



## PLANNING COMMISSION MINUTES

February 6, 2018

7:00 PM

Administration Building,  
4th Floor, BCC Meeting Room, 477 Houston Street,  
Green Cove Springs, FL 32043

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Pledge of Allegiance

Call to Order

**Present:** Joe Anzalone, Chairman  
Belinda Johnson, Vice Chairman  
Ralph Puckhaber  
Brenda Kicsak  
Michael Bourré  
Scott Westervelt  
Robert Machala  
James Fossa, CCSB  
Major Ryan Leonard, Camp Blanding

**Absent:** None

**Staff Present:** County Attorney, Courtney K. Grimm  
Chereese Stewart, Director of Economic & Development Services  
Ed Lehman, Director of Planning & Zoning  
Beth Carson, Senior Planner  
Chad Williams, Zoning Chief  
Teresa Capo, Recording Secretary

Chairman Anzalone welcomed Robert Machala to the Planning Commission.

### 1. **Approval of Minutes**

Approval of Minutes for January 2, 2018

Vice Chairman Johnson made the motion to approve the minutes for January 2, 2018.  
Commissioner Westervelt seconded the motion which carried 8-0.

Public Comment

James Otto, 2910 Blanding Blvd, Middleburg, addressed the Commission.

**Public Hearings**

1. Public Hearing to Consider Rezoning Application Z-17-13 BA-2 & AR to PS-1 (73 Knight Boxx Road)

This is Rezoning Application Z-17-13 to change BA-2 & AR to PS-1 in order to develop a church.

Chad Williams, Zoning Chief, informed the Planning Commission of Application Z-17-13, which is a change in zoning from BA-2 (Commercial and Professional Office District) to PS-1 (Private Services District) in order to develop the property as a church.

Mr. Williams stated that staff has reviewed the application and has determined that the change in zoning is consistent with the Comprehensive Plan and compatible with the surrounding area.

Staff recommended approval of Z-17-13.

Chairman Anzalone opened the public hearing.

Daniel White, 2696 CR 220, Middleburg, addressed the Planning Commission with regard to the proposed application and asked for approval.

James Otto, 2904 Blanding Blvd, Middleburg, addressed the Planning Commission.

Chairman Anzalone closed the public hearing.

Commissioner Puckhaber made the motion to recommend approval of the rezoning, to include staff comments and recommendations, along with their findings and conclusions. Vice Chairman Johnson seconded the motion which carried 7-0.

Following the vote, Commissioner Puckhaber made comments regarding the increase in businesses along Knight Boxx Road and stated that he would like for the County to consider constructing a center turn lane on Knight Boxx Road to make the roadway safer for traffic making a left turn off that road.

2. First Public Hearing to Consider Comprehensive Plan Amendment 2017-14  
Amend parcels 17-04-25-007948-004-00 and 17-04-25-007948-005-00 from Branran Field Activity Center TO Branran Field Master Planned Community. The subject property is located in Kindlewood, Commission District 2. This was deferred by the applicant at the January Planning Commission meeting.

Beth Carson, Senior Planner, presented the item to the Planning Commission for consideration. Ms. Carson informed the Commission that she received an application from AMH Development, LLC, to amend the Future Land Use Map for certain parcels from Branran Field Activity Center to Branran Field Master Planned Community.

Ms. Carson stated that the proposed amendment eliminates a small amount of Branran Field Activity Center (less than 1%) to add a developing residential area. She added that the two parcels which remain to be developed would more reasonably be

developed consistent with the other residential units along Roundabout Drive.

Staff recommended approval of Comprehensive Plan Amendment 2017-14.

Chairman Anzalone opened the public hearing.

Susan Fraser, SLF Consulting Inc., 3517 Park Street, Jacksonville, Agent, addressed the Planning Commission with regard to the proposed application and stated that the landowner proposes to plat 6 single family residential units should the change in the land use be approved. Ms. Fraser informed the Planning Commission that on December 28th and January 18th she met with the residents of Kindewood to discuss the proposed application. She reported that following those meetings, a survey was sent to each address within the Kindewood Subdivision seeking their thoughts as to what they would prefer be built on the two undeveloped parcels. Ms. Fraser reported that she received 47 responses in favor of the change to residential uses and 4 responses that were against a change and wanted the parcels to remain as Commercial. Following her comments, Ms. Fraser requested approval of the proposed application.

Commissioner Machala and Chairman Anzalone addressed Ms. Fraser.

Chris Middleton, 3254 Byron Road, Green Cove Springs, Applicant, addressed the Planning Commission and asked for approval of the proposed application.

Commissioner Machala made comments regarding assurances from the builder that indeed six single family residential lots would be constructed as proposed and would not change the development to multi-family housing should they so desire, which would go against the desires of the Kindewood community.

Keith Hudson, 3323 Roundabout Drive, Middleburg, spoke in support of the proposed application.

Justin Elkins, 640 Sunny Stroll Drive, Middleburg, spoke in support of the proposed application.

David Gallegos, 3327 Roundabout Drive, Middleburg, spoke in support of the proposed application.

Zell Jones, 2334 Jose Circle South, Jacksonville, Kindewood Homeowners Association President, spoke in support of the proposed application.

James Otto, 2904 Blanding Blvd, Middleburg, spoke against the proposed application.

Chairman Anzalone closed the public hearing.

Commissioner Puckhaber made comments against supporting the proposed application. He reported of the perimeter wall that runs parallel to the two parcels in question, which he felt was intentionally built by the original Developer of the property and that they never intended of putting Activity Center at this location. He also made comments about the non-residential uses outlined in the Community Poll as provided

by Ms. Fraser.

Commissioner Bourré stated that he disagreed with comments made by Commissioner Puckhaber and spoke in support of Developers.

Commissioner Westervelt made comments about supporting the wishes of the community and stated that he would be supporting the proposed application.

Chairman Anzalone made comments supporting the proposed application.

With no further discussion, Vice Chairman Johnson made the motion to recommend approval of Comprehensive Plan Amendment 2017-14 as presented. Commissioner Bourré seconded the motion which carried 7-1 with Commissioner Puckhaber dissenting.

3. **Public Hearing to Consider Change to Land Development Code to Add Type III and Type IV Development Agreements**

The applicant is requesting a change to the Land Development Code to add two additional types of Development Agreements to address issues above and beyond what are currently allowed to be addressed in Development Agreements.

Ed Lehman, Director of Planning Zoning presented the item to the Planning Commission for consideration.

Mr. Lehman reported of the two additional types of Development Agreements as proposed by the applicant:

**Type III Agreements**

Type III agreements address implementation and monitoring phasing of development, PUD obligations, etc. These would monitor regulations already established in LDRs or site specific PUDs, or other agreements as approved by the Board. These agreements would be administrative in nature and subject to the approval of the Department Director and County Manager.

**Type IV Agreements**

Type IV agreements address issues such as public/private funding commitments, provision of services, etc., and can involve the creation of special funding districts and mechanisms to accomplish the mutual goal of the signature parties. These types of agreements would be required to get Board approval and Planning Commission review.

Staff recommended approval of the proposed change to the Land Development Code to add Type III and Type IV Development Agreements.

Chairman Anzalone opened the public hearing.

Susan Fraser, SLF Consulting, Inc., 3517 Park Street, Jacksonville, addressed the Planning Commission and explained why she was requesting the addition of the proposed language.

Chairman Anzalone closed the public hearing.

Mr. Lehman and County Attorney Grimm stated that they support the proposed changes as presented.

With no further discussion, Commissioner Puckhaber made a motion to recommend approval of the change to the Land Development Code as presented by staff. Vice Chairman Johnson seconded the motion which carried 7-0.

**Old Business/New Business**

There were no items for discussion.

Public Comment

James Otto, 2910 Blanding Blvd, Middleburg, addressed the Planning Commission regarding constitutional rights for the people of Clay County, illegal roads, and censorship.

Adjournment

With no further business, the Planning Commission adjourned at 8:15 P.M.

Attest:

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Committee Chairman

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Recording Secretary