

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR MINOR MODIFICATION TO A
PLANNED UNIT DEVELOPMENT FOR ORDINANCE 2005-836-E

AUGUST 19, 2021

The Planning and Development Department hereby forwards to the Planning Commission its comments and recommendation regarding Application for Minor Modification to a Planned Unit Development MM-2021-14.

Location: Western terminus of Garden Street

Real Estate Number(s): 001316-0010

Modification Requested: Clarify that townhomes includes duplexes.
Substitute Site Plan showing 25 acres for duplexes.
Substitute 10 acre equestrian facility with 4 acre recreation facility.
Revise Sec. 2.A.3. to include Florida Forest Service and City of Jacksonville for construction improvements.
Delete requirement for 3.2 acre donation to City.

Current Zoning District: Planned Unit Development (PUD 2005-836-E)

Current Land Use Category: Agriculture-ii (AGR-ii)
Agriculture-iii (AGR-iii)

Planning District: Northwest, District 5

Applicant/Agent: T.R. Hainline, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Roberts Diesel Service, Inc.
7010 Pritchard Road
Jacksonville, Florida 32219

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Minor Modification to a Planned Unit Development (PUD) **MM-2021-14** seeks to substitute a new site plan and revise the written description. The 381.3 acres PUD is approved for 749 residential dwellings and 12,000 square feet of commercial uses.

COMMENTS

Staff reviewed the application for the minor modification and for compliance with the following criteria:

- (1) *That there is no change in the approved land use(s), including the amount and general location thereof, no increase in the number of dwelling units or amount of non-residential floor area, or any associated characteristics of any use.*

The first request is to clarify that townhomes is the same as duplexes. The staff has determined that duplexes (2 unit dwellings) are similar in density and intensity as townhomes. Although the PUD only mentions townhomes, a duplex should also be considered a permitted use.

The modification is requesting to increase the area for duplexes from 8 acres to 25 acres. Staff has no objection to the increase in the acreage. The written description limits the townhomes/duplexes to 15% of the total residential development. The modification is not requesting any increase in 749 dwellings or the amount of non-residential floor area.

There PUD was approved for a 10 acre equestrian facility at the entrance to the preservation land of the Cary State Forest. The agent indicates that market needs have changed. Staff has no objection to the reduction to a 4 acre parcel, as the 4 acres is in addition to the regular active recreation requirement in the PUD. In conjunction with the equestrian facility is a commitment to provide a 3.2 acre parcel to the City. This parcel is to accommodate concessions or similar uses. With the proposed reduction in the equestrian facility area the 3.2 acre parcel is not required. Staff has no objection to the request.

The PUD has a provision that the applicant will provide to the City \$250,000 for improvements to the 3.2 acre parcel. If the request to delete the 3.2 acre is approved, then the \$250,000 will be paid to the City or the Florida Forest Service for improvements to the Cary State Forest trailhead.

- (2) *Driveways and/or streets do not significantly alter the general distribution of traffic or modify the public or private rights therein.*

The proposed driveway location on Garden Street will not change and the general distribution of traffic has not been significantly altered.

- (3) *There is no change to any condition(s) set forth by the City Council in the ordinance, which approved the Planned Unit Development district.*

The applicant has not requested a change to the condition set forth by the City Council in the Ordinance.

Development shall proceed in accordance with the Transportation Planning Division Memorandum dated August 12, 2005 and attached hereto as Exhibit 3, or as otherwise approved by the Planning and Development Department.

- (4) *That a compatible relationship between land uses within the Planned Unit Development and with land uses adjoining the Planned Unit Development district are maintained with the proposed changes in the application for minor modification to the Planned Unit Development, through the use of buffers, fencing and other landscaping requirements. External compatibility requirements of Section 656.341(d) must be maintained. If the location, width, height, material or other similar characteristics of any perimeter boundary buffers, fencing, screening or setbacks were the subject of staff recommendations, or were modified by submission of a revised site plan or revised written description at the time of adoption of the Planned Unit Development or any major modification thereof, no change in such locations shall be allowed by minor modification.*

There are no changes to any perimeter buffer or fencing, therefore external compatibility is maintained in the PUD.

- (5) *That a compatible relationship between land uses within the Planned Unit Development and with land uses adjoining the Planned Unit Development district are maintained with the proposed changes in the application for minor modification to the Planned Unit Development, through the use of lot sizes and height of structures along the perimeter boundaries of the Planned United Development. External compatibility requirements of Section 656.341(d) must be maintained. If the lot sizes or height of any perimeter boundary buffers were the subject of staff recommendations, or were modified by submission of a revised site plan or revised written description at the time of adoption of the Planned Unit Development or any major modification thereof, no change in such locations shall be allowed by minor modification.*

There are no changes to any perimeter lot sizes or building height, therefore external compatibility is maintained in the PUD.

SUPPLEMENTARY INFORMATION

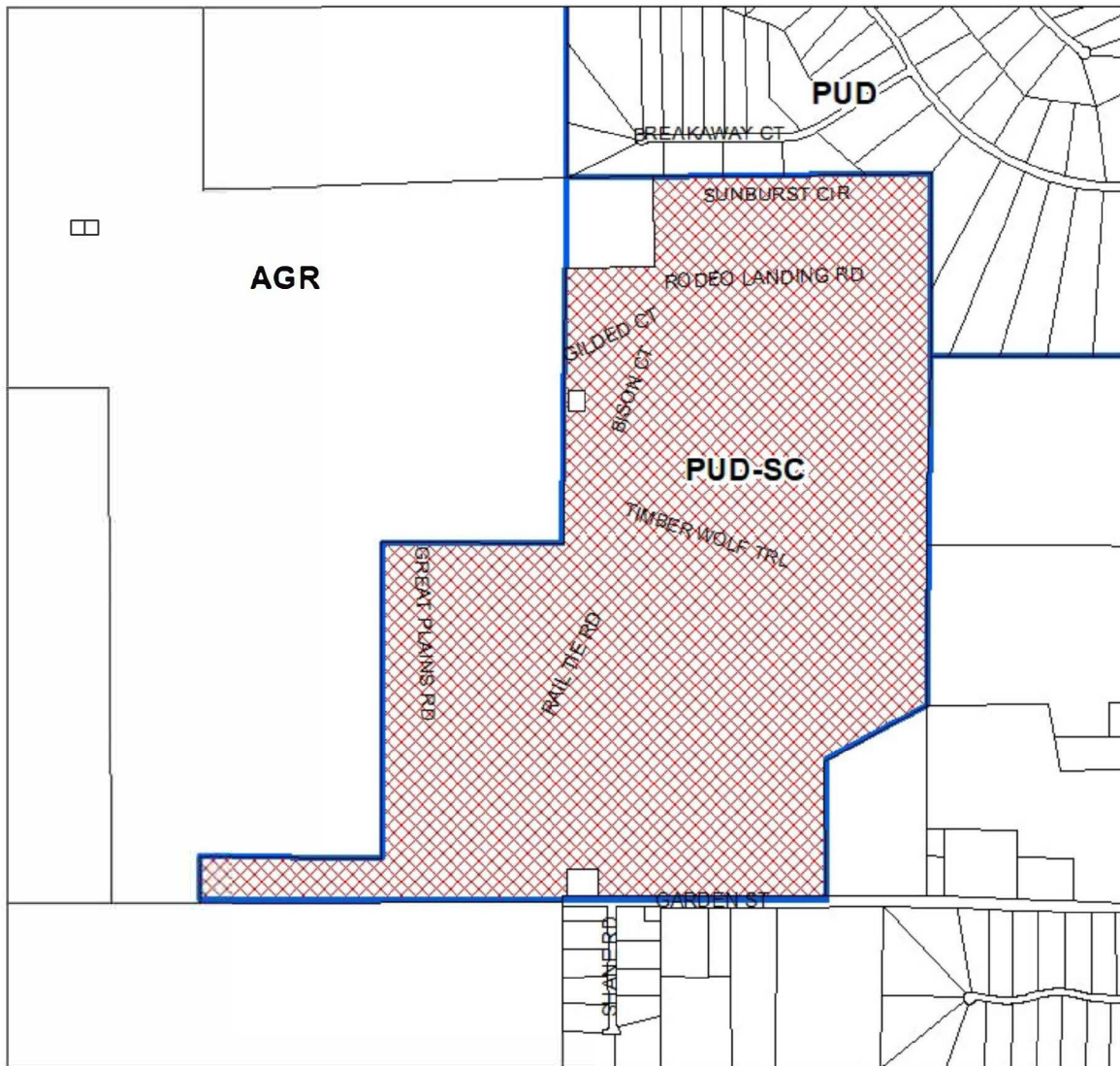
It should be noted that upon visual inspection of the subject property on August 6, 2021, the required Notice of Public Hearing sign **was** posted.

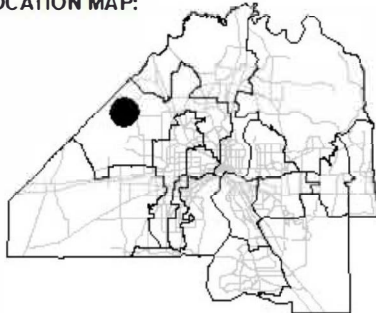

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Minor Modification to a Planned Unit Development **MM-2021-14** be **APPROVED**.



View of subject property.



<p>REQUEST SOUGHT:</p> <p>MINOR MODIFICATION TO A PUD 2005-0836-E</p> <p>REVISE WRITTEN DESCRIPTION AND SITE PLAN</p>	<p>LOCATION MAP:</p> 	 <p>0 387.5 775 1,550</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>8</p>
<p>ORDINANCE NUMBER</p> <p>MM-21-14</p>	<p>TRACKING NUMBER</p> <p>T-2021-3586</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Minor Modification To A PUD

Planning and Development Department Info

Application Number MM-21-14 **Staff Sign-Off/Date** BEL / 07/15/2021
Current Land Use Category AGR-III
Planning Commission Hearing Date 08/19/2021
Neighborhood Association JACKSON RANCH CLUB, CISCO GARDENS CIVIC ASSOC.

Application Info

PUD# To Modify 2005-0836-E
Tracking # 3586
Date Started 06/11/2021
Application Status PENDING
Date Submitted 06/11/2021

General Information On Applicant

Last Name HAINLINE
First Name T.R.
Middle Name
Company Name ROGERS TOWERS, P.A.
Mailing Address 1301 RIVERPLACE BOULEVARD, SUITE 1500
City JACKSONVILLE
State FL
Zip Code 32207
Phone 9043465531
Fax 9043960663
Email THAINLINE@RTLAW.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SEE
First Name BELOW
Middle Name
Company/Trust Name ROBERTS DIESEL SERVICE, INC.
Mailing Address 7010 PRITCHARD ROAD
City JACKSONVILLE
State FL
Zip Code 32219
Phone
Fax
Email

Property Information

Previous Application For Minor Modification Filed Concerning The PUD?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District
Map	001316 0010	8	5

Ensure that RE# is a 10 digit number with a space (##### #)

Minor Modification Requested

SEE ATTACHED WRITTEN DESCRIPTION

Exhibit 1
Legal Description

A PORTION OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 25 EAST, AND A PORTION OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE CORNER COMMON TO SECTION 18 AND SECTION 19, TOWNSHIP 1 SOUTH, RANGE 25 EAST, AND SECTION 13 AND 24 TOWNSHIP 1 SOUTH, RANGE 24 EAST OF DUVAL COUNTY, FLORIDA, THENCE ALONG THE SOUTH LINE OF THE AFORESAID SECTION 13, SOUTH 89 DEGREES 22' 02" WEST, 2653.08 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 13, THENCE ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 13, NORTH 00 DEGREES 11' 12" EAST, 331.47 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF THE SOUTHWEST OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 13, THENCE ALONG THE NORTH LINE THEREOF NORTH 89 DEGREES 27' 32" EAST, 1326.25 FEET TO THE NORTHEAST CORNER THEREOF, SAID POINT ALSO LYING ON THE WEST OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 13; THENCE ALONG THE LAST MENTIONED LINE NORTH 00 DEGREES 10' 12" EAST, 2316.28 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 13; THENCE ALONG THE NORTH LINE THEREOF, NORTH 89 DEGREES 29' 37" EAST, 1327.54 FEET TO THE NORTHEAST CORNER THEREOF, SAID POINT ALSO LYING ON THE COMMON LINE OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 24 EAST AND SECTION 18, TOWNSHIP 1 SOUTH, RANGE 25 EAST; THENCE ALONG THE WEST LINE OF THE AFORESAID SECTION 18 NORTH 00 DEGREES 10' 56" EAST, 1982.32 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE THEREOF NORTH 89 DEGREES, 32' 54" EAST, 664.09 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE THEREOF NORTH 00 DEGREES 09' 31" EAST, 662.22 FEET TO THE NORTHEAST CORNER THEREOF, SAID POINT ALSO LYING ON THE NORTH LINE OF THE AFORESAID SECTION 18; THENCE ALONG THE LAST MENTIONED LINE NORTH 89 DEGREES 26' 28" EAST, 1991.27 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 18; THENCE ALONG THE LAST MENTIONED LINE SOUTH 00 DEGREES 04' 53" WEST, 1332.64 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 18; THENCE SOUTH 00 DEGREES 05' 12" WEST, 1331.70 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE AFORESAID SECTION 18, THENCE ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 18 SOUTH 00 DEGREES 04' 35" WEST, 1257.68 FEET; THENCE SOUTH 62 DEGREES 08' 09" WEST, 848.55 FEET; THENCE SOUTH 00 DEGREES 04' 35" WEST, 960.38 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF GARDEN STREET (AN 80 FOOT RIGHT-OF-WAY AS ESTABLISHED); THENCE ALONG THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE NORTH 89 DEGREES 46' 36" WEST, 1654.77 FEET TO A POINT LYING ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE; THENCE NORTH 00 DEGREES 07' 52" EAST, 191.69 FEET; THENCE NORTH 89 DEGREES 43' 27" WEST, 230.58 FEET; THENCE SOUTH

00 DEGREES 04' 44" WEST, 191.90 FEET TO A POINT LYING ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE; THENCE ALONG THE AFORESAID RIGHT-OF-WAY LINE NORTH 89 DEGREES 46' 36" WEST, 29.85 FEET TO THE WEST LINE OF THE AFORESAID SECTION 18; THENCE ALONG THE LAST MENTIONED LINE SOUTH 00 DEGREES 13' 53" WEST, 40.03 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATED, LYING AND BEING IN DUVAL COUNTY, FLORIDA.

LESS AND EXCEPT PART ONE OF O.R.B. 5830, PAGE 687 (TOWER PARCEL)

A PARCEL OF LAND BEING PART OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART 1, TOWER PARCEL: COMMENCE FOR A POINT OF REFERENCE AT THE SOUTHWEST CORNER OF SAID SECTION 18, SAID POINT BEING SITUATE IN THE CENTERLINE OF GARDEN STREET ROAD (AN 80-FOOT R/W AS NOW ESTABLISHED); THENCE NORTH 00 DEGREES 10' 00" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 18, 3727.09 FEET; THENCE SOUTH 89 DEGREES 50' 00" EAST, 30.00 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE SOUTH 89 DEGREES 50' 00" EAST, 120.00 FEET; THENCE SOUTH 00 DEGREES 10' 00" WEST, 150.00 FEET; THENCE NORTH 89 DEGREES 50' 00" WEST 120.00 FEET; THENCE NORTH 00 DEGREES 10' 00" EAST, 150.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATED, LYING AND BEING IN DUVAL COUNTY, FLORIDA.

EXHIBIT C

APPLICATION FOR MINOR MODIFICATION TO PLANNED UNIT DEVELOPMENT APPROVED BY ORDINANCE 2005-836-E

May 20, 2021

WRITTEN DESCRIPTION

A. INTRODUCTION

Ordinance 2005-836-E (the “PUD”) approved the development of a Rural Village on approximately 381.30 acres, which included a mix of residential densities and development with an integrated multi-component Village Center providing for retail, office, and recreational uses designed to serve the proposed community and surrounding areas. The property included within the PUD and this application is more particularly described in **Exhibit “1”** attached hereto (the “Property”). The Property has remained undeveloped since the date of the PUD but is now planned for development.

In connection with the planned development of the Property, this application seeks the following minor modifications to the PUD:

1. Clarify that the “townhomes” permitted by the PUD may include duplexes (i.e. townhomes containing two units in each building).
2. Substitute the site plan adopted with the PUD with the site plan attached hereto as Exhibit “4” (the “Updated Site Plan”), which includes the following modifications:
 - a. Provides for development of duplexes on up to 25 acres, as opposed to the 8.38 acres originally contemplated by the PUD for townhomes.
 - b. Replaces the 10-acre private equestrian facility contemplated by the PUD with a 4-acre private recreation facility in the southwestern corner of the Property.
 - c. Otherwise modifies the location of lots and various parcels, as shown on the Updated Site Plan.

The Updated Site Plan reflects the lower intensity development of duplexes over a larger portion of the Property, changing market demands with respect to the replacement of the equestrian facility with the private recreation facility, and the most current planning for the development of the Property.

3. Replace the 10-acre private equestrian facility located at the southwestern corner of the Property with a 4-acre private recreation facility located in the southwestern corner of the Property, as shown on the Updated Site Plan, which shall still have secure access to Cary State Forest, to the extent requested and/or agreed to by the City of Jacksonville and the Florida Forest Service.

The replacement of the private equestrian facility with a private recreation facility reflects changing market demands. Throughout the PUD, the PUD will provide for ample on-site recreation in excess of the requirements of the 2030 Comprehensive Plan and the Section 656.420 of the Zoning Code.

4. Provide that, in lieu of the corresponding provisions of Section 2.A.3. of the Written Description of the PUD, prior to the first Verification of Substantial Compliance with respect to the proposed development of the Property, the Applicant or its successor will enter into an agreement with the Florida Forest Service and/or the City of Jacksonville, by which the Applicant or its successor, at its election, will either (i) pay to the City of Jacksonville or the Florida Forest Service \$250,000.00 for use in connection with the construction of improvements to the trailhead for Cary State Forest at the terminus of Garden Street, or (ii) will be responsible for the construction of improvements, as approved by the City and/or Florida Forest Service, at the trailhead for Cary State Forest at the terminus of Garden Street; provided, however, the cost incurred in connection with any such improvements shall not exceed \$250,000.00. Furthermore, in the event that \$250,000.00 is paid directly to the City of Jacksonville or Florida Forest Service, such funds must be used in accordance with the foregoing purpose within five (5) years of the date of payment, or such funds (or any portion thereof) shall be returned to the Applicant or its successor, as applicable.

The modifications relating to improvements to the trailhead for Cary State Forest reflect the fact that Cary State Forest is now owned, operated and maintained by the Florida Forest Service and that the payment of \$250,000.00, if applicable, must be used within a specific, reasonable timeframe.

5. Delete the requirement that the “Applicant shall provide, at no cost to the City, either land area within the 3.2-acre parcel of the Village Center Commercial Component sufficient to accommodate up to 2,000 square feet of enclosed area for concessions, public information, or similar uses associated with the public facility or shall provide such enclosed area within commercial structure(s) otherwise proposed to be constructed on the 3.2-acre parcel.”

The originally proposed concession area within the Property is an outdated concept given current plans for the trailhead for Cary State Forest and management practices of the City of Jacksonville and Florida Forest Service at this location.

No other modifications to the PUD are proposed. However, it is possible that revisions to the Updated Site Plan, including but not limited to building footprint, precise lot mix and location, and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.

B. MINOR MODIFICATION CRITERIA

Consistent with Section 656.341(f)(2), the proposed modification complies with the following criteria:

(i) *That there is no change in the approved permitted use(s), including the amount and general location thereof and no movement or relocation of specific uses on or along the perimeter of the site, no increase in the number of dwelling units or amount of nonresidential floor area, or any associated characteristics of any use.*

There has been no change in the approved land uses, including the amount and general location of the approved land uses, no increase in the amount of nonresidential floor area and no changes with the characteristics of the uses. The proposed minor modifications simply reflect changed conditions relating to the proposed development of the Property, as well as the current intended use of and improvements to adjacent public property.

(ii) *Driveways and/or streets do not significantly alter the general distribution of traffic or modify the public or private rights therein. Any changes to the traffic or pedestrian circulation pattern resulting from the proposed changes in the application for minor modification to the Planned Unit Development must maintain the external compatibility requirements of Section 656.341(d). If the locations of entrances or driveways to the Planned Unit Development were the subject of staff recommendations, or were modified by submission of a revised site plan or revised written description at the time of adoption of the Planned Unit Development or any major modification thereof, no change in such locations shall be allowed by minor modification.*

The proposed modifications do not alter the general distribution of traffic or modify the public or private rights therein.

(iii) *There is no change to any condition(s) set forth by the City Council in the ordinance which approved the Planned Unit Development district.*

This application does not propose any changes to the conditions set forth in the PUD.

(iv) *That a compatible relationship between land uses within the Planned Unit Development and with land uses adjoining the Planned Unit Development district are maintained with the proposed changes in the application for minor modification to the Planned Unit Development, through the use of buffers, fencing and other landscaping requirements. External compatibility requirements of Section 656.341(d) must be maintained. If the location, width, height, material or other similar characteristics of any perimeter boundary buffers, fencing, screening or setbacks were the subject of staff recommendations, or were modified by submission of a revised site plan or revised written description at the time of adoption of the Planned Unit Development or any major modification thereof, no change in such locations shall be allowed by minor modification.*

The proposed modifications do not alter the relationship between land uses within the PUD or surrounding properties. The proposed minor modifications simply reflect changed conditions relating to the proposed development of the Property, as well as the current intended use of and improvements to adjacent public property.

(v) That a compatible relationship between land uses within the Planned Unit Development and with land uses adjoining the Planned Unit Development district are maintained with the proposed changes in the application for minor modification to the Planned Unit Development, through the use of lot sizes and height of structures along the perimeter boundaries of the Planned United Development. External compatibility requirements of Section 656.341(d) must be maintained. If the lot sizes or height of any perimeter boundary buffers were the subject of staff recommendations, or were modified by submission of a revised site plan or revised written description at the time of adoption of the Planned Unit Development or any major modification thereof, no change in such locations shall be allowed by minor modification.

The proposed modifications do not alter the relationship between land uses within the PUD or surrounding properties. The proposed minor modifications simply reflect changed conditions relating to the proposed development of the Property, as well as the current intended use of and improvements to adjacent public property.

PINE GROVE DAIRY RURAL VILLAGE

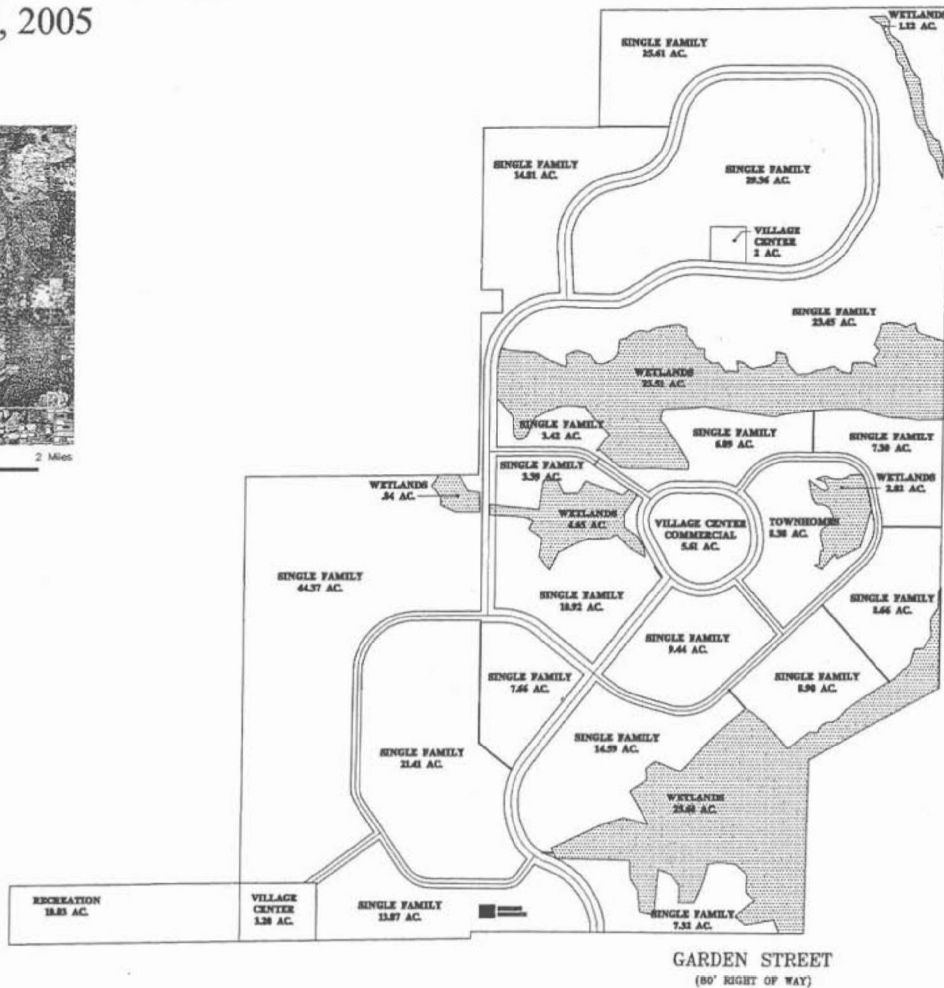
Conceptual PUD - SC Plan

May 2, 2005



SITE LOCATION MAP

0 1 2 Miles



Note: This drawing is conceptual. All information shown is subject to change as may be required by several governmental agencies in order to reflect environmental, technical, zoning and marketing conditions.

Parcel boundaries, lot areas and preliminary wetlands shown are based solely on survey plus documents provided by Barrows Trail Surveying, Inc., dated 2/28/05 and titled "Special Purpose Survey"



0 300' 600' 900'

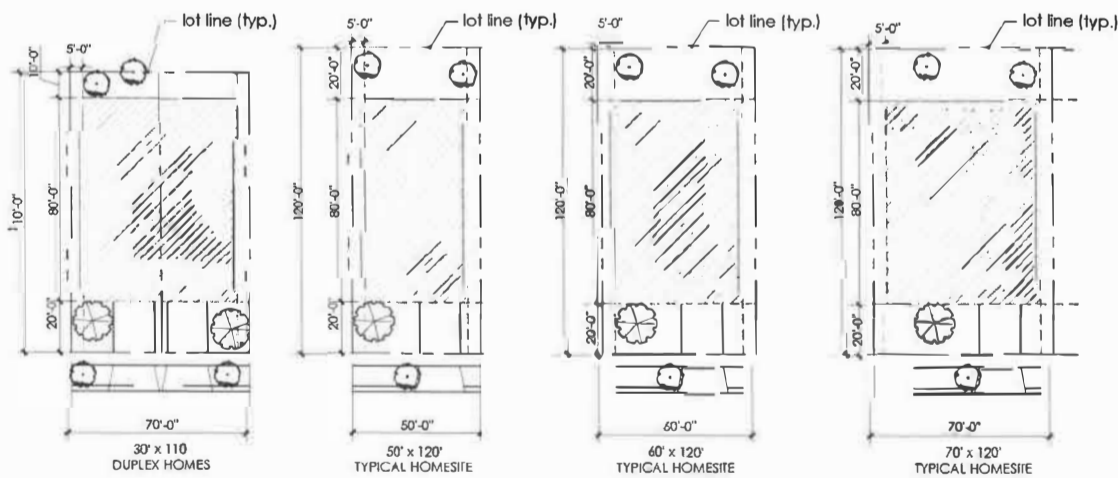


© 2005 GENESIS GROUP, INC. PINE GROVE - PLAN 1



(80' RIGHT OF WAY)
GARDEN STREET

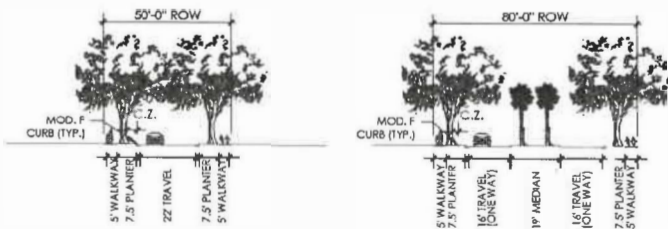
LINE OF BEGINNING



site plan notes & tabulation:
 677 single family homesites (50', 60', & 70' x 120' lot)
 72 duplex units (70' x 110' lot)
 749 total residential homesites

45 acres +/- retention
 7.0 acre community amenity site
 2.0 acre commercial village site
 3.2 acre commercial site

50' row for neighborhood streets
 80' row community blvd.
 25' perimeter buffers



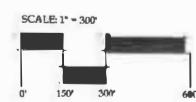
2021.146

June 8, 2021



BONNETT design group, llc
 landscape architecture, community planning
 FL LC 26000341
 400 South Orlando Ave. Suite 201, Maitland, FL 32751
 407.622.1588 voice
 www.BonnettDesignGroup.com

PINE GROVE DAIRY
 PREPARED FOR:
 KOLTER ACQUISITIONS GROUP
 CONCEPTUAL SITE PLAN



DRAWING PLOTTED: 6/8/2021 2:36:31 AM

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Revised Site Plan

1 Introduced by the Land Use and Zoning Committee:



2
3
4 **ORDINANCE 2005-836-E**

5 AN ORDINANCE REZONING APPROXIMATELY 381.30±
6 ACRES LOCATED IN COUNCIL DISTRICT 11 AT 10891
7 GARDEN STREET BETWEEN DIAMOND C LANE AND FLORA
8 SPRINGS ROAD (R.E. NO. 001316-0000 AND PORTION
9 OF 002885-0000), AS DESCRIBED HEREIN, OWNED BY
10 KENYON S. ATLEE, FROM PUD-SC (PLANNED UNIT
11 DEVELOPMENT-SATELLITE COMMUNITY) AND AGR
12 (AGRICULTURE) DISTRICTS TO PUD-SC (PLANNED
13 UNIT DEVELOPMENT-SATELLITE COMMUNITY)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, TO ADD APPROXIMATELY 123 ACRES OF
16 MIXED USE TO THE EXISTING PINE GROVE DAIRY
17 PUD-SC, AS DESCRIBED IN THE APPROVED WRITTEN
18 DESCRIPTION AND SITE PLAN FOR THE FIRST
19 AMENDMENT TO PINE GROVE DAIRY PUD-SC;
20 PROVIDING AN EFFECTIVE DATE.

21
22 WHEREAS, Kenyon S. Atlee, the owner of approximately 381.30±
23 acres located in Council District 11 at 10891 Garden Street between
24 Diamond C Lane and Flora Springs Road (R.E. No. 001316-0000 and
25 portion of 002885-0000), as more particularly described in Exhibit
26 1, attached hereto and incorporated herein by this reference
27 ("Subject Property"), has applied for a rezoning and
28 reclassification of that property from PUD-SC (Planned Unit
29 Development-satellite Community) and AGR (Agriculture) Districts to
30 PUD-SC (Planned Unit Development- Satellite Community) District, as
31 described in Section 1 below; and

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

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

5 **WHEREAS**, the Council finds that such rezoning is: (1)
6 consistent with the 2010 Comprehensive Plan; (2) furthers the
7 goals, objectives and policies of the 2010 Comprehensive Plan; and
8 (3) is not in conflict with any portion of the City's land use
9 regulations; and

10 **WHEREAS**, the Council finds the proposed rezoning does not
11 adversely affect the orderly development of the City as embodied in
12 the Zoning Code; will not adversely affect the health and safety of
13 residents in the area; will not be detrimental to the natural
14 environment or to the use or development of the adjacent properties
15 in the general neighborhood; and will accomplish the objectives and
16 meet the standards of Section 656.343 and Section 656.344 (Planned
17 Unit Development-Satellite Community) of the Zoning Code; now
18 therefore

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

20 Section 1. Property Rezoned. The Subject Property is
21 hereby rezoned and reclassified from PUD-SC (Planned Unit
22 Development-Satellite Community) and AGR (Agriculture) Districts to
23 PUD-SC (planned Unit Development-Satellite Community) District, as
24 shown and described in the approved site plan dated May 2, 2005 and
25 written description dated June 1, 2005 for the First Amendment to
26 Pine Grove Dairy PUD-SC. The PUD-SC district for the Subject
27 property shall generally add approximately 123 acres of mixed use
28 to the existing Pine Grove Dairy PUD-SC, all as more specifically
29 shown and described in the approved First Amendment to Pine Grove
30 Dairy PUD-SC site plan and written description, both on file as
31 Exhibit 2 in the City Council Legislative Services Division.

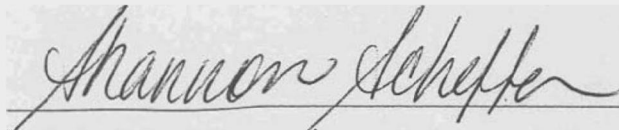
1 **Section 2. Rezoning Approved Subject to Condition.** This
2 rezoning is approved subject to the following condition:

3 (a) Development shall proceed in accordance with the
4 Transportation Planning Division Memorandum dated August 12, 2005
5 and attached hereto as **Exhibit 3**, or as otherwise approved by the
6 Planning and Development Department.

7 **Section 3. Owner and Description.** The Subject Property
8 is owned by Xenyon S. Atlee and is described in **Exhibit 1**. The
9 agent listed in the application is ~~Wynn~~ R. Duggan, Esquire with an
10 address of 1301 Riverplace Boulevard, Suite 1500, Jacksonville,
11 Florida 32207 and a telephone number of (904) 346-5502.

12 **Section 4. Effective Date.** The adoption of **this**
13 ordinance shall be deemed to constitute a quasi-judicial action of
14 the City council and shall become effective upon signature by the
15 Council president and the Council Secretary.

17 Form Approved:

18 
19 _____

20 Office of General Counsel

21 Legislation Prepared By Shannon K. Scheffer

22 9/13/05 G:\shared\LEGIS.CC\2005\ord\PUD\2005-836-E doc