



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** April 14, 2022  
**FROM:** Michael Daniels, Planning and Zoning Director  
**SUBJECT:** Future Land Use Amendment and Rezoning from Residential Low Density to Public and Planned Unit Development to Recreation of 21.89 acres for a portion of parcel #: 016515-008-00

### PROPERTY DESCRIPTION

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

**PROPERTY LOCATION:** CR 15 A

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

**FILE NUMBER:** FLUS-22-001, ZON-22-001, FLUS-22-002, PUD-22-001, CDA-22-001

**CURRENT ZONING:** Recreation / PUD

**FUTURE LAND USE DESIGNATION:** Recreation / RLD

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### SURROUNDING LAND USE

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

**SOUTH:** **FLU:** RLD  
**Z:** PUD  
**Use:** Undeveloped

**EAST:** **FLU:** RLD/MUH/Industrial (County)  
**Z:** PUD / Heavy Industrial (County)  
**Use:** Undeveloped / Industrial

**WEST:** **FLU:** Industrial (County) / Recreation  
**Z:** Heavy Industrial (County) / Recreation  
**Use:** Commercial / Undeveloped

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### BACKGROUND

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#### DEVELOPMENT DESCRIPTION:

This property is currently owned by the Gustafson's Cattle, Inc to be developed by DR Horton as residential subdivision. The subject property is a portion of the larger 560 acres. The Future Land Use and Zoning for the en was approved by City Council on August 17, 2021. As part of the approved PUD plan, the applicant is proposing to construct a roadway that would traverse through the development and head north into property that is currently owned by the City and then head east over the railroad tracks and connect to US 17. In order to compensate the City for the acreage needed for the development of the roadway, the applicant is proposing a land exchange where the applicant will provide property to the City in exchange for the acreage needed for

the development of the roadway. The City property was purchased as a part of a grant provided by the Florida Communities Trust for the development of a Regional Park. As a result, any changes to the proposed City park property must be approved by the Florida Communities Trust Board. These parcels also need to be revised to ensure they have the correct Future Land Use and Zoning. The applicant, Ellen Avery Smith Esq, of Rogers Tower PA, has submitted four applications related to an exchange of land between the applicant and the City necessary to complete the land transfer request. The subject application for this staff include involves 21.89 acres of The Rookery (formerly Ayrshire), 016515-008-00; 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, with the specific 21.89 acres being on the northwestern corner of the property. The City's property, 016515-002-00, designated as the future Ed Gustafson Regional Park, is bound by the Rookery, CR 15 A, Green Cove Ave, and the railroad tracks. The City would be exchanging 21.3 acres from the southeastern corner of the property for the Rookery's 21.89 acres.

The sites are located within the City's Electric Service Boundary. They will be served by the City's electric and sanitation services and by the Clay County Utility Authority for water and sewer.

The sites historically were used as a dairy farm. The dairy farm is no longer in service, and the property has been allowed to go fallow. The Rookery property is heavily wooded with a combination of hardwood and invasive species. A large L-shaped wetland is located in the south-central portion of the property. The Park property is wooded, with some cleared portions in the northeastern corner where residential structures were demolished.

The Future Land Use and Zoning request was unanimously approved by the Planning and Zoning Commission on March 22, 2022.

A summary of the future land use map amendments and rezoning requests:

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

\*Applications that are being evaluated as part of this staff report

### **NEEDS ANALYSIS:**

Per Chapter 163.3177, Florida Statutes, need shall be based upon the amount of land designated for future uses and shall:

- 8) Provide a balance of uses that foster vibrant, viable communities and economic opportunities and address outdated development patterns, such as antiquated subdivisions; and,
- 2) Allow the operation of real estate markets to provide adequate choices for residents and business, with the amount of land designated for future use not limited solely by the projected population. The minimum amount of land use required to accommodate at least a 10-year planning period must be included in the comprehensive plan.

**Comment: This property will be developed as a Regional Park thereby providing a balance of uses with existing and proposed residential units.** Previously, related to the subdivision development as a whole, the applicant hired Urbanomics, Inc. which completed a Housing Needs Analysis for the project site. Clay County's population within the Green Cove Springs Planning area pursuant to the Clay County is expected to increase by a population of 26,531 people creating a housing demand within the planning area of 10,851 units pursuant to the Clay County 2040 Comprehensive Plan. Based on the total allowable density of 4 units per acre, an additional 2,242 units can be added onsite. There is adequate demand for the total number of dwelling units factoring in the projected demand from significant active developments such as Governors Park, Saratoga Springs etc.

These requests support the projected growing population for the County by providing more housing options for current and future residents as well as providing access to future recreation space that will serve current and future residents.

### **Urban Sprawl Analysis**

Section 163.3177, Florida Statutes, requires that any amendment to the Future Land Use Element to discourage the proliferation of urban sprawl. Section 163.3177(6)(a)9.a., Florida Statutes, identifies 13 primary urban sprawl indicators and states that, "[t]he evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality..."

An evaluation of each primary indicator is provided below.

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

**Evaluation & Findings:** The proposed amendments will amend the subject properties to Public for future regional park development.

- (II) 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.

**Evaluation & Findings:** The project site is located across Green Cove Avenue from existing urban development. In addition, surrounding properties feature residential or industrial uses which are more urban than rural.

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

**Evaluation & Findings:** The proposed Future Land Use designation is compatible with the surrounding development and will provide for a mixture of Land Uses in a predominantly residential area.

(IV) 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.

**Evaluation & Findings:** The proposed amendments allow for the conservation of environmentally sensitive lands within the development of the park in the most contextually sensitive manner possible that will allow the City to preserve the sensitive areas and systems within the park area and provide for recreational activities.

(V) 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.

**Evaluation & Findings:** The surrounding property is not being used for agricultural purposes. The dairy farm that was historically located on the property is no longer in service.

(VI) Fails to maximize use of existing public facilities and services.

**Evaluation & Findings:** This amendment will maximize the use of existing facilities and services by connecting to nearby City Electric and providing utility connections to the park for ease of future development.

(VII) Fails to maximize use of future public facilities and services.

**Evaluation & Findings:** Any future improvements to the City's public facilities and services will be utilized by the project sites.

(VIII) 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.

**Evaluation & Findings:** The proposed amendment will reduce the travel time for potential recreational users who live in the southwest portion of the City. In addition, as part of the developer's agreement with the proposed residential to the south, financial mitigation for City and School Board have been evaluated and provided.

(IX) Fails to provide a clear separation between rural and urban uses.

**Evaluation & Findings:** The site is located within the City's electric service area and within the City's 2040 Urban Area.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

**Evaluation & Findings:** The proposed application provide recreational opportunities for surrounding residential development. As a result, approval of this project will not discourage or inhibit infill development.

(XI) Fails to encourage a functional mix of uses.

**Evaluation & Findings:** The exchanged land will support access to the neighborhood as well as to the City's future regional park.

(XII) Results in poor accessibility among linked or related land uses.

**Evaluation & Findings:** The proposed roadway system will provide access CR 15 A and a road to fly over the railroad tracks and connect to US 17. In addition, the proposed development shall create a traffic system that allows for walking and biking as reasonable transportation options.

(XIII) Results in the loss of significant amounts of functional open space.

**Evaluation & Findings:** The proposed amendment include an even exchange of land, allowing the subdivision developer and the City to maintain their proposed levels of functional open space.

In addition to the preceding urban sprawl indicators, Florida Statutes Section 163.3177 also establishes eight (8) "Urban Form" criteria. *An amendment to the Future Land Use Map is presumed to not be considered urban sprawl if it meets four (4) of the (8) urban form criteria.* These urban form criteria, and an evaluation of each as each may relate to this application, are provided below. The applicant has provided an analysis of the application's consistency with Section 163.3177 within the application materials and contends that the proposed amendment will not encourage urban sprawl by showing it meets four of the eight urban form criteria.

8. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

**Evaluation & Findings:** The proposed amendment directs the growth within the urban area and supports recreational facilities for residents being provided within the urban area.

2. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

**Evaluation & Findings:** The proposed development will extend public infrastructure in a cost-effective manner to allow for the creation of the proposed regional park space, supporting the development of the park which will provide an additional service to residents.

3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

**Evaluation & Findings:** The land exchange and subsequent proposed amendments will allow for the construction of a connection from the subdivision property to US 17 that will also allow access to the proposed regional park. This roadway connection will be from US 17 to the main road through the

subdivision and includes a multi-use path along its proposed extent to support not only vehicular traffic on the roadway but bicycling and walking on the path.

4. Promotes conservation of water and energy.

**Evaluation & Findings:** The project site is located within an urban area which reduces the pressure to develop in areas further outside of the urban areas.

5. Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

**Evaluation & Findings:** The project site is located within an urban area with surrounding residential and industrial development. There are no agricultural activities on-site. The site has gone fallow. Development in core urban areas reduces the pressure to develop in agricultural areas.

6. Preserves open space and natural lands and provides for public open space and recreation needs.

**Evaluation & Findings**The land exchange and these requested amendments will support the development of the City-owned land as a regional park, as well, which will contain open space and recreational facilities.

7. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

**Evaluation & Findings:** The proposed developments include park space, which is a complimentary use to surrounding and proposed residential development, and related services (e.g., police substation).

8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

**Evaluation & Findings:** N/A.

## **Consistency with Comprehensive Plan**

The applicant proposes to essentially swap the future land uses and zoning on the subject properties. The following Comprehensive Plan Elements have Goals, Objectives, and Policies (GOPs) that support the proposed amendments to the Future Land Use Map of the Comprehensive Plan:

- Future Land Use Element
- Transportation Element
- Housing Element
- Sanitary Sewer, Solid Waste, Drainage, Potable Water and Aquifer Recharge Element
- Conservation Element

Staff finds the application consistent with the Comprehensive Plan and the Goals, Objectives, and Policies (GOPs) therein. A more detailed discussion, including consistency statements, of the specific goals, objectives, and policies is provided below.

## **FUTURE LAND USE ELEMENT**

### **Goal 1**

To develop and maintain land use programs and activities to provide for the most appropriate use of the land and direct growth to suitable areas while protecting the public, health, safety and welfare.

**Analysis of Consistency:** The City of Green Cove Springs has had a growing need for housing as the population grows and the city develops. While new housing in the form of in-fill development has been ongoing, a large boon of housing would not be feasible with the current land area within the municipal limits. The land exchange and subsequent amendments will support the appropriate use of land and direct growth to suitable area which providing for the public health, safety, and welfare by increasing accessibility and adding additional recreational facilities and open space.

### **Policy 1.1.1**

All land use decisions shall be consistent with the Conservation Element and require the analysis and/or coordination of the following:

- a. Size of development;
- b. Relationship and compatibility of proposed development with the adjacent and surrounding land uses;
- c. Compatibility and suitability of soils and topography for drainage and septic systems;
- d. Relationship to wetlands and floodplains; and
- e. Impact on adopted levels of service.

**Analysis of Consistency:** The proposed development will be required to meet the City's comprehensive plan and land development regulation requirements, which will ensure the size of the development is reasonable and works with the land, the development is compatible with surrounding land uses, the soils and topography are suitable for drainage systems, and the property maintains a positive relationship with wetlands maintained on-site. Adopted levels of services will be maintained throughout the construction of the development.

### **Policy 1.1.3**

Development in the Conservation areas must be permitted by the Department of Environmental Protection, and all applicable local, state, and federal agencies, prior to receiving final approval by the City.

**Analysis of Consistency:** The applicant is already in discussions with the appropriate agencies to ensure the land is developed in the best manner possible and conserved lands are maintained in good conditions, not impacted by development. The City is additional in discussion with the appropriate agencies regarding the Park development.

### **Objective 1.2.1**

The City shall ensure that development orders are conditioned upon the provision of essential facilities and services which meet the established Level of Service (LOS) standards and necessary to serve the proposed development by reviewing each site plan/development proposal to ensure compliance with concurrency and do not go beyond LOS threshold.

**Analysis of Consistency:** The property currently is undeveloped. Adopted levels of services will be maintained throughout the construction of the development and utilities will be stubbed out to the City-owned park space.

### Objective 1.2.2

The City shall continue its policy for mandatory sewer and water hookups for new development.

**Analysis of Consistency:** As part of the subdivision approval of this project, the development will be required to connect to CCUA's water and sewer facilities.

### Policy 1.5.1

Planned Unit Developments shall be encouraged to control growth and design.

**Analysis of Consistency:** The applicant has established a Planned Unit Development, which will allow for innovation in design as well as protection of natural resources.

## **TRANSPORTATION ELEMENT**

### Objective 2.3 Review of Proposed Development

All future development shall be reviewed to ensure that the adopted the level of service standards is met and that the development is consistent with applicable land development regulations and supports the Future Land Use Map.

**Analysis of Consistency:** The City and the applicant are working together to ensure the project will be consistent with and maintain adopted level of service standards, through review of a Traffic Study.

### Objective 2.8

Site Development Traffic Circulation: The City shall require that all major developments and planned unit developments provide a circulation system which: provides adequate access to the major roadway network; provides for sound design of local and collector streets within such development; provides for the development of multi-use trails, and otherwise provides for the objectives and policies of the Land Use and Transportation Plan.

**Analysis of Consistency:** The proposed project will be designed in accordance with City requirements for circulation, access, and connectivity. The applicant is considering providing a trail throughout the proposed subdivision to connect CR 15A to US Highway 17, which will be wide enough to support public safety and encourage pedestrian activity through the subdivision.

### Policy 2.10.4

The City shall review development consistent with the standards in the land development regulations to assure that adequate provisions exist for the bicycle and pedestrian.

**Analysis of Consistency:** As discussed above, the City is working with the applicant to ensure adequate provisions will be made for bicycles and pedestrians.

## **HOUSING ELEMENT**

### GOAL 3

The City of Green Cove Springs shall make provisions for adequate and affordable housing that meets the physical and social needs of all segments of the current and future population of the City.



**Analysis of Consistency:** These applications support the full site, proposed for a subdivision development that will allow for a mix of housing options which supports adequate and affordable housing.

### Objective 3.2: Substandard Housing Conditions

The City shall conserve the quality of the existing housing stock and work to reduce the number of substandard housing units each year.

**Analysis of Consistency:** This application will allow for the development of new residential units, consistent with this objective.

## **SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, AND AQUIFER RECHARGE ELEMENT**

### Policy 4.4.1

The City's land development regulations shall require review of all proposed development to ensure adequate retention/detention of stormwater runoff to maintain surface water quality, to encourage percolation, and reduce impacts to drainage canals, surface water, and groundwater. The City shall require proof of obtaining the appropriate drainage and stormwater permits and approvals from the DEP, SJRWMD and Army Corps of Engineers, prior to issuing development permits. No development shall be allowed to degrade surface water quality below the standards set forth in Chapter 40C-42, F.A.C. and Chapter 17-25, F.A.C.

**Analysis of Consistency:** The applicant is already working with and will continue to work with required agencies to ensure surface water quality is maintained, and drainage / stormwater are appropriately handled to best protect the environment and ensure public health and safety.

## **CONSERVATION ELEMENT**

### GOAL 5

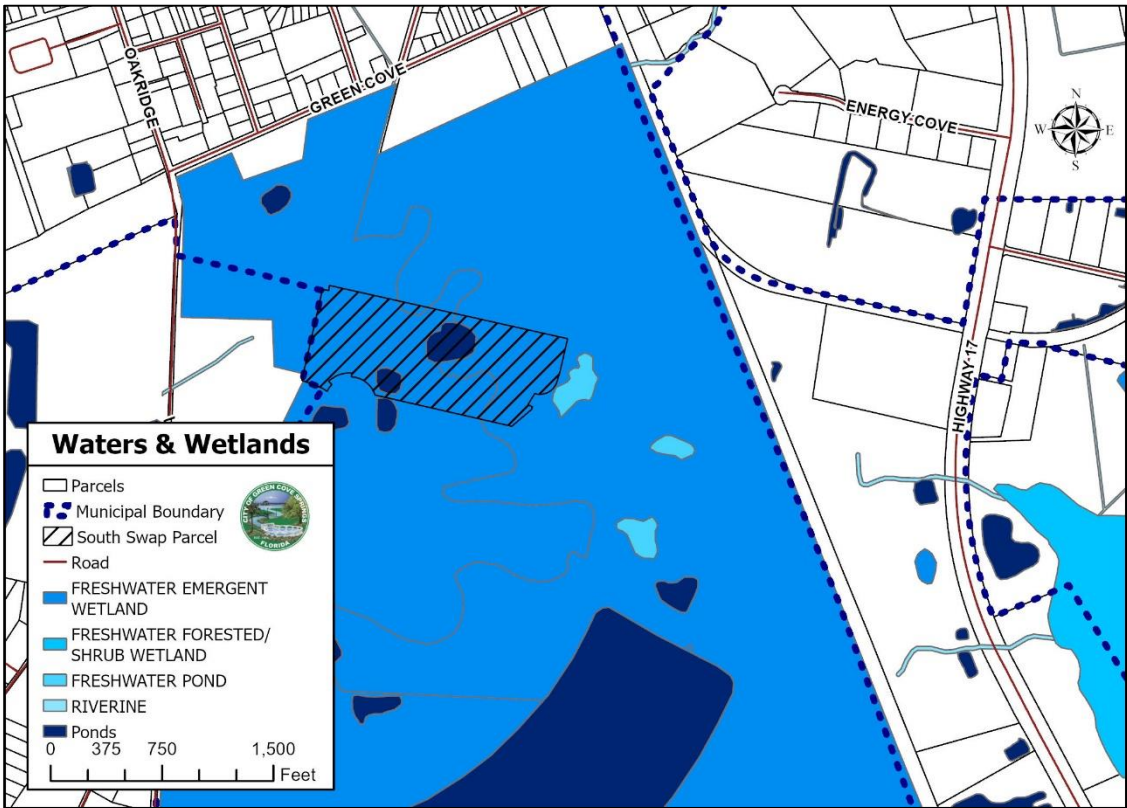
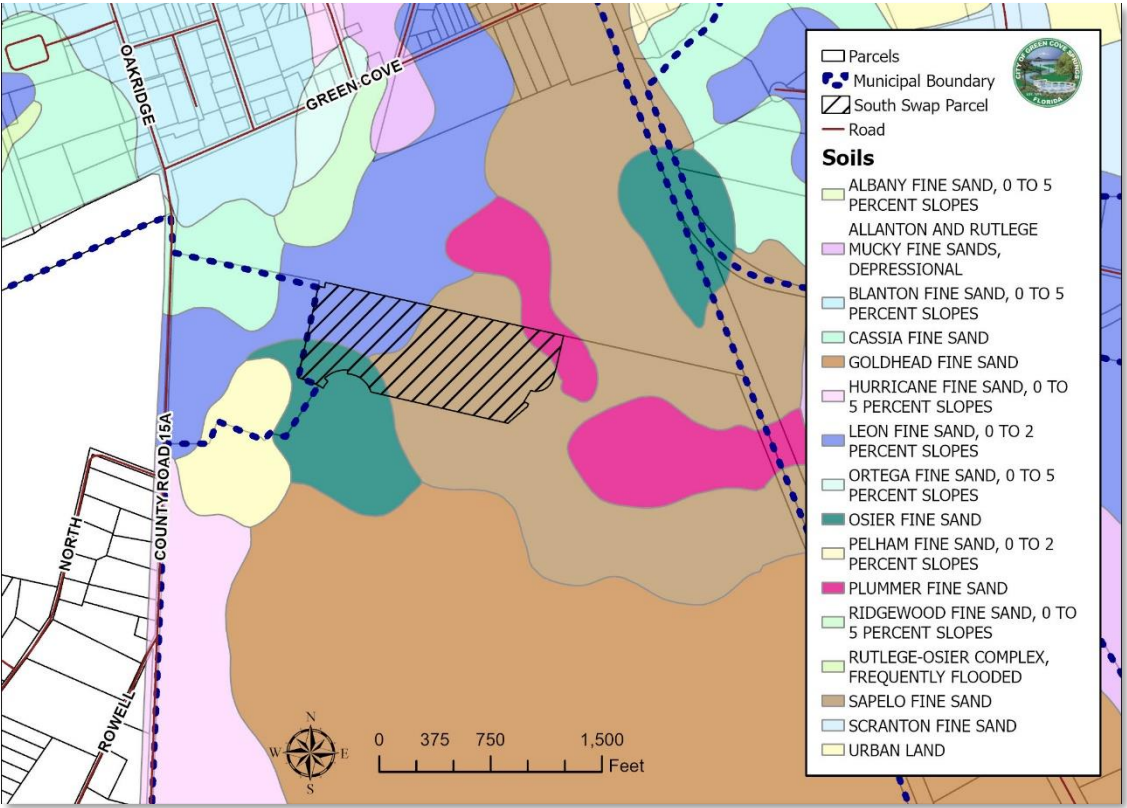
The City of Green Cove Springs shall conserve, utilize, and protect its natural resources to ensure that adequate resources are available for future generations.

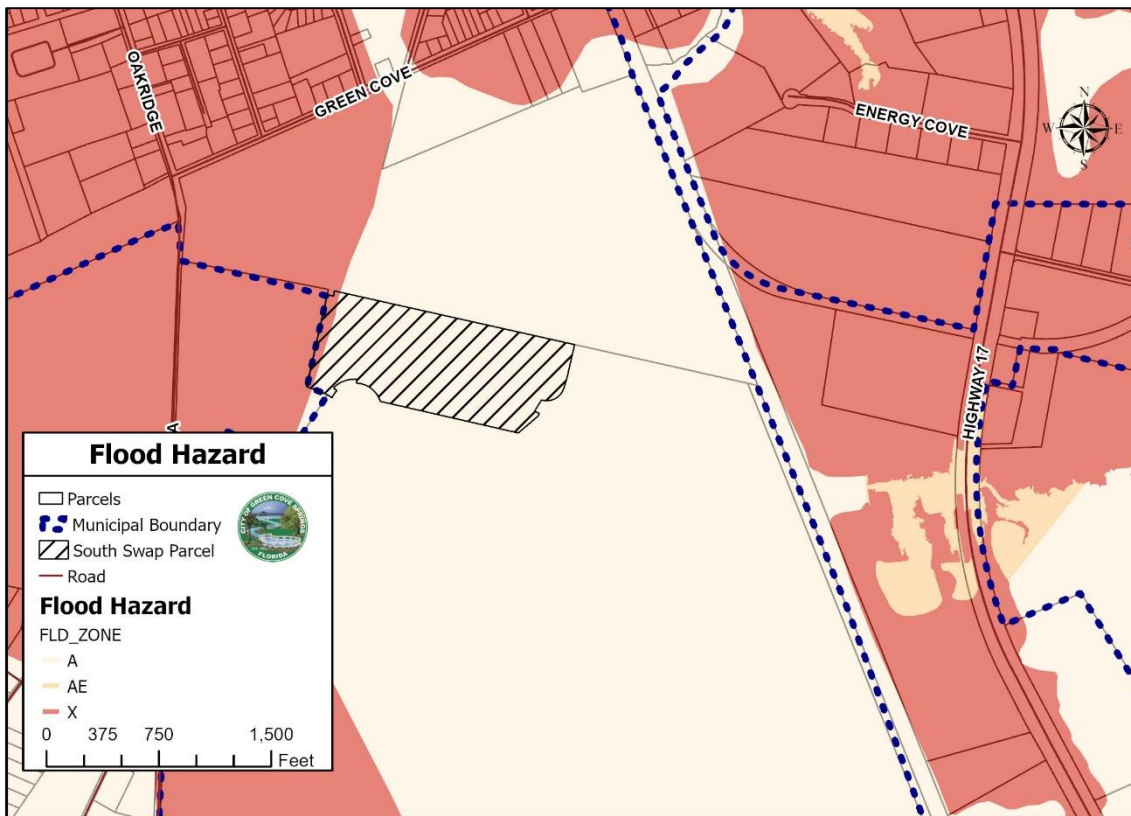
**Analysis of Consistency:** The applicant hired Carter Environmental Services to provide an Environmental Report which is included within the packet. The report identifies the environmental processes that will have to be followed in order to move forward with the development of this property. The City, and designated state agencies will work together to ensure the protection of natural resources during development. Portions of the land will be retained as open space for visual enjoyment and conservation purposes.

The City also aims to design the Park in a manner that will best conserve and protect the natural resources located within.

# Environmental Conditions Analysis

## Maps of Environmental Features





### Wetlands

The developer shall be required to secure all required permit from the Florida Department of Environmental Protection and the St John's River Water Management District prior to development approval

### Soils

There are currently 7 types of soils located onsite:

- Goldhead Fine Sand is a poorly drained soil;
- Hurricane Fine Sand is a gently sloping, somewhat poorly drained soil;
- Sapelo Fine Sand is a gently sloping, poorly drained soil;
- Leon Fine Sand is a gently sloping, poorly drained soil;
- Plummer Fine Sand is a gently sloping, poorly drained soil;
- Osier Fine Sand is a poorly drained soil;
- Urban Land is an unranked soil.

All new development shall be required to meet the stormwater management requirements of the St John's Water Management District.

### Flood Zones

According to the FEMA Flood Map Service Center, the project site is located primarily within FEMA Flood Zone A, which has a 1% annual chance of flooding and is within the 100-year floodplain.

### Wellfield Protection Zone

The project site is not located within or adjacent to a wellfield protection zone.

### Historic Structures and Markers

There are no historic structures or markers found on the site.

## **Public Facilities Impact**

### Traffic Impacts

Land Use <sup>1</sup>	Acreage	Daily		AM Peak		PM Peak	
(ITE)		Rate	Trips	Rate	Trips	Rate	Trips
Maximum Development Potential Based on Existing FLU							
County Park	21.89	2.28	50	.06	1	.06	1
Total	-	-	50	-	1	-	1

1. Source: Institute of Transportation Engineers: Trip Generation Manual 8<sup>th</sup> Edition

**Conclusion:** The proposed Future Land Use Amendment would result in a minimal amount of traffic for the park site.

### Potable Water & Sanitary Sewer Impacts

Potable Water and Sanitary Sewer will be provided by the Clay County Utility Authority (CCUA). CCUA provides water and wastewater services to most residents within the unincorporated county, as well as some local municipalities and a portion of Bradford County. According to their 2017 Evaluation and Appraisal Report, Clay County determined the regional facilities serving the county are capable of meeting projected demand through 2040.

### Recreation Impacts

The City is required to provide 5 acres of park space. Currently the City has a surplus of 8.42 acres of park space, however with additional annexation, the amount of park space will need to be expanded. The Project will add an additional 21.89 acres into the City's Park systems and the total amount of park space for the Gustafson Regional Park is approximately 140 acres.

### Solid Waste Impacts

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project <sup>1</sup>	17,806,860.8 lbs. / 8,903.43 tons
Solid Waste Facility Capacity <sup>2</sup>	Minimum 3 Years Capacity

1. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: (2242 dwelling units x 2.72 persons per dwelling unit x 8 lbs. per day) x 365

2. Source: Clay County Comprehensive Plan

**Conclusion:** The City of Green Cove Springs' solid waste is disposed of at the Rosemary Hill Solid Waste Management Facility operated by Clay County. Per the Clay County Comprehensive Plan, a minimum of three (3) years capacity shall be maintained at the County's solid waste management facility. The estimated impacts from the proposed development are not expected to negatively impact the City's adopted LOS or exceed the County solid waste management facility's capacity.

### Public School Facilities Impact

**Conclusion:** The School District of Clay County has provided a school capacity determination, which is included in this packet. The report shows that there is no capacity for Elementary Schools and partial capacity for Junior High Schools with the School Concurrency Service Areas.

## STAFF RECOMMENDATION

Staff recommend approvals of Staff recommends approval of the future land use amendment and rezoning.

### **RECOMMENDED MOTIONS:**

#### **Future Land Use Amendment**

Motion to approve 1<sup>st</sup> reading of Ordinance O-06-2022 to amend the Future Land Use of the property described therein from Residential Low Density to Public.

#### **Rezoning**

Motion to approve 1<sup>st</sup> reading of Ordinance O-07-2022 to amend the Zoning of the property described therein from Planned Unit Development to Recreation