



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** June 25, 2024
FROM: Gabriel Barro, Planning and Zoning
SUBJECT: Review of Special Exception application for use of the south portion of the property for Springs Chapel as off-street parking

PROPERTY DESCRIPTION

APPLICANT: James G Whitehouse, Esq.,
St. Johns Law Group **OWNER:** Springs Chapel Corp.

PROPERTY LOCATION: 1106 N Orange Avenue

PARCEL NUMBER: 017553-000-00

FILE NUMBER: SE 24-002

CURRENT ZONING: Gateway Corridor Commercial, Gateway Corridor Residential, Low Density Residential R-1

FUTURE LAND USE DESIGNATION: Mixed-Use / Neighborhood

SURROUNDING LAND USE

NORTH: **FLU:** Neighborhood
Z: GCC / R-1
Use: Commercial / Residential

SOUTH: **FLU:** MU
Z: GCC
Use: Vacant

EAST: **FLU:** Neighborhood
Z: R-1
Use: Residential (Single Family)

WEST: **FLU:** MU / Public
Z: GCC / Institutional
Use: Food / Vacant Non-Residential

BACKGROUND

The property was approved for a Site Development Plan for the Orange Avenue Baptist Church by the City Council on May 7, 1997. Subsequent to the approval of the site development plan, it was determined that due to traffic concerns along US 17 was required to secure a special exception to allow church uses within the R-1 Zoning District. The Special Exception was approved on July 1, 1997 with the following conditions:

- Orange Avenue Baptist Church shall bring all remaining properties into compliance with the current zoning requirements by acquiring a Special Exception and that the properties be made one single property through the filing of a Site Development Plan, that depicts the existing

development, proposed development, landscaping, access, buffering and parking, and that this Site Development Plan be submitted and approved within 6 months of this meeting, and subject to the property being limited to one driveway, constructed to City standards, off St. Johns Avenue and depicted on the Site Development Plan.

In 2013, an amendment to the approved Site Development was submitted for approval which provided a driveway connection from the Church property to St Johns Avenue to the east.

According to Section 117-62(3) of the City Code, churches with their attendant education and recreational buildings and off-street parking areas are allowed by special exception in the Residential Low Density zoning district. In 2016, an amendment by Crossroads School was approved amending the original special exception to allow a school to be located at the site subject to the following conditions:

1. Ingress and egress for the school shall be limited to North Orange Avenue. No ingress and egress for the school shall be permitted off of St Johns Avenue.
2. The school shall with all comments from the City of Green Cove Springs Building Official and Clay County Fire Marshal.
3. An agent authorization for the Special Exception shall be executed by a director of the Springs Baptist Church Corporation, listed with the State of Florida.
4. Any parking created shall comply with the required landscaping requirements.
5. All signs on the property shall comply with Chapter 110 of the City Code.

Code Enforcement

The church has a history of non-compliance with regulations defined in past special exceptions.

In 2017, two code enforcement violations were issued to the property owner. One for accumulation of garbage and improper use of a carport. The other for failure to comply with the approved site plans and staff recommendations from 2013 and 2016: ingress and egress shall be limited to Orange Ave.

The Special Exception issued in 2016 allowed for a school at 1106 N Orange Ave for a maximum of 100 students. The school currently hosts 156 students, per the National Center for Education Statistics Private School Survey Data.

The same Special Exception from 2016 references a site plan from 2014 which required a hedge or fence with 85% opacity be placed along St. Johns Ave as part of a landscape buffer. No hedge or fence is currently in place.

In 2023, a code enforcement violation was issued to the property owner for failure to comply with the approved Special Exception approved in 2016: ingress and egress shall be limited to Orange Ave. This violation is still active.

The church is requesting an amendment to their 2016 Special Exception regarding approval to allow a school at 1106 N Orange Avenue with compliance with seeking to provide a buffered off street parking area to address the issue of vehicle stacking on streets surrounding the property, as addressed by the surrounding residents. The property is used as a K-12 educational facility and sees higher than normal traffic volume during drop off and pick up hours.

Due to a history of non-compliance with past Special Exceptions and the current code enforcement violation, staff is recommending that failure to obtain and comply with the current special exception results in a fine of \$25 per day retroactive to the 29th of April, 2024.

Special Exception Review Criteria

When deciding on special exception requests, the Site Development Review Team (SDRT) will ensure the following criteria are satisfied:

- (1) Compliance with all elements of the comprehensive plan.
The proposed request is consistent with the Comprehensive Future Land Use Policy 1.1.1(c), which allows the Gateway Corridor Commercial Zoning District within the Mixed Use Future Land Use Designation
- (2) The establishment, maintenance or operation of the special exception will not be detrimental to or endanger the public health, safety, or general welfare, and is not contrary to established standards, regulations or ordinances of other governmental agencies.
The proposed development will meet this criteria with the addition of certain requirements.
- (3) Each structure or improvement is so designed and constructed that it is not unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and the zoning district in which it is proposed.
The construction plan will meet this criteria with the addition of a landscape buffer, decorative wall along St. Johns Ave, and 1 tree per every 25 ft along St Johns Ave.
- (4) The special exception will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the area.
The proposed use will be consistent with the existing uses in the gateway corridor and will not negatively impact the area with the addition of certain requirements.
- (5) The establishment of the special exception will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.
The proposed use will not impact the improvement of surrounding properties.
- (6) Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health departments.
Water and sewer are available.
- (7) Adequate access roads, onsite parking, onsite loading and unloading berths, and drainage have been or will be provided where required.
Vehicles will enter the parking lot off of Grove St and be directed through a pickup line. Vehicles will then exit onto N Orange Ave.
- (8) Adequate measures have been taken to provide ingress and egress to the property, which is designed in a manner to minimize traffic congestion on local roads.
Access is provided off N Orange Ave and Grove St.
- (9) Adequate screening and buffering of the special exception will be provided, if needed.
Landscape buffers will be provided along areas abutting neighborhoods.
- (10) The special exception will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by the special exception shall be compatible with development in the zoning district.
The special exception will not require signs specific to it.
- (11) The special exception will conform to all applicable regulations of the zoning district in which it is proposed.

STAFF RECOMMENDATION

Staff recommends approval of the modifications to the Special Exception, subject to the following conditions:

- Define the maximum number of students to no more than 156 students.
- Addition of or modification to any existing structure/facility on the site as of the approval of this modification, will require a modification to the Special Exception.
- Provide parking calculations along with site plans.
- Provide a tree survey showing the location of existing trees, comply with the tree preservation requirements set forth in Sec. 113-274~279.
- Secure permits from FDOT for state road access/driveway.
- Ingress and egress are prohibited on St. Johns Avenue. Provide a gate on the St. Johns Avenue driveway, to be closed during school hours.
- A 6' high wall and trees (1 per 25 feet) to be provided along St. Johns Avenue as part of the required landscape buffer per Sec. 113-243.
- Gate at access to St. Johns Avenue must be closed and secured during drop-off hours, school hours and pick-up hours.
- Provide vehicle stacking to scale, each vehicle should be 10' in width and 20' in length. A minimum of 200' of stacking shall be provided.
- Block Grove Street at St Johns Avenue with a permanent barrier. Grove Street must be closed prior to the start of the school year, which is August 13, 2024, subject to City Council approval.
- Provide a temporary stacking plan for school drop off and pickup with no access from St. Johns Avenue.
- Special Exception shall be limited to Springs Chapel Corp. Any change in ownership shall require modification to the Special Exception.
- Upon approval, failure to comply will result in pulling of the current and past Special Exceptions.

Submittal timeframes

1. Secure a Site Development Plan approval subject to the special exception requirements within 120 days; and
2. Completion of construction of the improvements set forth in the approved Site Development Plan and conditions within the Special Exception within 6 months subsequent to Site Plan approval; and
3. Not meeting these timeframes shall be considered a violation of the approved Special Exception and shall be grounds for the special exception to be returned to the Planning and Zoning Commission for revocation of the Special Exception; and
4. Any other violations of the Special Exception and Site Development Plan shall follow the Code Enforcement procedure set forth in Chapter 22 of the Green Cove Springs City Code.