

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

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; PUD SUBJECT TO CONDITION; PROVIDING A  
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN  
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY  
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE  
19 DATE.  
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21 **WHEREAS**, Double Jackster Inc., the owner of approximately 1.82±  
22 acres located in Council District 5 at 9743 Old St. Augustine Road,  
23 between San Jose Boulevard and Crown Point Road (R.E. No. 148959-  
24 0000), as more particularly described in **Exhibit 1**, dated July 21,  
25 2022, and graphically depicted in **Exhibit 2**, both of which are  
26 attached hereto (the "Subject Property"), has applied for a rezoning  
27 and reclassification of that property from Planned Unit Development  
28 (PUD) District (2009-830-E) to Planned Unit Development (PUD)  
29 District, as described in Section 1 below; and

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

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

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

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

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

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

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

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

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

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

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

30           (1) No outdoor live entertainment or amplified music shall be  
31 allowed.

1           **Section 3.           Owner and Description.**       The Subject Property  
2 is owned by Double Jackster Inc., and is legally described in **Exhibit**  
3 **1**, attached hereto.    The applicant is Paul Harden, Esq., 1431  
4 Riverplace Boulevard, Suite 901, Jacksonville, Florida 32207; (904)  
5 396-5731.

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

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

22  
23 Form Approved:

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25           /s/ Mary E. Staffopoulos          

26 Office of General Counsel

27 Legislation Prepared By: Erin Abney

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