

## **ORDINANCE NO. O-19-0024**

**AN ORDINANCE CLOSING AND DISCONTINUING ACCESS BETWEEN GROVE STREET AND ST JOHNS AVENUE, AS SHOWN IN EXHIBIT “A”, BUT RETAINING OWNERSHIP OF SAID PORTION FOR LANDSCAPING AND OTHER GOVERNMENTAL USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council (the "Council") of the City of Green Cove Springs, Florida (the "City") received a request from St. Johns Law Group. (the “Applicant”) to close and discontinue access between St Johns Avenue and Grove Street; and

**WHEREAS**, the City owns the right-of-way for the intersection of St Johns Avenue and Grove Street; and

**WHEREAS**, prohibiting access to Grove Street from St Johns Avenue was a condition of the applicant’s Special Exception regarding the Springs Academy school located on 1106 N Orange Avenue and will minimize the impact on St. Johns Avenue, a primarily residential street, from the school; and

**WHEREAS**, no other property owners will be landlocked or adversely affected by such closure; and

**WHEREAS**, the portion proposed for closure would be better served as a wall and landscaped open space, which the City will maintain and continue ownership of for the benefit of City residents.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. AUTHORITY.** This ordinance is adopted pursuant to the provisions of the Code; Article VIII, Section 2, Florida Constitution; sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Green Cove Springs; and other applicable provisions of law.

**SECTION 3. DEFINITIONS AND INTERPRETATIONS.** Unless otherwise defined herein, all capitalized terms in this ordinance shall have the meanings set forth in the Green Cove Springs City Code.

**SECTION 4. APPLICANT OWNER REQUIREMENTS.** Springs Chapel Corp shall:

- a. Provide and maintain a temporary barrier prior to the start of the school year that restricts access to Grove Street from St Johns Avenue that complies with FDOT Standard

Plans for Road Construction design criteria Index 102-100, subject to approval by Public Works staff until a permanent barrier is constructed. If a barrier is not timely constructed pursuant to these requirements, the applicant, Springs Chapel Corp, shall be required to pay a barricade fee to the City as set forth in Section 62-59, City Code.

- b. As part of the construction of the Site Development Plan as required by the approved Special Exception (SE-24-002) for the Church/School located at 1106 N Orange Avenue, the applicant, Spring Chapel Corp, shall be required to remove the asphalt and lime rock within the portion of closed right-of-way from St Johns Avenue for 10' from the Right of Way as shown on Exhibit "B", as well as sod, landscape and buffer the area meeting the following requirements:
- Provide a 6' high brick, stone or concrete block wall as set forth in the buffering requirements in Sec. 113-243(f) of the City Land Development Code at 10' from the right of way line as shown on Exhibit "B".
  - Small Trees as set forth in the landscape buffer specifications in Sec. 113-243(f)(8) providing an average of 1 tree per 25 lineal feet and irrigating through the establishment period of said landscaping.
  - Provide a continuous hedge row pursuant to the specifications set forth in Sec. 113-244(f)(8)(b.).
  - A Maintenance Agreement pursuant to Sec. 101-331 of the City LDC shall be required as part of the Site Development Plan approval.

#### **SECTION 5. NOTIFICATION OF INTERSECTION**

Prior to the City Council reopening or changing access at this intersection, notice to property owners within 300' of the Grove/St Johns intersection shall be provided, with proposed changes and date/time/location of public hearing(s) to consider the access revisions.

#### **SECTION 6. CLOSURE AND DISCONTINUED USE OF A PORTION OF THE INTERSECTION OF ST JOHNS AVENUE AND GROVE STREET AS IDENTIFIED IN EXHIBIT "A".**

A portion of St Johns Avenue from the northern Right-of-Way line of Grove Street to the southern Right-of-Way line of Grove Street and identified on Exhibit "A", is hereby closed; and use of this portion of right-of-way for vehicular traffic is discontinued subject to the requirements set forth in Section 4 above. The City shall maintain ownership of this portion of the right-of-way.

**SECTION 7. CONFLICTS.** If any portion of this Ordinance is in conflict with any other ordinance, then the provisions of this ordinance shall govern.

**SECTION 8. SEVERABILITY.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 9. EFFECTIVE DATE.** This ordinance shall become effective immediately on the date City Council approves the ordinance on 2<sup>nd</sup> reading

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 6<sup>th</sup> DAY OF AUGUST 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Steven R. Kelley, Mayor

**ATTEST:**

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Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 3<sup>rd</sup> DAY OF SEPTEMBER, 2024.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Steven R. Kelley, Mayor

**ATTEST:**

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Erin West, City Clerk

**APPROVED AS TO FORM ONLY:**

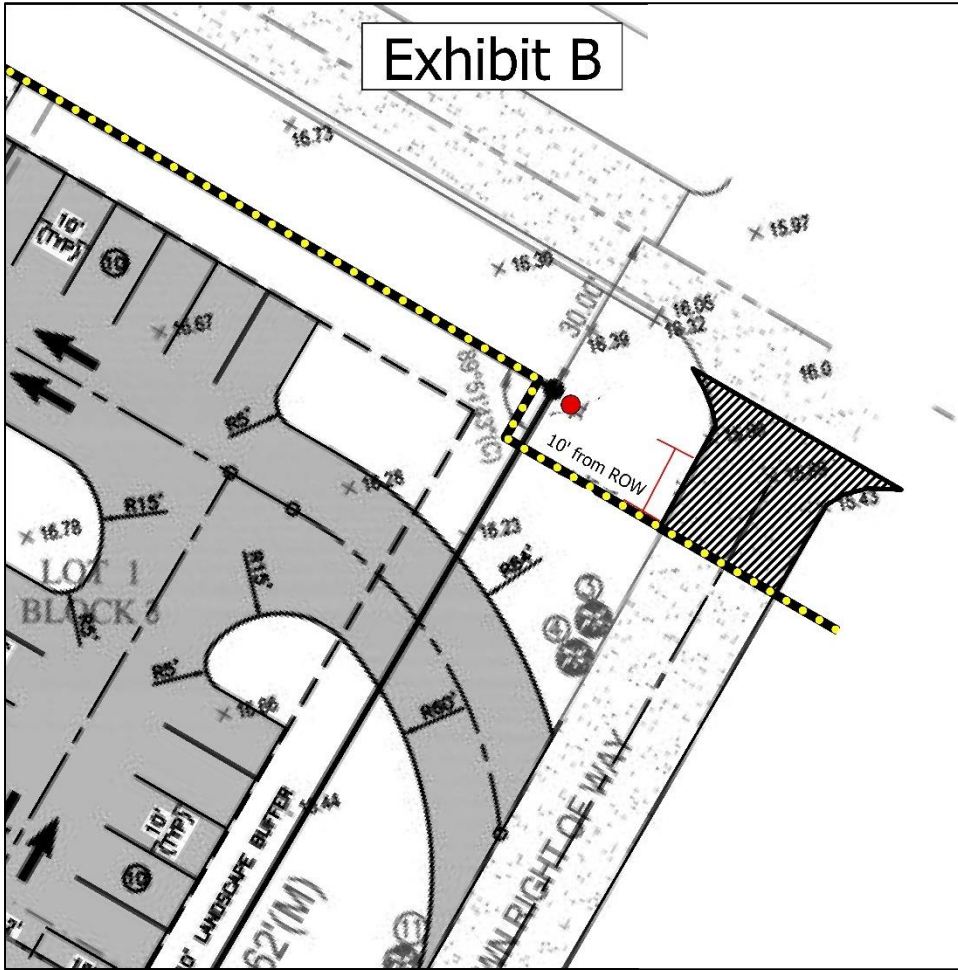
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L. J. Arnold, III, City Attorney

# Exhibit "A"



# Exhibit B



Legend	
	Buffer Wall
	Parking Lot
	Area to be landscaped as part of Grove St closure
	Fire Hydrant

