



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** May 17, 2022  
**FROM:** Michael Daniels, AICP, Planning & Zoning Director  
**SUBJECT:** Development Agreement for approximately 559.9 acres for the Rookery Residential Development located on CR 15 A south of Green Cove Avenue, parcel # 016515-008-00

### PROPERTY DESCRIPTION

**APPLICANT:** Ellen Avery-Smith, Esq. of Rogers Tower, PA **OWNER:** Gustafson's Cattle, Inc.

**PROPERTY LOCATION:** CR 15 A

**PARCEL NUMBER:** 016515-008-00

**FILE NUMBER:** CDA-22-001

**CURRENT ZONING:** Planned Unit Development

**FUTURE LAND USE DESIGNATION:** Neighborhood

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### SURROUNDING LAND USE

**NORTH:** **FLU:** Recreation  
**Z:** Recreation  
**Use:** Undeveloped

**SOUTH:** **FLU:** Industrial (County)  
**Z:** Heavy Industrial (County)  
**Use:** Industrial / Undeveloped

**EAST:** **FLU:** Industrial (County)  
**Z:** Heavy Industrial (County)  
**Use:** Industrial

**WEST:** **FLU:** Rural Residential / Commercial / Agriculture (County)  
**Z:** Agricultural Residential / Commercial (County)  
**Use:** Single Family Homes, Commercial, Undeveloped

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### BACKGROUND

The applicant, Ellen Avery Smith Esq, of Rogers Tower PA has submitted a development agreement on behalf of her client, D.R. Horton, as part of their contractual agreement to purchase the property from the current owner Gustafson's Cattle Inc. The property is located on the east side of CR 15A, west of the railroad tracks, south of Green Cove Avenue, and north of Jersey Avenue. The Development Agreement is related to the Rookery Development which has been approved by the City for the development of 2,100 residential dwelling units on 559.9 acres.

The site is located within the City’s Electric Service Boundary. It will be served by the City’s electric and sanitation services and by the Clay County Utility Authority for water and sewer.

The City Council held the first public hearing on Tuesday, May 3, 2022, to consider a Development Agreement to be entered into pursuant to Sections 163.3220 through 163.3243, Florida Statutes, between the City of Green Cove Springs (City) and DR Horton Inc - Jacksonville (Owner). The item was unanimously approved with conditions to incorporate changes requested by the City Attorney and to add an option at the City’s discretion to accept a cash payment in lieu of the construction of the Police Substation. The Development Agreement is required to have two public hearings.

A summary of the Future Land Use and Rezoning Amendments related to the Development Agreements listed below were approved by City Council on May 3, 2022:

Application #	Parcel #	Description	Reference
FLUS-22-001	016515-008-00	Small Scale FLU Map Amendment: 21.89 acres Neighborhood to Public	South Parcel*
ZON-22-001	016515-008-00	Conventional Rezoning: 21.89 acres PUD to Recreation	South Parcel*
FLUS-22-002	016515-002-00	Small Scall FLU Map Amendment: 21.3 acres Recreation to Neighborhood	North Parcel
PUD-22-001	016515-002-00 & 016515-008-00	PUD Rezoning: 21.3 acres Recreation to PUD + Rookery PUD amendment for full project site	North Parcel

The Development Agreement includes the following sections:

- **Public Facility Improvements**
  - Applicant shall comply with City requirements regarding the construction and installation of electric lines, streetlights and stormwater system.
  - Applicant shall comply with Clay County Utility Authority (CCUA) regarding the installation of water and sewer facilities.
  
- **Transportation Mobility Improvements**
  - Shall construct Pearce Boulevard from US Highway to the Regional Park Site
  - Limiting construction to 231 units until such time as construction is completed
  - Applicant shall construct connector road to Pearce Boulevard through Regional Park Site
  - Applicant has provided an approved traffic study that was reviewed and approved by City Staff, City Transportation Consultant and the Florida Department of Transportation.
  - Applicant has agreed to pay \$1,000 per unit transportation contribution.
  - Applicant has agreed to the Oakridge Improvement Plan, constructing sidewalks and crosswalks to improve pedestrian access for Oakridge Avenue from Green Cove Avenue to Charles E. Bennett Elementary School
  
- **Land Contributions**

- Applicant shall dedicate a .5 acre of land and provide funding for the construction of a 2,000 square foot police substation
- Applicant has agreed to pay proportionate share mitigation to the Clay County School Board
- **Parks**
  - Within a year of the commencement of construction the applicant shall provide the following improvements as part of the Gustafson Regional Park:
    - Tennis Courts
    - Parking lot
    - Open air restroom facilities
  - Applicant has agreed to pay a \$400 per unit park impact fee and an additional \$400 per unit impact fee per unit to be used solely for the Regional Park.
- **Development Timing:** Project shall have a 20-year duration.

The following changes were made to the Development Agreement from the first public hearing:

- Setting the maximum # of units to 2,100 residential units as set forth in paragraph J.
- Providing the City with the option to elect a cash contribution in lieu of the development of the police substation site set forth in paragraph 5A.
- Clarifying the duration of the agreement is 20 years in paragraph 8.
- Voluntary waiver of a jury trial in the event litigation arises in connection with this agreement in paragraph 14.
- Other minor non-substantive changes

The proposed Development Agreement addresses the reservation of capacity (1,889 net new external PM peak hour trips) for the 559.9 acres. The reservation of capacity granted to the owner by the City shall have a term commencing on the effective date of this agreement and ending with the duration of the agreement pursuant to the requirements set forth in paragraph 7 of the agreement. The reservation is based on an approved traffic study dated February 28, 2022, for the Rookery Planned Unit Development. This is the second of two public hearings.

### STAFF RECOMMENDATION

Motion to approve second and final reading of the Rookery Development Agreement concerning 559.9 acres located on CR 15 A, south of Green Cove Avenue.