

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-174-E**

5 AN ORDINANCE REZONING APPROXIMATELY 72.02±
6 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 8151
7 GARDEN STREET, BETWEEN IMESON ROAD AND MESSER
8 ROAD (R.E. NO. 002842-0000), AS DESCRIBED
9 HEREIN, OWNED BY DREES HOMES OF FLORIDA, INC.,
10 FROM PLANNED UNIT DEVELOPMENT (2006-479-E)
11 (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED
13 UNDER THE ZONING CODE, TO PERMIT SINGLE FAMILY
14 RESIDENTIAL USES, AS DESCRIBED IN THE
15 SUMMERGLEN PUD; PUD SUBJECT TO CONDITION;
16 PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, Drees Homes of Florida, Inc., the owner of
22 approximately 72.02± acres, located in Council District 8 at 8151
23 Garden Street, between Imeson Road and Messer Road (R.E. No.
24 002842-0000), as more particularly described in **Exhibit 1**, dated
25 January 24, 2020, and graphically depicted in **Exhibit 2**, both of
26 which are **attached hereto** (Subject Property), has applied for a
27 rezoning and reclassification of that property from Planned Unit
28 Development (2006-479-E) (PUD) District to Planned Unit Development
29 (PUD) District, as described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the
31 application and has rendered an advisory opinion; and

1 **WHEREAS**, the Land Use and Zoning Committee, after due notice
2 and public hearing, has made its recommendation to the Council; and

3 **WHEREAS**, the Council finds that such rezoning is: (1)
4 consistent with the *2030 Comprehensive Plan*; (2) furthers the
5 goals, objectives and policies of the *2030 Comprehensive Plan*; and
6 (3) is not in conflict with any portion of the City's land use
7 regulations; and

8 **WHEREAS**, the Council finds the proposed rezoning does not
9 adversely affect the orderly development of the City as embodied in
10 the Zoning Code; will not adversely affect the health and safety of
11 residents in the area; will not be detrimental to the natural
12 environment or to the use or development of the adjacent properties
13 in the general neighborhood; and will accomplish the objectives and
14 meet the standards of Section 656.340 (Planned Unit Development) of
15 the Zoning Code; now, therefore

16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Planned Unit Development
19 (2006-479-E) (PUD) District to Planned Unit Development (PUD)
20 District. This new PUD district shall generally permit single
21 family residential uses, and is described, shown and subject to the
22 following documents, **attached hereto**:

23 **Exhibit 1** - Legal Description dated January 24, 2020.

24 **Exhibit 2** - Subject Property per P&DD.

25 **Exhibit 3** - Written Description dated February 12, 2020.

26 **Exhibit 4** - Site Plan dated January 21, 2020.

27 **Section 2. Rezoning Approved Subject to Condition.** This
28 rezoning is approved subject to the following condition. Such
29 condition controls over the Written Description and the Site Plan
30 and may only be amended through a rezoning.

31 (1) A traffic study shall be provided to the City of

1 Jacksonville Planning and Development Department prior to the final
2 10-set review. The traffic study shall be conducted by a
3 professional traffic engineer, and a methodology meeting shall be
4 held with the Transportation Planning Division and the City Traffic
5 Engineer prior to the commencement of the study.

6 **Section 3. Owner and Description.** The Subject Property
7 is owned by Drees Homes of Florida, Inc., and is legally described
8 in **Exhibit 1, attached hereto.** The agent is T.R. Hainline, Esq.,
9 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
10 (904) 346-5531.

11 **Section 4. Disclaimer.** The rezoning granted herein
12 shall **not** be construed as an exemption from any other applicable
13 local, state, or federal laws, regulations, requirements, permits
14 or approvals. All other applicable local, state or federal permits
15 or approvals shall be obtained before commencement of the
16 development or use and issuance of this rezoning is based upon
17 acknowledgement, representation and confirmation made by the
18 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
19 or designee(s) that the subject business, development and/or use
20 will be operated in strict compliance with all laws. Issuance of
21 this rezoning does **not** approve, promote or condone any practice or
22 act that is prohibited or restricted by any federal, state or local
23 laws.

24 **Section 5. Effective Date.** The enactment of this
25 Ordinance shall be deemed to constitute a quasi-judicial action of
26 the City Council and shall become effective upon signature by the
27 Council President and the Council Secretary.

1 Form Approved:
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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Bruce Lewis

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