

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-758**

5 AN ORDINANCE REZONING APPROXIMATELY 1.82± ACRES,
6 LOCATED IN COUNCIL DISTRICT 5 AT 9743 OLD ST.
7 AUGUSTINE ROAD, BETWEEN SAN JOSE BOULEVARD AND
8 CROWN POINT ROAD (R.E. NO. 148959-0000), AS
9 DESCRIBED HEREIN, OWNED BY DOUBLE JACKSTER INC.,
10 FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
11 (2009-830-E) TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
14 DESCRIBED IN THE REVISED OLD ST. AUGUSTINE ROAD
15 PUD; PROVIDING A DISCLAIMER THAT THE REZONING
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, Double Jackster Inc., the owner of approximately 1.82±
21 acres located in Council District 5 at 9743 Old St. Augustine Road,
22 between San Jose Boulevard and Crown Point Road (R.E. No. 148959-
23 0000), as more particularly described in **Exhibit 1**, dated July 21,
24 2022, and graphically depicted in **Exhibit 2**, both of which are
25 attached hereto (the "Subject Property"), has applied for a rezoning
26 and reclassification of that property from Planned Unit Development
27 (PUD) District (2009-830-E) to Planned Unit Development (PUD)
28 District, as described in Section 1 below; and

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

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice and

1 public hearing, has made its recommendation to the Council; and

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

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

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

15 **Section 1. Property Rezoned.** The Subject Property is
16 hereby rezoned and reclassified from Planned Unit Development (PUD)
17 District (2009-830-E) to Planned Unit Development (PUD) District.
18 This new PUD district shall generally permit commercial uses, and is
19 described, shown and subject to the following documents, attached
20 hereto:

21 **Exhibit 1** - Legal Description dated July 21, 2022.

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

23 **Exhibit 3** - Written Description dated October 3, 2022.

24 **Exhibit 4** - Site Plan dated June 4, 2022.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by Double Jackster Inc., and is legally described in **Exhibit**
27 **1**, attached hereto. The applicant is Paul Harden, Esq., 1431
28 Riverplace Boulevard, Suite 901, Jacksonville, Florida 32207; (904)
29 396-5731.

30 **Section 3. Disclaimer.** The rezoning granted herein
31 shall **not** be construed as an exemption from any other applicable

1 local, state, or federal laws, regulations, requirements, permits or
2 approvals. All other applicable local, state or federal permits or
3 approvals shall be obtained before commencement of the development
4 or use and issuance of this rezoning is based upon acknowledgement,
5 representation and confirmation made by the applicant(s), owner(s),
6 developer(s) and/or any authorized agent(s) or designee(s) that the
7 subject business, development and/or use will be operated in strict
8 compliance with all laws. Issuance of this rezoning does **not** approve,
9 promote or condone any practice or act that is prohibited or
10 restricted by any federal, state or local laws.

11 **Section 4. Effective Date.** The enactment of this Ordinance
12 shall be deemed to constitute a quasi-judicial action of the City
13 Council and shall become effective upon signature by the Council
14 President and the Council Secretary.

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16 Form Approved:

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18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Erin Abney

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