

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-371-E**

5 AN ORDINANCE REZONING APPROXIMATELY 55.90±
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 0 CEDAR
7 POINT ROAD, 4601 CEDAR POINT ROAD, 4704 CEDAR
8 POINT ROAD, 4840 CEDAR POINT ROAD, AND 4850
9 CEDAR POINT ROAD, BETWEEN COACH LIGHT DRIVE AND
10 CLAPBOARD CREEK DRIVE, AS DESCRIBED HEREIN,
11 OWNED BY BLAIR A. TANNER, ET AL., FROM
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT TO
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
15 PERMIT SINGLE FAMILY RESIDENTIAL USES, AS
16 DESCRIBED IN THE WINGATE LANDING PUD; PUD
17 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
18 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, Blair A. Tanner, et al., the owners of approximately
23 55.90± acres, located in Council District 2 at 0 Cedar Point Road,
24 4601 Cedar Point Road, 4704 Cedar Point Road, 4840 Cedar Point Road,
25 and 4850 Cedar Point Road, as more particularly described in **Exhibit**
26 **1**, dated June 2, 2021, and graphically depicted in **Exhibit 2**, both
27 of which are **attached hereto** (Subject Property), have applied for a
28 rezoning and reclassification of that property from Residential
29 Rural-Acre (RR-ACRE) District to Planned Unit Development (PUD)
30 District, as described in Section 1 below; and

1 **WHEREAS**, the Planning Commission has considered the application
2 and has rendered an advisory opinion; and

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

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

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

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

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

24 **Exhibit 1** - Legal Description dated June 2, 2021.

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

26 **Exhibit 3** - Written Description dated June 2, 2021.

27 **Revised Exhibit 4** - Revised Site Plan dated September 21, 2021.

28 **Section 2. Rezoning Approved Subject to Conditions.** This
29 rezoning is approved subject to the following conditions. Such
30 conditions control over the Written Description and the Site Plan and
31 may only be amended through a rezoning.

1 (1) Development of the Subject Property will be limited to a
2 maximum of 97 single-family homes as depicted on the Revised Site
3 Plan dated September 21, 2021.

4 (2) All wetland impacts and/or mitigation shall be permitted
5 through the St. Johns River Water Management District.

6 (3) The applicant or its successor shall submit a gopher tortoise
7 survey to the appropriate agency for review and approval prior to
8 commencement of construction on the Subject Property.

9 (4) The development shall be limited to one single-family home
10 per lot as depicted on the Revised Site Plan dated September 21,
11 2021.

12 (5) The applicant/developer or their successor(s) shall install
13 a twenty (20) foot wide landscape buffer consisting of vegetation
14 along Cedar Point Road pursuant to Section 656.1222, *Ordinance Code*.

15 (6) The applicant/developer or their successor(s) shall install
16 a six (6) or eight (8) foot tall opaque fence and a ten (10) foot
17 wide landscape buffer consisting of vegetation recommended by the
18 City's Landscape Architect along the northwest side of the Subject
19 Property as depicted on the Revised Site Plan dated September 21,
20 2021.

21 (7) Development of lots adjacent to existing homes shall be
22 limited to one (1) story in height as depicted on the Revised Site
23 Plan dated September 21, 2021.

24 (8) The applicant/developer or their successor(s) shall
25 establish a Homeowner's Association (HOA) for the development prior
26 to commencement of construction with the transition of control to the
27 lot owners to occur in accordance with applicable state statutes.

28 (9) The applicant/developer or their successor(s) shall abide
29 by the City Traffic Engineer's determination as to the requirement
30 for turn lanes for ingress/egress to the development from Cedar Point
31 Road.

1 (10) A right turn lane into the subdivision shall be required.
2 The right turn lane shall be built to Florida Department of
3 Transportation standards based on the speed limit for deceleration
4 length. No queue length is required.

5 **Section 3. Owner and Description.** The Subject Property
6 is owned by Blair A. Tanner, et al., and is legally described in
7 **Exhibit 1, attached hereto.** The applicant is Curtis L. Hart, 8051
8 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

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

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

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26 Form Approved:

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29 Office of General Counsel

30 Legislation Prepared By: Arimus Wells

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