



## APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP

### APPLICATION & SURROUNDING AREA INFORMATION

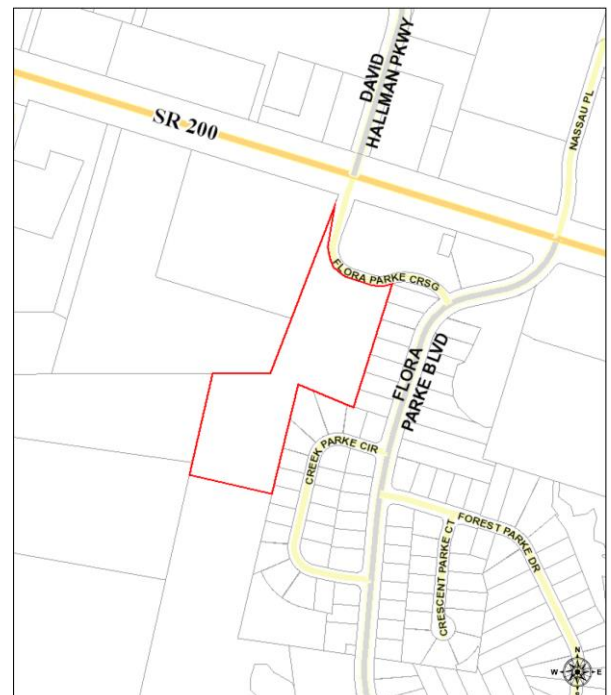
<b>OWNER/APPLICANT:</b>	AB Flora Parke, Inc.				
<b>AGENT:</b>	Gillette & Associates, Inc.				
<b>REQUESTED ACTION:</b>	Small-scale FLUM amendment of appx. 7.78 acre from Med. Density Residential (MDR) and Commercial (COM) to Commercial (COM)				
<b>LOCATION:</b>	On the South side of Flora Parke Crossing, between Amelia Concourse and Flora Parke Blvd.				
<b>CURRENT LAND USE + ZONING:</b>	Med. Density Residential (MDR)(4.26 ac)/Commercial (COM)(3.52ac) + Commercial General (CG)				
<b>PROPOSED LAND USE + ZONING:</b>	Commercial (COM) + Commercial General (CG)				
<b>EXISTING USES ON SITE:</b>	Vacant				
<b>PROPERTY SIZE + PARCEL ID:</b>	7.78 ac + Parcel ID #s 25-2N-28-0000-0002-1450				
<b>ADJACENT PROPERTIES:</b>	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Commercial		CI	IND
	South	Vacant, SF Residential		PUD	MDR
	East	SF Residential		PUD	MDR
	West	Vacant, Commercial		CG/CI	COM

\*\*\* All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. \*\*\*

### SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The proposed amendment to the Future Land Use Map (FLUM) of the Comprehensive Plan is of one parcel comprising approximately 7.78 acre. The request is to amend the Future Land Use Map (FLUM) designation of Medium Density Residential (MDR) and Commercial (COM) to Commercial (COM). Pursuant to Sec. 163.3187, F.S., FLUM amendments containing 10 acres or less are considered "Small Scale" and do not require prior transmittal for inter-agency review. The property is presently zoned Commercial General (CG).

This parcel, in its entirety, was zoned to CG in 1999 (Ord. 99-35). According to the staff reports and minutes of those public hearings, staff indicated that the FLUM designation of the property at the time of the rezoning was Commercial. However, on the present FLUM the lower portion is shown as Medium Density Residential. The southern portion of the site contains significant wetlands. Approximately 0.60 acre of useable uplands would be affected by this amendment. It is in the best interest of the property owners and potential developers to apply for this amendment to have the proper FLUM designation on record. The current CG zoning district is consistent with the proposed Commercial (COM) designation.





## CONSISTENCY WITH THE COMPREHENSIVE PLAN

Applicable Policy Reference	Determination of Consistency
FL.01.04(A-G)	√
FL.08.01	√
CI.02.01	√

### Policy FL.01.04

Pursuant to Ch. 163, F.S. and Policy FL.01.04 of the Comprehensive Plan, all amendments to the Future Land Use Map (FLUM) shall provide justification for the need for the proposed amendment. In evaluating proposed amendments, the County shall consider each of the following:

(A) *Demonstrate the extent to which the proposed amendment discourages urban sprawl per F.S. 163.3177(6)(a)(9), of which indicators are:*

- 1) *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

This parcel was zoned to CG in 1999 (Ord. 99-35). The surrounding area has developed since that time with a variety of moderate to intensive commercial uses along this part of SR200/A1A corridor. The proposed amendment will re-designate approximately 4.26 acres from Medium Density Residential (MDR) to Commercial (COM). Approximately 0.60 acre of this area is useable uplands. It will not significantly alter a substantial area of the jurisdiction to develop as low-intensity, low-density, or single-use development. It will not adversely alter development patterns in the area.

- 2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

The proposed amendment will support the use of the parcel for moderately intensive commercial development as was intended when it was rezoned in 1999. The surrounding area has developed since that time with a variety of similar moderate to intensive commercial uses along this part of SR200/A1A corridor. It will not result in significant amounts of urban development occurring in an inappropriate area.

- 3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

This parcel was zoned to CG in 1999 (Ord. 99-35) and is surrounded by significant urban infrastructure and development. The proposed amendment will not expand commercial or other intensive land uses in radial strip, isolated or ribbon pattern from that existing urban development.



- 4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

There are significant wetlands located on the southerly portion of the site. These wetlands, according to the applicant, have been placed in a conservation easement as part of the wetland mitigation efforts for the adjacent Flora Parke Planned Unit Development (PUD). Other than the existing stormwater facility which has been previously approved by SJRWMD, there will be no further development of the southern portion of the site. The amendment should therefore not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas.

- 5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

The proposed amendment will not adversely impact any known agricultural or silviculture activities.

- 6) *Fails to maximize use of existing public facilities and services.*

The proposed COM land use designation typically allows only non-residential uses. It will not alter population density. It should have no impacts to schools or parks and recreation. Based on the amount of useable uplands affected by this amendment there may be minor increases in demand for potable water, sanitary sewer, and other public facilities and services, but they will not result in a reduction in the adopted Levels of Service (LOS). (See Attachment A).

- 7) *Fails to maximize use of future public facilities and services.*

The proposed COM land use designation allows only non-residential uses. It will not alter population density. It should have no impacts to schools or parks and recreation. Based on the amount of useable uplands affected by this amendment there may be minor increases in demand for potable water, sanitary sewer, and other public facilities and services, but they will not result in a reduction in the adopted Levels of Service (LOS). (See Attachment A).

- 8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

The proposed amendment may result in a minor increase in traffic to and from the site (see Attachment A- Impact Analysis Summary). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan. Traffic operational issues that may be created by the new



development will also need to be resolved at the developer's expense if required by Engineering Services.

The property is located within JEA's service area. This area is currently served by both its central water and sewer system.

The proposed COM land use designation typically allows only non-residential uses. It will not alter population density. It should have no impacts to schools or parks and recreation.

The proposed amendment will not, according to staff's analysis result in the reduction of any adopted levels of service as specified in Capital Improvements Policy CI.02.01 (See Attachment A). It will not significantly alter development patterns.

9) *Fails to provide a clear separation between rural and urban uses.*

The proposed amendment is being considered only to correct a likely misinterpretation of the FLUM on this property. It will not result in an adverse development pattern that will fail to provide a clear separation between urban and rural.

10) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

The proposed amendment will support the use of the parcel for commercial development compatible with those found in the immediate vicinity. It will not adversely impact development patterns in the area or discourage infill or redevelopment of surrounding properties.

11) *Fails to encourage a functional mix of uses.*

The proposed amendment will support the use of the parcel for commercial development compatible with those found in the immediate vicinity. It does not discourage a functional mix of uses.

12) *Results in poor accessibility among linked or related land uses.*

The proposed amendment will support the use of the parcel for commercial development that will be able to access SR200 and Flora Parke Blvd. The amendment will not result in poor or reduced accessibility among surrounding uses.

13) *Results in the loss of significant amounts of functional open space.*

The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas. According to the applicant, wetlands located on the southerly portion of the site have been placed in a conservation easement as part of the wetland mitigation efforts for



the adjacent Flora Parke Planned Unit Development (PUD). Other than the existing stormwater facility which has been previously approved by SJRWMD, there will be no further development of the southern portion of the site. It will not result in the loss of a significant amount of functional open space.

- (B) Demonstrate the extent to which the proposed amendment is contiguous to an existing urban or urban transitioning area served by public infrastructure;*

The parcel in question appears, from its configuration, to have been intended for commercial use and has zoned for commercial use since 1999. Examination of previously approved and dated FLUM maps appear to be inconclusive as to the designation of this property, and therefore possibility exists that previous FLUM maps were incorrectly interpreted, leading to these parcels being designated as MDR on the FLUM, despite being zoned for commercial use and having no history of residential use. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

- (C) Demonstrate the extent to which population growth and development trends warrant an amendment, including an analysis of vested and approved but unbuilt development;*

The proposed COM land use designation typically allows only non-residential uses. It will not alter population density. The proposed amendment is correct a likely misinterpretation of the FLUM and it will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure. Population growth is not a factor in its approval.

- (D) Demonstrate the extent to which adequate infrastructure to accommodate the proposed amendment exists, or is programmed and funded through an adopted Capital Improvement Schedule, such as the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program, or privately financed through a binding executed agreement, or will otherwise be provided at the time of development impacts as required by law;*

The proposed amendment will support the commercial use of the parcel. It will have no impact on demand for school facilities or parks, and will not adversely affect levels of service for potable water, sanitary sewer, and other public facilities and services. (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan. Capacity-building improvements for SR200 are currently under construction. The proposed amendment will not otherwise not alter development patterns significantly to the degree that would require improvements funded through the County's Capital Improvement Plan, the Florida Department of Transportation Five-Year Work Program, the North Florida Transportation Planning Organization (TPO) Transportation Improvement Program.



*(E) Demonstrate the extent to which the amendment will result in a fiscally and environmentally sustainable development pattern through a balance of land uses that is internally interrelated; demonstrates a context sensitive use of land; ensures compatible development adjacent to agriculture and environmentally sensitive lands; protects environmental and cultural assets and resources; provides interconnectivity of roadways; supports the use of non-automobile modes of transportation; and appropriately addresses the infrastructure needs of the community.*

The proposed amendment will support the commercial use of the parcel. It will have no impact on demand for school facilities or parks, and will not adversely affect levels of service for potable water, sanitary sewer, and other public facilities and services. (See Attachment A). It will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

*(F) Demonstrate the extent to which the amendment results in a compact development form that fosters emergence of vibrant, walkable communities; makes active, healthier lifestyles easier to enjoy; conserves land; supports transportation alternatives; reduces automobile traffic congestion; lowers infrastructure costs; reduce vehicular miles traveled and costs related to household transportation and energy; and puts destinations in closer proximity. Successful compact development is illustrated through the use of:*

- 1. Clustered population and/or employment centers;*
- 2. Medium to high densities appropriate to context;*
- 3. A mix of land uses;*
- 4. Interconnected street networks;*
- 5. Innovative and flexible approaches to parking;*
- 6. Multi-modal transportation design including pedestrian, bicycle, and transit-friendly options;*
- 7. And proximity to transit.*

The parcel in question appears, from its configuration, to have been intended for commercial use and has zoned for commercial use since 1999. Examination of previously approved and dated FLUM maps appear to be inconclusive as to the designation of this property, and therefore possibility exists that previous FLUM maps were incorrectly interpreted, leading to these parcels being designated as MDR on the FLUM, despite being zoned for commercial use and having no history of residential use. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.

It is the responsibility of the County to ensure, through the application of the site plan review process, that any use proposed in this designation is compatible with the above goals, the Goals, Objectives and Policies of the Comprehensive Plan, and the requirements of the Land Development Code.





*(G) Demonstrate the extent to which the amendment does not propose environmental impacts that would significantly alter the natural landscape and topography such that it would exacerbate or lead to increased drainage, flooding, and stormwater issues.*

As stated previously, there are significant wetlands located on the southerly portion of the site. These wetlands, according to the applicant, have been placed in a conservation easement as part of the wetland mitigation efforts for the adjacent Flora Parke Planned Unit Development (PUD). Other than the existing stormwater facility which has been previously approved by SJRWMD, there will be no further development of the southern portion of the site. The amendment should not have an adverse impact on any identified environmentally sensitive lands or designated conservation areas. It will not adversely impact any agricultural or silviculture uses.

**Policy FL.08.01 & CI.02.01**

Policy FL.08.01 & CI.02.01 require the County to ensure that development orders are conditioned upon the provision of adequate public facilities and services as identified in this plan. The County may not issue a development order or permit that results in a reduction in the level of service (LOS) for the affected public facilities below the minimum level of services established in this plan. Public facilities and services must meet or exceed the level of service standards established in this plan and must be available when needed for the development as specified in this plan.

A brief analysis of potential impacts based on adopted levels of service is included in Attachment A to this report. As stated previously, there are significant wetlands located on the southerly portion of the site. These wetlands, according to the applicant, have been placed in a conservation easement as part of the wetland mitigation efforts for the adjacent Flora Parke Planned Unit Development (PUD). Other than the existing stormwater facility which has been previously approved by SJRWMD, there will be no further development of the southern portion of the site. Based on this, analysis was done for the maximum development that may be permitted on the amount of useable uplands that may be affected by this amendment, approximately 0.60 acre.

Based on this analysis, the proposed amendment would have no impact on demand for school facilities or parks, and will not, according to staff's analysis result in the reduction of any adopted levels of service as specified in Capital Improvements Policy CI.02.01 (See Attachment A). Future development on the site will be subject to fees assessed as part of the County's adopted Mobility Plan.



## **CONSISTENCY WITH THE LAND DEVELOPMENT CODE**

### **ARTICLE 16. - COMMERCIAL, GENERAL: CG**

#### **Section 16.01. - Permitted uses and structures.**

No rezoning application has been filed for this site. The site would maintain its current Commercial General (CG) zoning.

The purpose of the Commercial General (CG) zoning district is to designate areas for general commercial uses which will meet the retail sales and service needs of Nassau County residents. This district is intended to encourage the concentration of general commercial uses and not the extension of strip commercial areas.

## **CONCLUSION**

- Staff finds that the parcel in question appears to have been intended for commercial use and has been zoned for commercial use since 1999. According to the staff reports and minutes of those public hearings, where the rezoning was recommended and approved, staff indicated that the FLUM designation of the property at the time of the rezoning was Commercial.
- Staff finds that the possibility exists that previous FLUM maps were incorrectly interpreted, leading to these parcels being designated as MDR on the FLUM, despite being zoned for commercial use and having no history of residential use. The proposed amendment will not result in an adverse development pattern and should not overly burden existing or proposed public infrastructure.
- Staff finds the requested action to be consistent with the Comprehensive Plan, in particular the adopted criteria for approval of a FLUM amendment in Policy FL.01.04 (A-G) as described above.
- Staff finds that, consistent with Comprehensive Plan Policies FL.08.01 and CI.02.01, the proposed amendment will not result in a reduction in the level of service (LOS) for affected public facilities below the minimum level of services established in the Comprehensive Plan.
- Staff finds the requested action is also consistent with the current Commercial General (CG) zoning district and the applicable provisions of the Land Development Code as described above.

Based on these findings, staff recommends APPROVAL of application CPA19-010.

Submitted by:

A blue ink signature of Doug McDowell, Principal Planner.

Doug McDowell, AICP  
Principal Planner



## ATTACHMENT A

### Impact Analysis Summary

**Application:** CPA19-010

**Area:** 0.60 acre (appx. amount of useable uplands- appx. 4.26 acres in MDR incl. wetlands, 7.78 total in parcel)

**From:** Medium Density Residential (MDR)

**To:** Commercial (COM)

	Current (COM)	Proposed (HDR)
Maximum Development Potential <sup>1</sup>	10,450 sq. ft. retail commercial	2 residential dwelling units
ITE Code <sup>2</sup>	820	210

	Current (MDR)	Proposed (COM)	Net Impact
Population Projection- persons <sup>3</sup>	5	0	(5) persons
<b>Transportation Impacts</b>			
Trip Generation- PM peak hour (pmph) <sup>2</sup>	2	35	33 pmph
<b>Public Facilities Impacts</b>			
Water (JEA)- gallons per day (gpd) <sup>4</sup>	472	1,568	1,097 gpd
Sewer (JEA)- gallons per day (gpd) <sup>4</sup>	472	1,568	1,097 gpd
Solid Waste Disposal- tons per year (tpy) <sup>4</sup>	4.2	19.1	14.9 tpy
Recreation & Parks- acres (ac) <sup>4</sup>	0.06	0	(0.06) ac
Public Schools- students <sup>4</sup>	1	0	(1) students

<sup>1</sup> Policy FL.01.02(A-E), 2030 Comprehensive Plan

<sup>2</sup> ITE Trip Generation Report, 8<sup>th</sup> ed.

<sup>3</sup> BEBR, Univ. of Florida, 2018

<sup>4</sup> JEA, 2018; Policy CI.02.01, 2030 Comprehensive Plan