



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** May 17, 2022  
**FROM:** Michael Daniels, Planning and Zoning Director  
**SUBJECT:** Preserve at Green Cove Springs  
Future Land Use Amendment From: Industrial (County)  
To: Mixed Use  
Zoning Amendment From: Light Industrial (County)  
To: Planned Unit Development

for approximately 13.92 acres located on US 17 and CR 209.

### PROPERTY DESCRIPTION

**APPLICANT:** Ellen Avery-Smith, Esq. of Rogers Tower, PA **OWNER:** CHS LLC, Lyman Hall, and Virginia S Hall  
**PROPERTY LOCATION:** Bounded on the western side by US Highway 17 S and CR 209 S; bounded on the eastern side by Reynolds Park  
**PARCEL NUMBER:** 016499-007-00  
**FILE NUMBER:** FLUS-22-003, PUD-22-003  
**CURRENT ZONING:** Light Industrial (County)  
**FUTURE LAND USE DESIGNATION:** Industrial (County)

### SURROUNDING LAND USE

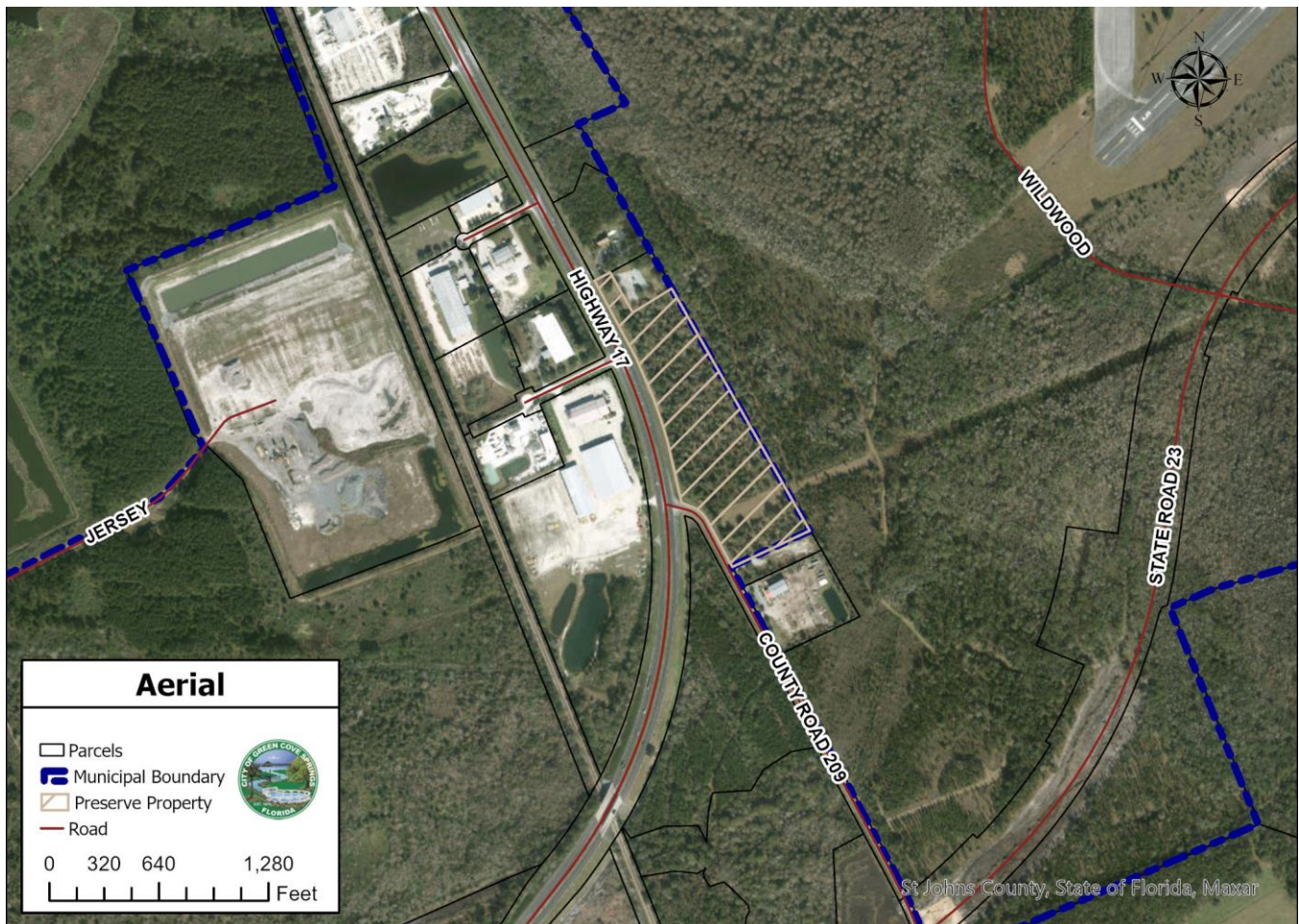
|                                                                                                                                    |                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>NORTH:</b> <b>FLU:</b> Industrial (County)<br><b>Z:</b> Private Services / Public Ownership<br><b>Use:</b> Cabul Lodge / FL DMV | <b>SOUTH:</b> <b>FLU:</b> Industrial<br><b>Z:</b> Heavy Industrial<br><b>Use:</b> Undeveloped / Hammer & Steel             |
| <b>EAST:</b> <b>FLU:</b> MURP<br><b>Z:</b> Heavy Industrial<br><b>Use:</b> Reynolds Park / Clay Port                               | <b>WEST:</b> <b>FLU:</b> Industrial (County)<br><b>Z:</b> Heavy Industrial (County)<br><b>Use:</b> Commercial / Industrial |

### BACKGROUND

## **DEVELOPMENT DESCRIPTION:**

The applicant, Ellen Avery Smith Esq, of Rogers Tower PA, has submitted an annexation request for 13.92 acres to annex the subject property into City limits. The property is contiguous to the current municipal boundary, as shown the following aerial map. The property is bounded by US Highway 17 S and CR 209 S on its western edge, the city boundary to the south and east as well as Reynolds Park to the east, and County parcels (Cabul Lodge & Florida DMV) to the north. The site historically is undeveloped. It is heavily wooded with a combination of Hardwood and Pine trees. The site slopes significantly from US 17 to the east of the subject property.

The Planning and Zoning Commission unanimously approved this item on April 26, 2022.



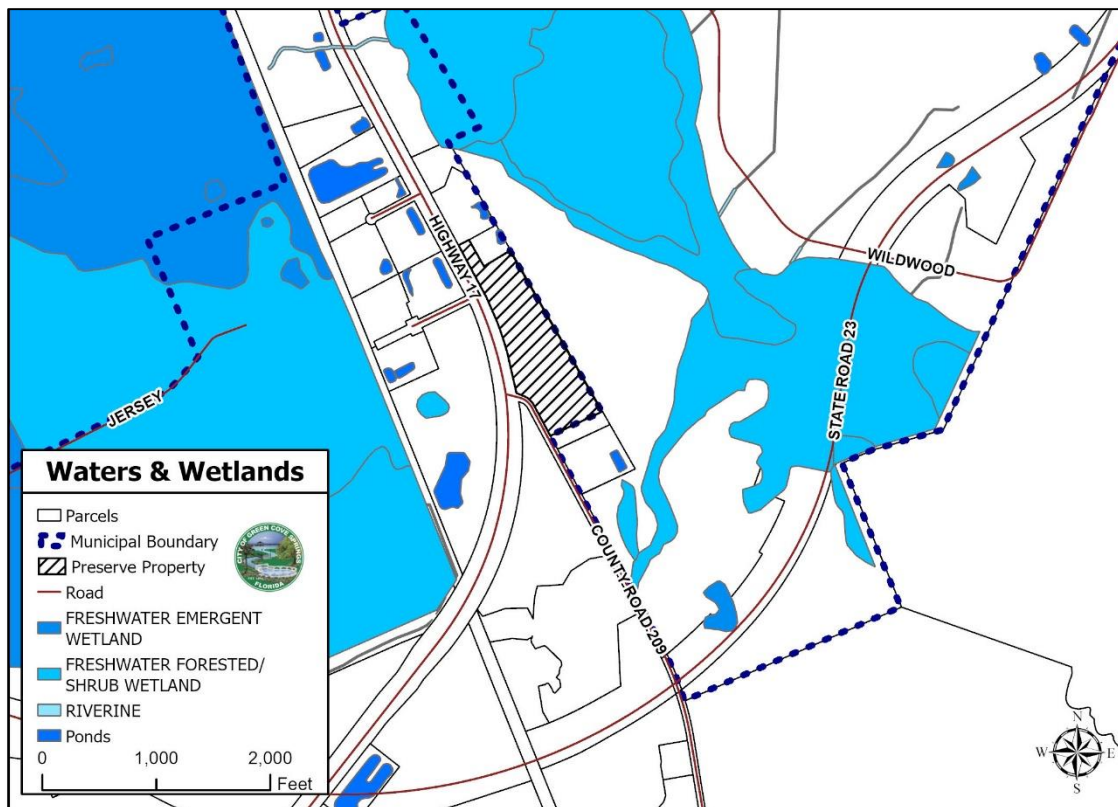
The site is located within the City's Water, Sewer, and Electric Service Boundaries. It will be served by the City's utilities and sanitation services.

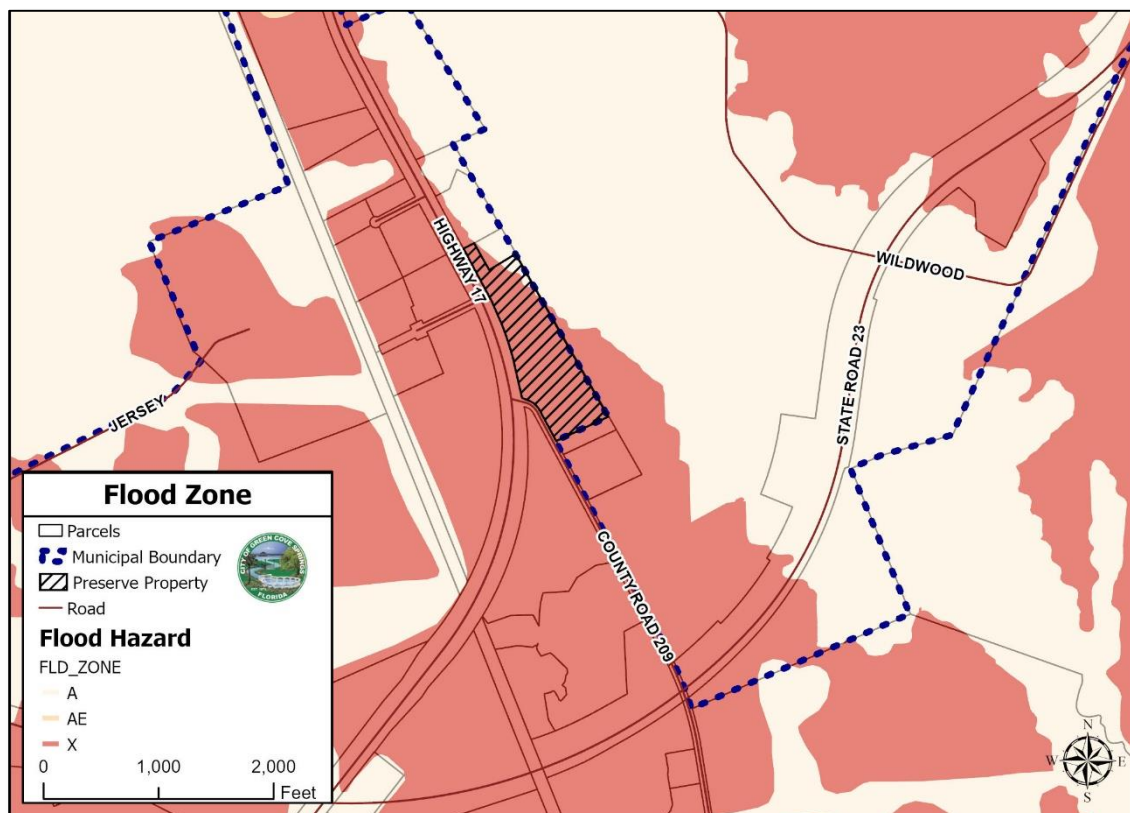
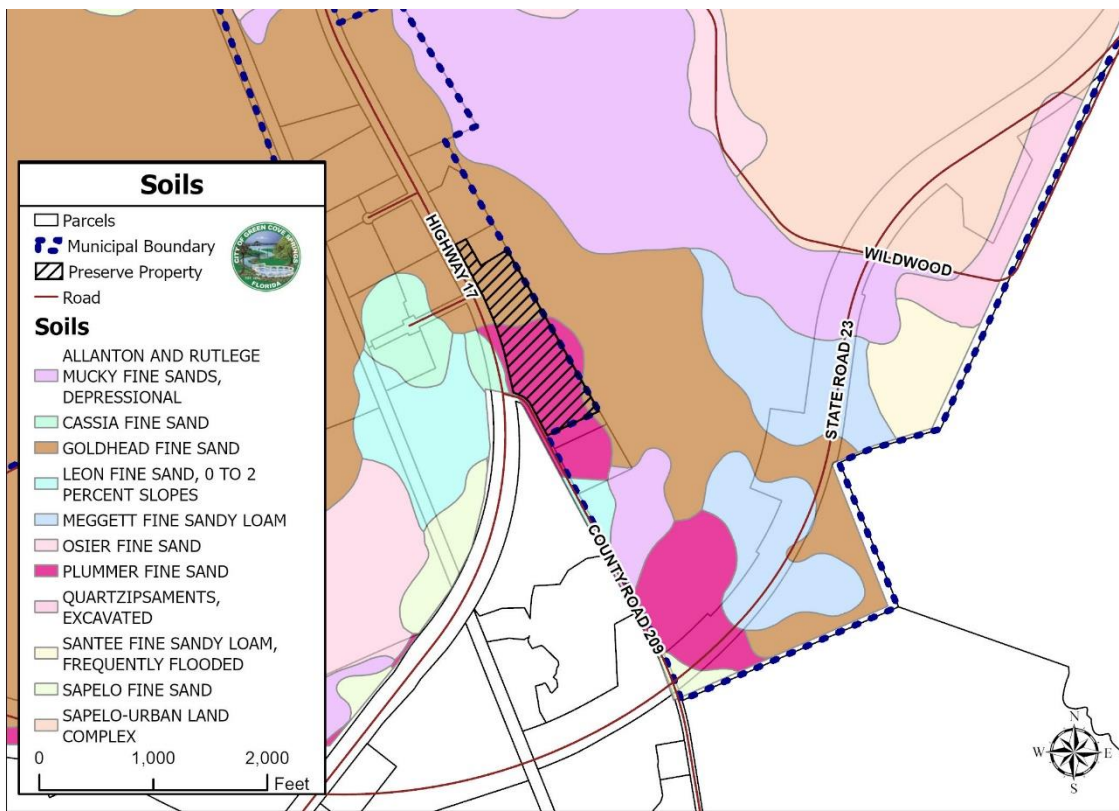
Additionally, the applicant has submitted the following future land use map amendments and rezoning requests:

| Application # | Description                      |
|---------------|----------------------------------|
| AX-22-001     | Voluntary Annexation application |
| CC-22-001     | Concurrency Application          |

## Environmental Conditions Analysis

### Maps of Environmental Features





### Soils

There are currently 2 types of soils located onsite:

- Goldhead Fine Sand is a poorly drained soil;
- Plummer Fine Sand is a gently sloping, poorly drained soil;

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

### Wetlands

There are no wetlands on the property.

### Flood Zones

According to the FEMA Flood Map Service Center, the project site is located within FEMA Flood Zone A and X.

Flood Zone A is considered a high risk zone.

Flood Zone X: is considered a minimal to moderate risk of flooding.

New construction should not occur within the high risk area of the site.

### 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.

## **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.

(I) 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 amendment will revise the FLUM designation to Mixed Use.. By revising the Future Land Use designation to Mixed Use, this will allow for higher density of residential development and a greater intensity of Commercial development. . Currently, the City has over 20% of the City acreage guided for low density development but only .9% of land area for High Density Residential development. This request would allow for additional high density residential development that is compatible with surrounding uses.

(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 within the US 17 Corridor that is currently Land Used and Zoned for industrial development.

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

**Evaluation & Findings:** The proposed Mixed Use Designation allows for a mix of uses thereby breaking up the radial development pattern.

(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:** All development within floodzone A of the site shall comply with the requirements set forth with the Florida Division of Emergency Management. The site does not have environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

(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 project site is located within an urban area with surrounding commercial development. There are no adjacent agricultural areas and activities.

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

**Evaluation & Findings:** With the project site being located within an area with existing development, the proposed development will utilize public facilities and services.

(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 site.

(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 project site is located within an existing commercial area with existing public facilities and services. The proposed development will utilize existing public facilities and services and will not increase the time, money, and energy for providing and maintaining these facilities.

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

**Evaluation & Findings:** The site is located within an urban area and is not adjacent to any rural zoned properties.

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

**Evaluation & Findings:** The proposed application will not discourage infill development and is located within an existing developed area.

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

**Evaluation & Findings:** The project site is located within an existing commercial area and will allow for the development of multifamily housing which is in short supply within the City.

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

**Evaluation & Findings:** The project site has three existing ingress/egress points. Accessibility to linked or related land uses will not be diminished.

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

**Evaluation & Findings:** Additional proposed development will not reduce 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.

1. 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 project site is located within existing commercial development where development will occur in developed areas as opposed to undeveloped areas. The proposed development directs the growth within the urban area.

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

**Evaluation & Findings:** This application, as well as the companion rezoning application, will result in a higher density commercial development utilizing existing public infrastructure and existing services.

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:** This application and the companion rezoning application will allow for higher density commercial development, allowing for a more urban type of development in the downtown area. Sidewalks will be provided as part of the development and will increase the walkability of US 17.

Promotes conservation of water and energy.

**Evaluation & Findings:** The project site is located within an urban area with surrounding commercial development. Development in core urban areas 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 development. There are no adjacent agricultural areas and activities. 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:** Recreational needs are being provided for the development through the development of a park area as part of the development.

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 site is located within close proximity to a variety of nonresidential uses. The proposed development will bring new businesses into this mixed-use, urban area, providing a balance of land uses to the area.

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 THE COMPREHENSIVE PLAN**

The following Goals, Objectives, and Policies (GOPs) support the proposed amendment to the Future Land Use Map of the City of Green Cove Springs Comprehensive Plan:

### **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 of the public.

**Objective 1.1. New development and Redevelopment shall be directed to appropriate areas of the City.**

**Policy 1.1.4:** To promote redevelopment, the City shall allow higher densities and structures up to five (5) stories high in appropriate areas.

**Policy 1.2.4.** The City shall explore permitting new types of housing developments.

### **TRANSPORTATION ELEMENT**

**Policy 2.3.1.** The City shall rely on level of service (LOS) standards adopted in the Capital Improvements Element to ensure that acceptable traffic conditions are maintained.

**Policy 2.5.3.** The City shall review development applications to ensure that adequate capacity is available to serve the proposed project. The latest version of Trip Generation Manual published by the Institute of Transportation Engineers (ITE) shall be used to determine the number of trips that the proposed development will produce or attract.

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

**Policy 4.2.1** All Future Development shall be required to connect to the City's Sanitary Sewer Collection

**Objective 4.6.** Future Development shall be required to connect with central water systems and provide stormwater facilities which maximize the use of existing

## **PLANNED UNIT DEVELOPMENT**

The applicant is proposing the development of 260 multifamily units in 3 and 4 story buildings with a maximum of 278 dwelling units. The units shall consist of studio, 1, 2 and 3 Bedroom units with the breakdown set forth in the PUD written description. . The project will also include a pool and a community center and park area. The project will have two full vehicular access points on US 17 and an access point on CR 209. A sidewalk shall be provided along US 17 and CR 209. The project will be required to submit and receive approval for a Site Development Plan prior to approval.

The site is heavily wooded and as part of the site development, they will be required to evaluate and preserve trees in compliance with City Tree Preservation requirements set forth in Section 113-279. Due to the existing grade, which is showing a considerable amount of fall between the roadway and the eastern edge of the property there will be a considerable amount of grading that will take place on the property. In order to preserve trees, it is critical for the developer to hire an arborist and have them be included as part of the development to evaluate, preserve and protect the trees during the development process. A perimeter buffer shall be provided along the perimeter of the property.

In addition, any new development will comply with all stormwater requirements of the City and the Water Management District. The northeastern portion of the property is located within a high-risk flood zone and as a result, the applicant will be required to comply with floodplain management requirements set forth by the Florida Division of Emergency Management.

Construction is expected to commence in 2025 and is expected to be completed by 2028.

## PUBLIC FACILITIES IMPACT

### Traffic Impacts

| Land Use <sup>1</sup><br><br>(ITE) | Square<br>Footage/Dwelling<br>Units | Daily |       | AM Peak |       | PM Peak |       |
|------------------------------------|-------------------------------------|-------|-------|---------|-------|---------|-------|
|                                    |                                     | Rate  | Trips | Rate    | Trips | Rate    | Trips |
| Multifamily Residential            | 278                                 | 6.65  | 1,729 | .92     | 131   | .62     | 161   |
|                                    |                                     |       |       |         |       |         |       |

1. Source: Institute of Transportation Engineers: Trip Generation Manual 9<sup>th</sup> Edition

**Conclusion:** The proposed development of 260 multifamily dwelling units would require a traffic study to be reviewed at the time of submittal of the site development plan. Currently, there is an average of 161 peak hour trips along the roadway which is lower than the maximum allowable capacity for the roadway.

### Potable Water Impacts

| System Category                                                   | Gallons Per Day (GPD) |
|-------------------------------------------------------------------|-----------------------|
| Current Permitted Capacity <sup>1</sup>                           | 4,200,000             |
| Less actual Potable Water Flows <sup>1</sup>                      | 1,013,000             |
| Residual Capacity <sup>1</sup>                                    | 3,187,000             |
| Projected Potable Water Demand from Proposed Project <sup>2</sup> | 43,725                |
| <b>Residual Capacity after Proposed Project</b>                   | <b>3,143,275</b>      |

1. Source: City of Green Cove Springs Public Works Department

2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: 278 dwelling units x 2.65 persons per du x 150 gal per person

### Sanitary Sewer Impacts – South Plant WWTP

| System Category                                                   | Gallons Per Day (GPD) |
|-------------------------------------------------------------------|-----------------------|
| Current Permitted Capacity <sup>1</sup>                           | 350,000               |
| Current Loading <sup>1</sup>                                      | 270,000               |
| Committed Loading <sup>1</sup>                                    | 330,000               |
| Projected Potable Water Demand from Proposed Project <sup>2</sup> | 82,680                |
| <b>Residual Capacity after Proposed Project</b>                   | <b>-332,680</b>       |

1. Source: City of Green Cove Springs Public Works Department

2. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: 278 dwelling units x 2.65 persons per du x 120 gal per person

**Conclusion:** The project site is served by the South Plant Wastewater Treatment Plant (WWTP). As shown in the table above, when factoring in the current loading and the committed loading, this WWTP is over capacity to handle the estimated impacts resulting from the proposed application. The committed loading is related to the Rookery Development which will be completed in two years prior to the commencement of this project. At such time, the Rookery capacity will be served by a new wastewater treatment facility provided by the Clay County Utility Authority. Once the facility is built, the capacity temporarily reserved to the Rookery shall be available for this development.

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

In addition, the remaining demand will be sent via force main to the Harbor Road plant, where the City has an excess capacity of approximately 700,000 gallons per day. As a result, there is adequate capacity.

### Solid Waste Impacts

| System Category                                        | LBs Per Day / Tons per Year |
|--------------------------------------------------------|-----------------------------|
| Solid Waste Generated by Proposed Project <sup>1</sup> | 5,512 lbs. / 1,005 tons     |
| Solid Waste Facility Capacity <sup>2</sup>             | Minimum 3 Years Capacity    |

1. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: (278 dwelling units x 2.65 persons per dwelling unit x 8 lbs. per day) x 365

### Solid Waste Impacts

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. For commercial

developments, the City does not provide Curbside Service; commercial locations must instead contract with an approved franchisee for containerized collection.

**Conclusion:** The proposed future land use amendment and rezoning 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

| Land Use          | Units | Elem.             |       | Middle            |       | High              |       |
|-------------------|-------|-------------------|-------|-------------------|-------|-------------------|-------|
|                   |       | Rate <sup>1</sup> | Total | Rate <sup>1</sup> | Total | Rate <sup>1</sup> | Total |
| Proposed          |       |                   |       |                   |       |                   |       |
| Multifamily Units | 278   | 0.0314            | 9     | 0.0095            | 3     | 0.0197            | 6     |
| Net Generation    | -     | -                 | 4     | -                 | 1     | -                 | 2     |

1. Source: School District of Clay County, Educational Facilities Plan, FY 2018/19-2022/23, based on multifamily

**Conclusion:** The School District of Clay County will make a school capacity determination at the time of Final Site Development Plan. It is not anticipated that the estimated number of students generated by the proposed PUD rezoning will exceed the adopted LOS standards see attached.

## STAFF RECOMMENDATION

Staff recommends approval of the Future Land Use and conditional approval of the Rezoning.

### RECOMMENDED MOTIONS:

#### Future Land Use

Motion to approve 1<sup>st</sup> reading for form and legality of ordinance O-12-2022, to amend the Future Land Use of the property described therein from Industrial (County) to Mixed Use located on US 17 and CR 209 (parcel #016499-007-00).

#### Rezoning

Motion to approve 1<sup>st</sup> reading for form and legality of Ordinance O-13-2022, to amend the Zoning of the property described therein from Light Industrial to Planned Unit Development subject to the following conditions:

1. The applicant shall be required to comply with tree preservation requirements set forth in Sec. 113-279. Due to the proposed amount of onsite development and potential grade changes, an ISA certified arborist or equivalent horticulture professional shall be hired to evaluate trees, ensure adequate root area is provided and grade changes are not altered within critical root area, prescribe treatments to preserve the trees and oversee tree protection during the construction process and ensure compliance set forth in City Code Sec. 113-248.

2. Traffic Study pursuant to the requirements set forth in the City's Traffic Impact Analysis Guidelines shall be approved concurrent with the approval of the site development plan.
3. Dumpster shall be screened with landscaping and concrete enclosure as required during the site plan submittal.
4. Notice shall be provided to the property owner and any future property owners informing them that the proposed development is located within the flight path of the Reynolds Airpark.