 The applicant is seeking the rezoning to PCD to permit larger buildings then allowed in the BA-2 zoning
209 district and allow for retail uses specifically a restaurant with sale of alcohol for on-site consumption. The
210 Written Statement also permits uses associated with an event venue and outdoor seating for music. Existing
211 residential development is located to the east and south of the subject property. Although there is
212 vegetation, primarily associated with wetlands buffering the subject property from the existing residential
213 development amplified outdoor music from the proposed development could adversely impact these
214 residential uses. Therefore, staff recommends that as a condition of approval that amplification of outdoor
215 of sound be prohibited after 11:00 P.M. daily.

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217 Staff has reviewed the application and determined that the request is consistent with the surrounding
218 zoning districts and uses and is compatible with the surrounding area. Staff recommends approval of
219 application PUD 24-0005 with the inclusion of the attached Written Statement and Site Plan along with the
220 added provision that the amplification of outdoor sound be prohibited after 11:00 P.M.

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EXHIBIT A



**Department of Economic and Development Services
Planning & Zoning Division**

P.O. Box 1366, Green Cove Springs, FL 32043
Phone: (904) 284-6300
www.claycountygov.com



PUD / PCD / PID WRITTEN STATEMENT EXHIBIT "B"

Name of Development: 3305 US 17		Net Acres: 2.77
Parcel ID #: 39-05-26-015159-000-00		Wetland Acres: 1.45
Total Number of Dwelling Units Proposed: 0		Total Acres: 4.22
Total Amount of Open Space: 1.5	Total Amount of Recreation: 0	Total Active Recreation: 0
Phase Schedule for Construction:	Construction of restaurant, patios, outdoor pavilion, parking and landscaping	
Permitted Uses:	<ul style="list-style-type: none"> Restaurants, including restaurants selling alcoholic beverages for on-premises consumption. Drive-in restaurants Night clubs, bars, taverns, and other establishments wherein alcoholic beverages are sold for on-premises consumption Event Venue Outdoor seating and music Commercial and professional offices Retail stores and shops Banks and financial institutions with drive-in facilities 	
Conditional Uses:	None	
Permitted Accessory Uses and Structures:	<ul style="list-style-type: none"> Outdoor pavilion Enclosed storage facilities 	
Restrictions of Uses:	None	

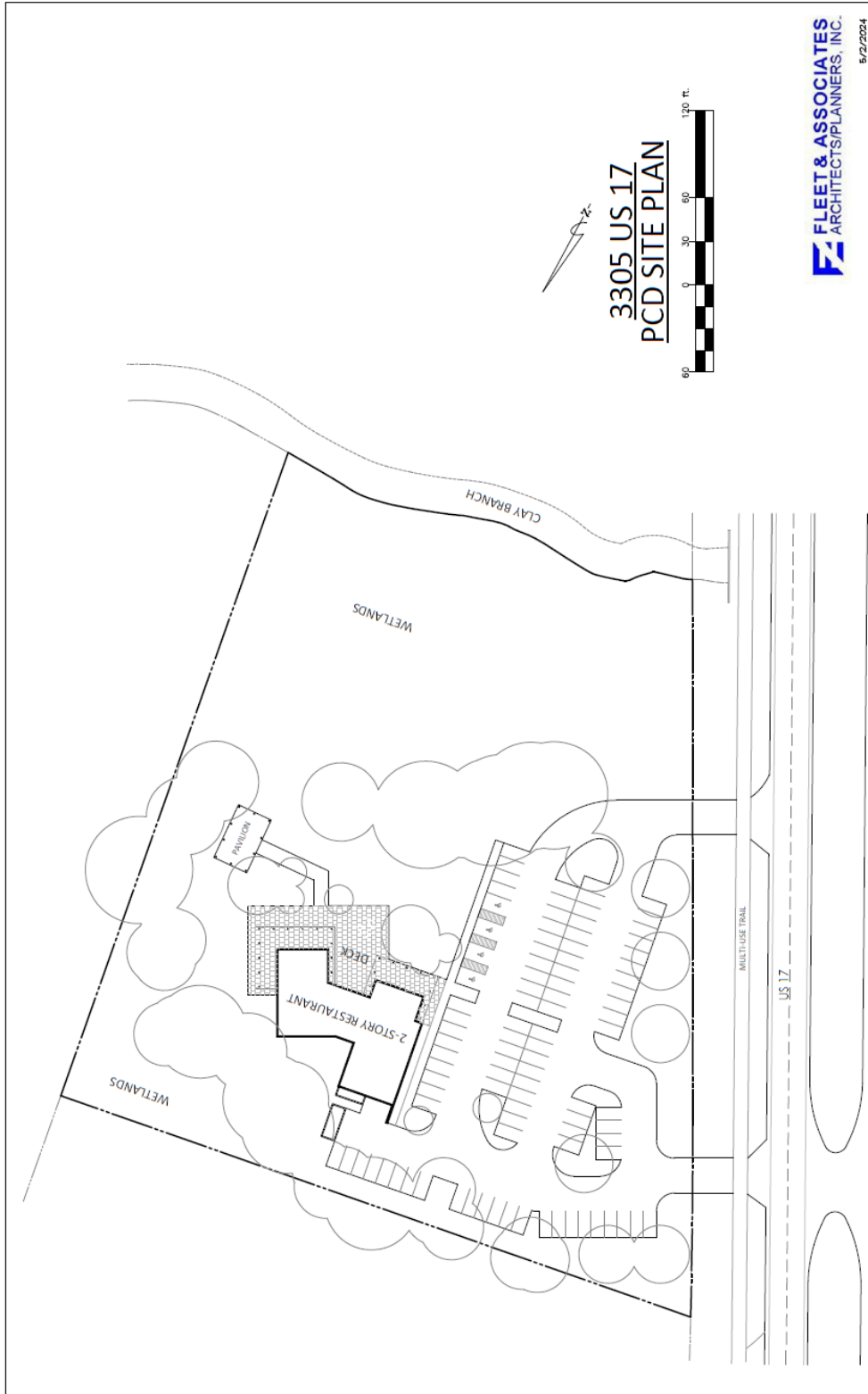
Design Guidelines		
A. Lot Requirements		
Minimum Lot Area:None	Minimum Lot Width at Bldg. Line: None	Minimum Lot Depth: None
Maximum Lot Coverage: 35%	Maximum Rear Lot Coverage: None	Maximum Bldg. Height: 45 ft.
Minimum Front Setback: 15 ft.	Minimum Side Setback: 30 ft.	Minimum Rear Setback: 30 ft.
Minimum Front Setback Intersecting Street:	Minimum Setback for Accessory Structures:	Same as all structures
	N/A	
Minimum Living Area:N/A		
B. Ingress, Egress, and Circulation		
<p>Parking Requirements: The parking requirements for this development shall be consistent with the requirements of Article VIII of the Land Development Code & the Branan Field & Lake Asbury Master Plans.</p>		
<p>Vehicular Access: Vehicular access to the property shall be by way of <u>U.S. Highway 17</u> Substantially as shown in the site plan. The final location of all access points is subject to the review of the Engineering/Public Works Department.</p>		
<p>Non-motorized Access: Non-motorized access shall be provided by sidewalks and pedestrian/bicycle paths installed in accordance with Article VIII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.</p>		
C. Signs		
Signs shall be permitted separately from development plans and shall meet the requirements of the Article VII of the Land Development Code and the Branan Field and Lake Asbury Master Plans.		
D. Landscaping		
Flexibility in meeting the landscape requirements of Article VI of the Land Development Code and the Branan Field and Lake Asbury Master Plans is permitted for Planned Developments provided the outcome meets or exceeds the requirements of the Code. Indicate below what alternative landscaping will be provided or leave blank if the development will comply with the Code requirements.		
Shade Cover Points:	N/A	
Vehicle Use Area Landscaping:	Comply with the Article VI - Landscaping of the Clay County Land Development Code	
Street Trees:	N/A	
Right-of-way Buffers for Subdivision Development	N/A	
Perimeter Buffers:	20ft. "B" type landscaped buffer from any residential property	
Branan Field/Lake Asbury Non-Residential Standards	Lake Asbury lighting standards, to assure light does not spill on adjoining properties.	

E. Recreation and Open Space:		
Recreation for residential, non-residential and open space shall meet the minimum requirements of Article III of the Land Development Code.		
F. Utilities		
Water Provided By:City of Green Cove Springs		
Sanitary Sewer Provided By:City of Green Cove Springs		
Reuse Irrigation Provided By:City of Green Cove Springs (if available)		
Electric Provided By:City of Green Cove Springs		
Gas Provided By:		
G. Wetlands		
Wetlands will be delineated and permitted according to local, state, and federal requirements.		
H. Vegetation		
The following natural communities are present on the development site according to the County's Vegetation Map (Check all that apply)		
<input type="checkbox"/> Scrub	<input type="checkbox"/> Sandhill	<input type="checkbox"/> Scrubby Flatwoods
<input checked="" type="checkbox"/> Upland Coniferous	<input type="checkbox"/> Mesic Flatwoods	<input type="checkbox"/> Xeric Hammock
<input type="checkbox"/> Wet Flatwoods		
The occurrence of any of these communities may indicate the presence of endangered or threatened species which are regulated by State Agencies.		
All proposed developments in the Lake Asbury Master Plan area are required to submit an environmental assessment in accordance with LA FLP 1.2.4 of the 2040 Comprehensive Plan at the time of development review and prior to any land clearing or disturbance.		
I. Contact Information		
Owner / Agent Name:Janis K. Fleet, AICP		
Owner / Agent Address:11557 Hidden Harbor Way		
City:Jacksonville	State:Florida	Zip Code:32223
Owner / Agent Phone:904-666-7038 (office) 904-476-3220 (cell)		
Owner / Agent Email:jfleet@fleetarchitectsplanners.net		

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EXHIBIT B Site Plan



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