



## APPLICATION FOR REZONING

### APPLICATION & SURROUNDING AREA INFORMATION

<b>OWNER/APPLICANT:</b>	Calypso Commercial Holdings, LLC			
<b>AGENT:</b>	Elizabeth Moore, Sodl & Ingram PLLC			
<b>REQUESTED ACTION:</b>	Rezoning from Open Rural (OR) to Commercial General (CG)			
<b>LOCATION:</b>	On the north side of SR 200, between Brady Point Road and Pine Grove Place			
<b>CURRENT LAND USE + ZONING:</b>	Commercial (COM) + Open Rural (OR)			
<b>PROPOSED LAND USE + ZONING:</b>	Commercial (COM) + Commercial, General (CG)			
<b>EXISTING USES ON SITE:</b>	Single-family homes and related structures, currently vacant			
<b>PROPERTY SIZE + PARCEL ID:</b>	1.66 acres + Parcel ID # 40-2N-28-0000-0028-0000			
<b>ADJACENT PROPERTIES:</b>	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Undeveloped	OR	LDR
	South	Medical Offices/Church	CG/OR	COM
	East	Undeveloped	OR	COM
	West	SF Residential	CG	COM
<b>COMMISSION DISTRICT:</b>	1			

\*\*\* 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 Department Office. \*\*\*

### SUMMARY OF REQUEST AND BACKGROUND INFORMATION

The applicant is requesting the rezoning of approximately 1.66 acres from Open Rural (OR) to Commercial, General (CG). The property has a Future Land Use Map (FLUM) designation of Commercial (COM).

As stated in the Intent preamble of Article 16 of the Land Development Code (LDC), the CG zoning district "designates 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."

The preamble further states that the "Commercial General District shall abut a roadway classified as a collector or higher facility on the adopted functional highway classification map of the adopted comprehensive plan." The property meets this standard as it fronts on SR 200, an arterial roadway.

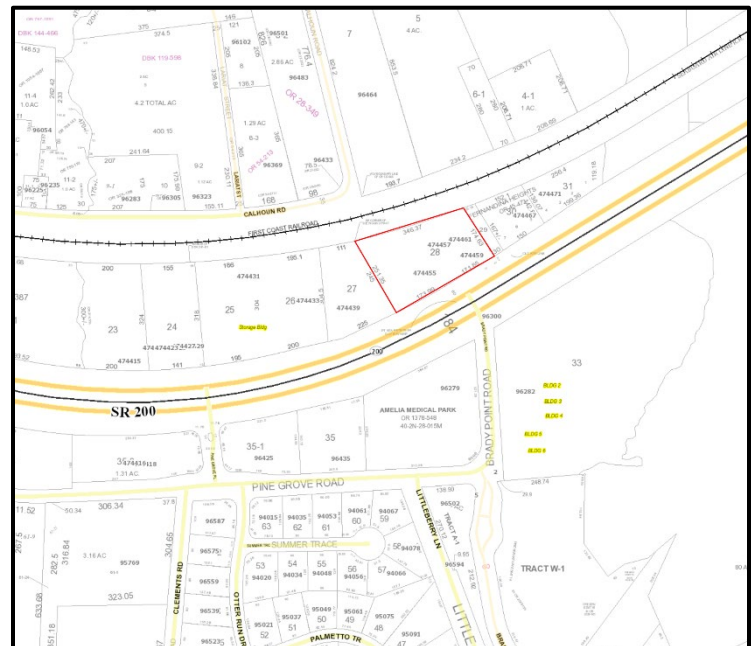


Figure 1: Parcel Map



Figure 2: FLUM Map

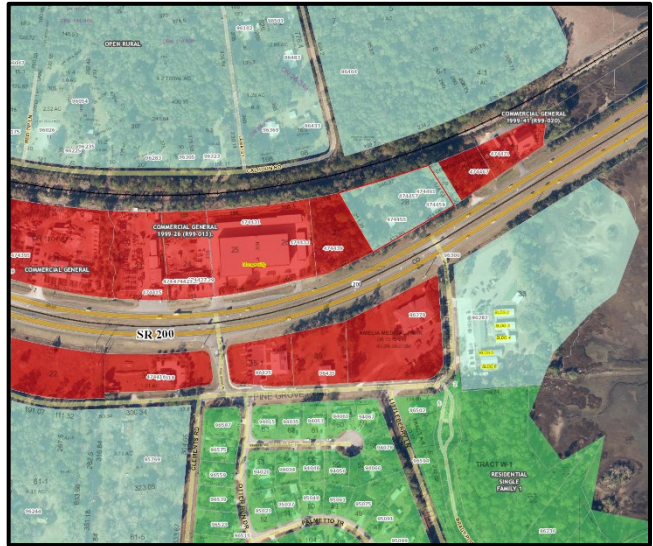


Figure 3: Zoning Map



Figure 4: Site Photo



Figure 5: Aerial Map

## CONSISTENCY WITH THE LAND DEVELOPMENT CODE ARTICLE 5. – PROCEDURES

### Section 5.02. - Rezoning.

Pursuant to LDC Section 5.02 (C) and (D), staff shall review rezoning applications for consistency with the Comprehensive Plan and provide a recommendation to the Planning and Zoning Board regarding the merits of the request based upon the goals, objectives, and policies of the Comprehensive Plan. This review also includes an analysis of the need for, and justification of, the rezoning and whether the rezoning is in keeping with the County's planning program. These broad criteria are addressed through questions on the application, which are evaluated in the following analysis.

- (A) *Consistency of the proposed rezoning with the uses, densities and intensities permitted by the underlying Future Land Use Map (FLUM) designation and the goals, objectives, and policies of the adopted Comprehensive Plan.*

Staff Response: the current Commercial (COM) FLUM designation of the property is "intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service." The





proposed rezoning is in a transitioning commercial area that is characterized by a mix of remnant Open Rural (OR) and newer Commercial General (CG) uses along SR 200 and residential communities to the northwest along Calhoun Rd. The existing uses in the immediate vicinity include commercial services, a church, a medical office, and single-family houses. The rezoning of the property to CG would be consistent with development patterns along SR 200 and the existing land use designation of COM which is applied to a 2-mile stretch of SR 200 from Barnwell Road to the Thomas J. Shave Jr. Bridge. Development is consistent with the goals, objectives, and policies of the adopted Comprehensive Plan which include the protection and expansion of job-generating land uses.

- (B) *Consistency of the proposed rezoning with the uses, densities and intensities permitted by the adjacent and surrounding zoning districts.*

Staff Response: The proposed rezoning to CG would be consistent with development patterns along SR 200 and the existing land use designation of COM. There are similar commercial services and intensities provided to the south of the property and along the SR 200 corridor. The area includes a mix of commercial uses of varying intensities. The rezone would allow for development that is similar to the surrounding development pattern of Commercial General (CG) uses along SR 200.

- (C) *Consistency of the proposed rezoning with the applicable portions of small area plans, overlay districts or any current County plans or programs.*

Staff Response: The rezoning is consistent with the SR 200/A1A Corridor Master Plan which identifies the property as Transect 4.5, part of the Urban Corridor Zone. Urban Corridor Zones consist of a mix of uses but can be primarily non-residential or multi-family development. The proposed zoning is consistent with strategic priorities found in Nassau County's Interim Strategic Plan, this rezoning protects existing industrial, commercial and mixed-use lands from being converted to residential uses.

- (D) *The rezoning does not result in sprawl development pattern as determined by Chapter 163, Florida Statutes, and will not discourage infilling or more appropriate areas available for development within existing or transitioning areas.*

Staff Response: the proposed rezoning is located in an area planned for commercial growth. The application may encourage infilling of the remaining commercially designated properties in this commercial transitioning area.

- (E) *The availability of, and potential impact to, public infrastructure and facilities that will serve the site in question including public water and wastewater, public roads, public schools, public parks, police and fire service and other similar items.*

Staff Response: the proposed CG zoning district will not alter population density and thus will not impact schools and parks. Regarding transportation infrastructure, access is provided by SR 200, an arterial roadway. Specific traffic impacts and operational improvements will be addressed at the time of site plan review. There is JEA-operated water and sewer available to the site served by existing utility lines on SR 200. The owner is currently utilizing private well and JEA sewer services.

- (F) *Consistency of the proposed rezoning with any applicable substantive requirements of the Code, including minimum or maximum district size, access, setback, and buffering requirements.*

Staff Response: if approved, all new development will be reviewed for consistency with Code requirements. The property will be subject to Article 35, SR 200/A1A Access Management Overlay District standards.

- (G) *The nature and degree of potential adverse impacts the proposed rezoning could have upon permitted conforming uses on neighboring lands.*

Staff Response: there are OR-zoned large lot residential properties to the north, separated by a CSX rail line, that



would be minimally affected by commercial uses which front on SR 200. There is currently a nonconforming single-family residence to the west of the property with CG zoning. There is currently an undeveloped parcel to the east of the property with OR zoning. Adjacent lands to the east and west are designated as COM on the future land use map.

- (H) *The nature and degree of potential adverse impacts the proposed rezoning could have upon environmentally sensitive lands or areas of historical or cultural significance.*

Staff Response: there are no known environmentally sensitive lands or areas of historical or cultural significance on site. The site is in flood zone type AE.

- (I) *Substantial changes in the character or development of areas in or near the area under consideration which affect the suitability or unsuitability of the land for its use as presently zoned.*

Staff Response: the property can be developed with the existing zoning of Open Rural which allows agricultural uses and nonresidential uses including wholesale plant nurseries, fruit and vegetable farms, and boarding stables.

- (J) *The extent to which land use and development conditions have changed since the effective date of the existing zoning regulations involved which are relevant to the property.*

Staff Response: there have been no substantial changes to land use or development conditions relevant to the property.

- (K) *Public policies in favor of the rezoning. Examples include identified economic development affordable housing projects, mixed-use development, or sustainable environmental features, which are consistent with specific adopted plans or policies of the Board of County Commissioners.*

Staff Response: this rezoning is supported by the following:

- Strategic Plan FS&EP – Initiative 1: Coordinate and execute community planning initiatives that promote, protect and facilitate land uses that can support economic development and revenue generating enterprises.

- (L) *The extent to which the rezoning 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.*

Staff Response: this criterion applies to a larger area that can sustain characteristics of a mixed-use development.

- (M) *The extent to which the rezoning 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.*

Staff Response: Any development on the site must comply with all Federal, State and local environmental and drainage requirements. Development shall adhere to standards set forth by the St Johns River Water Management District, County, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife, US Army Corps of Engineers.

- (N) *The extent to which the rezoning 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:*



## PLANNING DEPARTMENT

NASSAU COUNTY, FLORIDA

STAFF REPORT  
Planning + Zoning Board

R23-008

November 7, 2023

- (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) *Proximity to transit.*

Staff Response: this criterion applies to a larger area that can sustain characteristics of a mixed-use development.

### CONCLUSION AND RECOMMENDATION

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The requested rezoning is consistent with the review criteria. Staff recommends APPROVAL of application R23-008.

### PZB RECOMMENDATION

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At their meeting on November 7, 2023, the Planning and Zoning Board recommended approval of the rezoning application. The motion to recommend approval passed with a vote of 10-0.