



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council **MEETING DATE:** August 3, 2021  
**FROM:** Michael Daniels, AICP, Planning & Zoning Director  
**SUBJECT:** Request to rezone property from Agriculture / Industrial (County) to Planned Unit Development for the Ayrshire Development on land owned by Gustafson's Cattle, Inc., approximately 560.52 acres on CR 15 A, a portion of 016515-000-00

### PROPERTY DESCRIPTION

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

**PROPERTY LOCATION:** CR 15 A

**PARCEL NUMBER:** 016515-000-00

**FILE NUMBER:** 202100301

**CURRENT ZONING:** Agriculture (County) / Industrial Select (County)

**FUTURE LAND USE DESIGNATION:** Rural Fringe (County) / Industrial (County) to Residential Low Density (City)

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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

#### DEVELOPMENT DESCRIPTION:

The applicant, Ellen Avery Smith Esq, of Rogers Tower PA has submitted an annexation request for 560.52 acres 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 applicant has also submitted a large-scale Future Land Use request to Residential Low Density and a site-specific Future Land Use Policy. The Future Land Use requests were approved for state transmittal on May 18<sup>th</sup> by City Council and transmitted to the Florida Department of Economic Opportunity on May 27<sup>th</sup>. The state has reviewed the submittal and identified no comment related to adverse impacts to state resources facilities. State agency review is included within your packet. Both cases as well as the annexation will be taken to City Council for final adoption/approval in August. The schedule of the public hearing dates with City Council is set forth in the table below:

Project Type	City Council
Annexation 2 <sup>nd</sup> Reading	8/17/2021
Future Land Use Map / Site Specific Adoption	8/17/2021
Zoning -- PUD	8/3 & 8/17/2021
163 Development Agreement	TBD

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 site historically was used as a dairy farm. The dairy farm is no longer in service, and the property has been allowed to go fallow. The 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. This request is a large-scale Future Land Use Amendment which, if transmitted by City Council, shall be reviewed by the Department of Economic Opportunity prior to City Council action on adoption.

The applicant is proposing the development of 2,100 single family homes with two access points off of CR 15 A. The applicant is also proposing to build a 4-lane roadway to connect across the City property to the north and build a bridge across the railroad tracks to the east to connect to US 17. The City property to the north was bought by the City using Florida Forever Funds to develop a regional park facility. As a result, the applicant and the City are in discussions with the Florida Department of Environmental Protection (FDEP) to conduct a Land Exchange to exchange property from the Gustafson site so that a roadway can be constructed. A maximum of 231 single family units can be developed if the Land Exchange is not granted by FDEP. The applicant is also proposing a minimum of 27.8625 acres of park land within the development. This includes a minimum of a 10-acre park that will be open to the public. In addition, the applicant has agreed to pay a \$400 per dwelling unit park dedication fee to be used for capital improvements for parks throughout the City, as well as agreed to pay for the construction of a police substation, which is included in the draft developer’s agreement. The project is expected to be fully built out in 20 years.

The Planning and Zoning Commission unanimously approved the PUD with staff conditions on July 27, 2021.

## Public Notice

Staff advertised per the requirements of the Land Development Regulations (Sec. 101-351) by sending letters to surrounding property owners within 300’, placing a legal ad in the Clay Today, and posting a Public Hearing Notice sign on the property, all approximately 10 days prior to the hearing.

# Compliance with Land Development Code

## Section 117-421

All proposed development requesting to be reviewed as a planned unit development shall provide the following information on the application for development approval:

1. The application for approval of a proposed development shall indicate that the development approval is requested as a planned unit development.

**Analysis of Consistency:** This application requests to rezone the project site from to a Planned Unit Development (PUD).

2. The application shall clearly show the calculation allowed by the future land use map per type of land use category and the calculation of the land use by type in the proposed development.

**Analysis of Consistency:** The total acreage for the project site is ±560.62 acres. This application requests to rezone the entire project site to PUD. The applicant has also applied to amend the FLUM concurrent with this PUD Rezoning application. The companion application will amend the FLU designation for the site from Institutional to Residential Low Density 0->4 du/ac. Based on the proposed Residential Low Density FLU designation, a maximum of 2,242 residential units could be achieved on the project site.

3. The application shall indicate the benefit to the city for allowing the planned unit development. The benefits may include:
  - a. Permit a compact approach to the development of land such that units are clustered allowing for a larger percentage of parks and environmental sensitive areas to remain undisturbed.

**Analysis of Consistency:** This application will allow the development of land in a manner that is compatible with the surrounding neighborhood by provide large buffer areas but allow for flexibility in lot widths and residential type. The PUD Rezoning will increase the variety in the City's housing types and will potentially increase the variety in the City's market rate housing prices.

- b. Accomplish a more desirable environment than would be possible through the strict application of minimum requirements of the land development code;

**Analysis of Consistency:** Specific development standards / density controls are proposed for this PUD which will allow for the flexibility of development in terms of not requiring attached or detached garages for each dwelling unit. Such as allowing narrower public rights of way and lot width, so that additional units can be built but at the same allowing for greater tree preservation and buffering against adjacent property owners.

- c. Provide for an efficient use of land, resulting in smaller networks of utilities and streets;

**Analysis of Consistency:** Specific development standards / density controls are proposed for this PUD which will allow for the flexibility of development in terms of not requiring attached or detached garages for each dwelling unit. Such as allowing narrower public rights of way and lot width, so that additional units can be built but at the same allowing for greater tree preservation and buffering against adjacent property owners.

- d. Enhance the appearance of neighborhoods through preservation of natural features, the provision of underground utilities and the provisions of recreation areas and open space;

**Analysis of Consistency:** The proposed PUD Rezoning will allow for the development of undeveloped property with construction. Elevations of the proposed residential structures are provided in the materials included in the PUD Written Description. Development consistent with these elevations will ensure compatibility with the appearance of the neighborhood. Tree preservation and tree planting will be required to ensure the environmental and aesthetic quality of the neighborhood will be preserved and enhanced.

- e. Provide an opportunity for new approaches to ownership

**Analysis of Consistency:** The proposed development of this site allows for more housing options and a wider variety of single-family detached homes and attached homes.

- f. Provide an environment of stable character compatible with surrounding residential areas; and

**Analysis of Consistency:** This application requests the development of single family detached and attached homes on the subject property. The proposed residential units are compatible with surrounding residential development.

- g. Retain property values over the years.

**Analysis of Consistency:**

The proposed development will bring new residents into the City helping to preserve the community fabric in this neighborhood and retain property values into the future.

4. The application for development approval must comply with all requirements of the land development code.

**Analysis of Consistency:** As outlined in this application and the companion SsCPA application, the proposed PUD rezoning complies with all requirements of the Land Development Code.

## **Consistency with Comprehensive Plan**

The applicant proposes to amend the FLUM Designation from the County's Rural Fringe and Industrial to RLD, Residential Low Density, on the subject property. The following Comprehensive Plan Elements have Goals, Objectives, and Policies (GOPs) that support the proposed amendment to the Future Land Use Map of the City of Green Cove Springs 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 annexation of the presently undeveloped proposed property will allow for an appropriate use of the land, which extends an existing residential area of town further southward. This will be done while simultaneously protecting or mitigating for important natural resources on-site, as well as accounting the health, safety, and welfare of future citizens / residents. The proposed development is consistent with this goal.

### **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.

### **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.

### **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 presently submitted a voluntary annexation request and future land use amendment, but in the future will be submitting a Planned Unit Development rezoning application, 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:** This application would allow up to 2,242 dwelling units to be added to the housing market and will increase the variety of housing options within the City for its residents. The proposed lot sizes will also potentially increase the variety of market rate prices within the City.

### Objective 3.1: Adequate and Affordable Housing

The City shall continue to assist the private sector in providing dwelling units of various types, sizes, and costs to meet the housing needs of the current and future residents and residents with special housing needs.

**Analysis of Consistency:** This application permits a maximum of 2,242 residential units, supporting this objective to provide dwelling units of various types, sizes, and costs.

### 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**

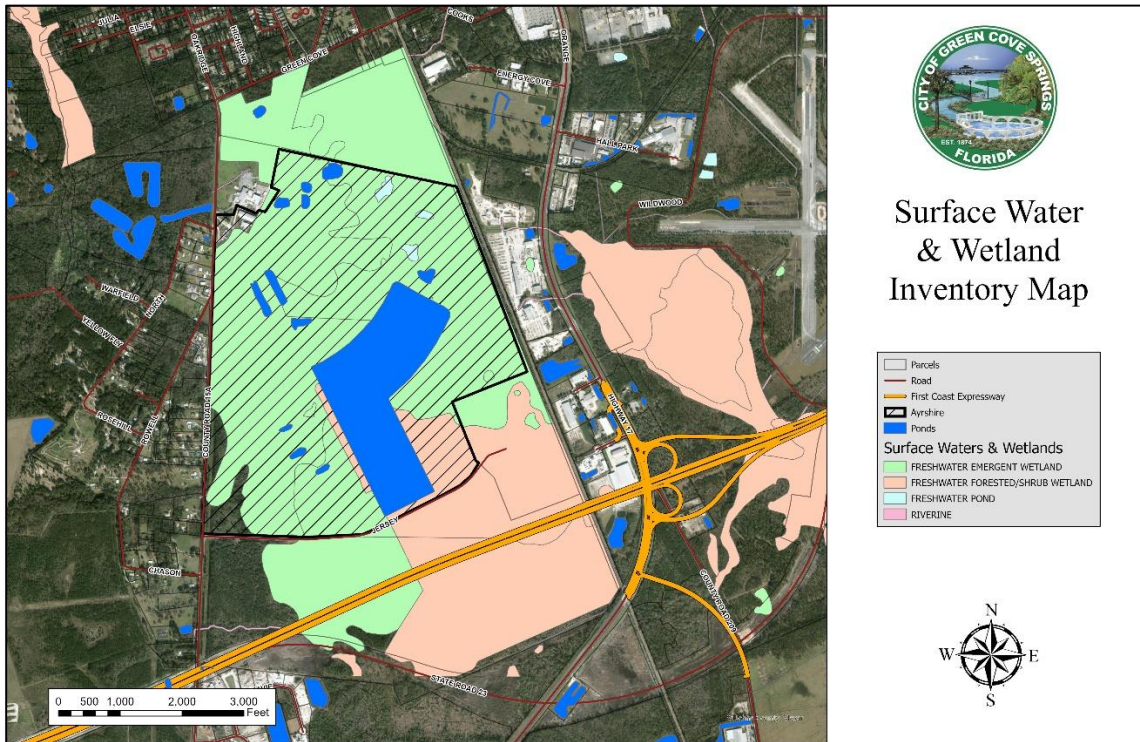
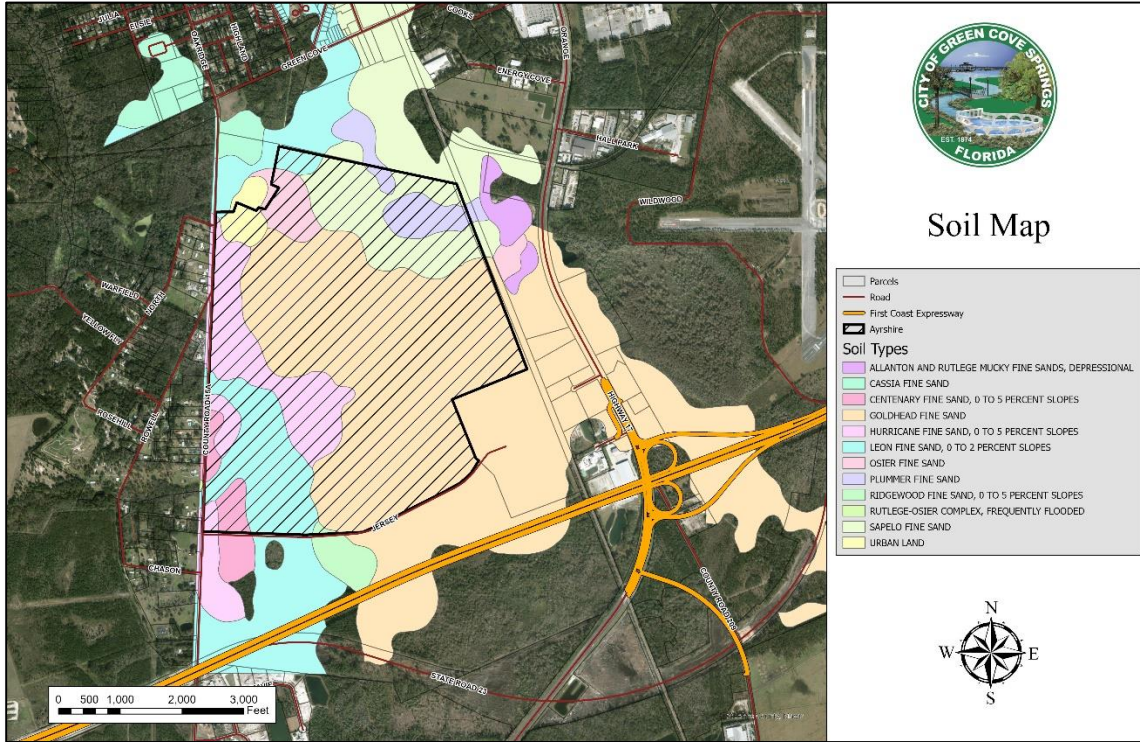
### GOAL 5

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

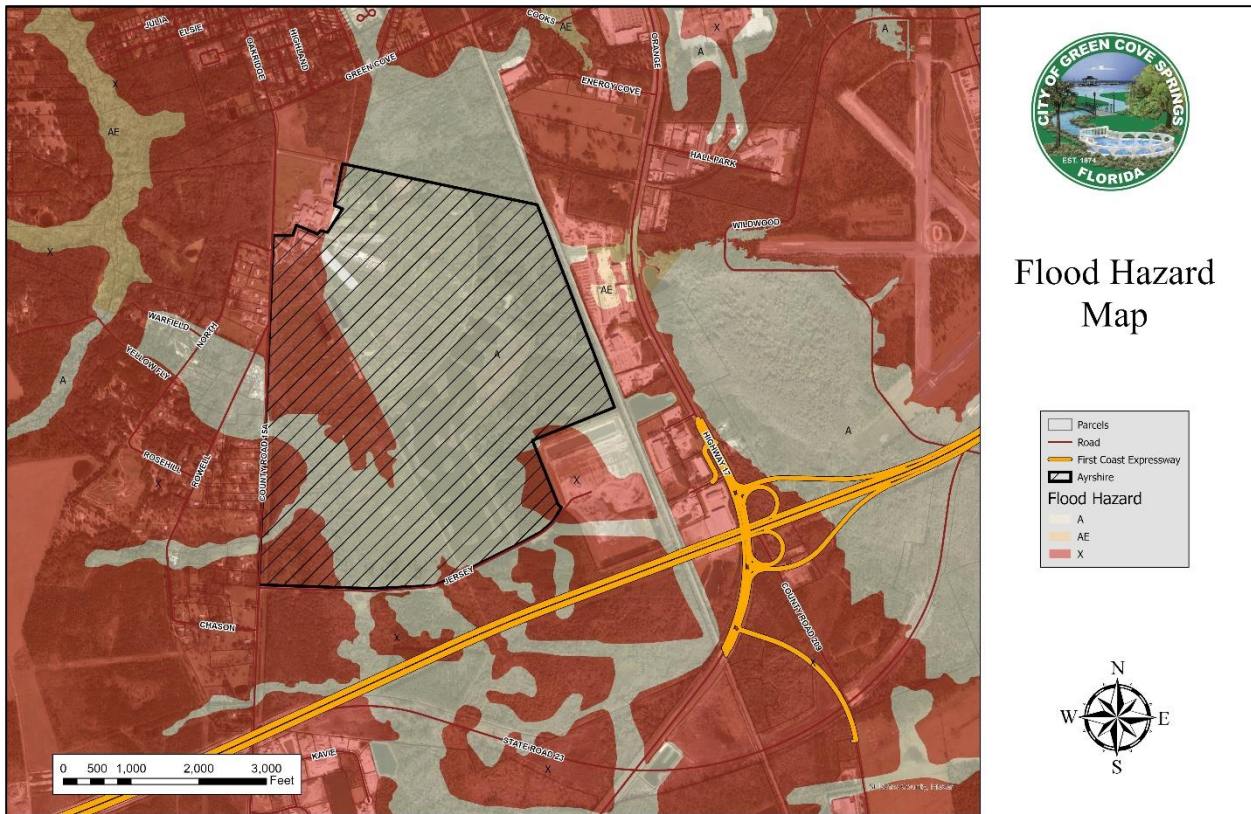
**Analysis of Consistency:** The applicant hired Carter Environmental Services to provide an Environmental Report which is included within the packet. The report identifies the environmental processes that will have to be followed in order to move forward with the development of this property. The City, 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.

# Environmental Conditions Analysis

## Maps of Environmental Features







### Wetlands

According to the National Wetlands Inventory, most of the property is a Freshwater Emergent Wetland with a small portion being a Freshwater Forested/Shrub Wetland. The developer has hired Carter Environmental Services who has delineated the wetlands on the property. 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 8 types of soils located onsite:

- Goldhead Fine Sand, which encompasses most of the site, 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;
- Centenary Fine Sand is a gently sloping, moderately well drained soil;
- Urban Land is an unranked soil;
- Ridgewood Fine Sand is a gently sloping, somewhat poorly drained 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. A small portion on the western edge of the property within FEMA Flood Zone X, which is outside 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> (ITE)	Dwelling Units/SF	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Maximum Development Potential Based on Existing FLU</b>							
Single Family Residential (ITE 210)*	540*	9.57	5,168	.75	405	1.01	545
Light Industrial**	4,143,863**	6.97	28,883	.92	3,812	.97	4,020
<b>Total</b>	<b>-</b>	<b>-</b>	<b>34,051</b>	<b>-</b>	<b>4,217</b>	<b>-</b>	<b>4,565</b>

\*Based on maximum density for Rural Fringe Future Land Use Designation and Industrial Park Future Land Use designation.

\*\*Based on maximum square footage for in the Industrial Park Future Land Use Designation.

Land Use <sup>1</sup> (ITE)	Units	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
<b>Proposed</b>							
Single Family Residential (ITE 210)	2,100	9.57	21,456	.75	1,681	1.01	2,264
<b>Total</b>	<b>-</b>	<b>-</b>	<b>21,456</b>	<b>-</b>	<b>1,681</b>	<b>-</b>	<b>2,264</b>

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 decrease of potential traffic at the subject property as set forth in the above traffic impact table. A traffic study for 2,100 single family residential units has been submitted and is being reviewed by City staff and the Florida Department of Transportation (FDOT) pursuant to the City's Traffic Study Guidelines that all roadway facilities shall operate at the required Level of Service as set forth in the Comprehensive Plan.

### 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.

Potable Water Impacts

System Category	Gallons Per Day (GPD)
Current Permitted Capacity <sup>1</sup>	34,000,000
Less Actual Water Flows	11,900,000
Projected Potable Water Demand from Proposed Project <sup>1</sup>	653,100

1. Source: Clay County 2040 Comprehensive Plan Exhibit C Community Facilities Element. Formula Used: 2100 dwelling units x 311 gallons per day

**Conclusion:** The project shall be served by the Clay County Utility Authority (CCUA). CCUA has adequate capacity for the proposed demand. The City has approved an agreement with CCUA to provide temporary service for up to 300 units until such time as CCUA has the facilities in place to serve the development.

Sanitary Sewer Impacts

System Category	Gallons Per Day (GPD)
Projected Wastewater Demand from Proposed Project <sup>2</sup>	585,900

1. Source: Clay County 2040 Comprehensive Plan Exhibit C Community Facilities Element. Formula Used: 2100 dwelling units x 279 gallons per day

**Conclusion:** The project shall be served by the Clay County Utility Authority (CCUA). CCUA shall add an additional phase to the Governor’s Park Plant to serve this development. The City has approved an agreement with CCUA to provide temporary service for up to 300 units until such time as CCUA has the facilities in place to serve the development.

Recreation Impacts

The Developer will be required to provide 5 acres of Recreational Space per 1,000 persons projected. Assuming the property is developed with the maximum number of single-family dwellings allowed per the proposed future land use, 2,100 units, with 2.65 persons per dwelling unit, the minimum required Recreational Space the developer would need to provide would be 27.825 acres.

Solid Waste Impacts

System Category	LBs Per Day / Tons per Year
Solid Waste Generated by Proposed Project <sup>1</sup>	44,520 lbs. / 8,124.9 tons
Solid Waste Facility Capacity <sup>2</sup>	Minimum 3 Years Capacity

1. Source: City of Green Cove Springs Comprehensive Plan. Formula Used: (2100 dwelling units x 2.65 persons per dwelling unit x 8 lbs. per day)  
 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 recommends approval of the first reading of Ordinance O-06-2021 for form and legality, the proposed rezoning from Agriculture/Industrial (County) to PUD for 560.62 acres for the Ayrshire Development (a portion of parcel # 016515-000-00) subject to the following conditions:**

1. Shall be subject to the requirements of the site-specific Future Land Use policy set forth in Ordinance O-04-2021.
2. No more than 231 residential dwelling units may be constructed prior to the construction, approval and dedication of a four-lane roadway connecting the subject property to US 17 or an updated traffic study that shows the removal of the US Highway 17 connection shall be reviewed and approved by the City.
3. The Developer's Agreement stipulating the provision and improvements for agreed upon payments for public facilities shall be approved at such time as the traffic study mitigation requirements have been determined through the Intersection Control Evaluation (ICE) Procedure administered by the Florida Department of Transportation. No additional development order can be issued until such time as the Developer's Agreement is approved by City Council.

**Motion to approve the first reading of Ordinance O-06-2021 for form and legality, to rezone the Ayrshire Development (a portion of parcel #016515-000-00) subject to the following conditions:**

1. Shall be subject to the requirements of the site-specific Future Land Use policy set forth in Ordinance O-04-2021.
2. No more than 231 residential dwelling units may be constructed prior to the construction, approval and dedication of a four-lane roadway connecting the subject property to US 17 or an updated traffic study that shows the removal of the US Highway 17 connection shall be reviewed and approved by the City.
3. The Developer's Agreement stipulating the provision and improvements for agreed upon payments for public facilities shall be approved at such time as the traffic study mitigation requirements have been determined through the Intersection Control Evaluation (ICE) Procedure administered by the Florida Department of Transportation. No additional development order can be issued until such time as the Developer's Agreement is approved by City Council.