

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-903-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.40± ACRES,
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 17TH STREET
7 EAST AND 1221 16TH STREET EAST, BETWEEN PHOENIX
8 AVENUE AND MARTIN LUTHER KING JR PARKWAY (R.E.
9 NO(S). 113566-0500 AND 113567-0010), AS
10 DESCRIBED HEREIN, OWNED BY JACK SUN VILLAS, LLC,
11 FROM PUBLIC BUILDINGS AND FACILITIES-1 (PBF-1)
12 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT A HOTEL, COMMERCIAL AND
15 RESIDENTIAL USES AND PERSONAL PROPERTY SELF-
16 STORAGE, AS DESCRIBED IN THE 1221 EAST 16TH
17 STREET PUD, PURSUANT TO FUTURE LAND USE MAP
18 SERIES (FLUMS) SMALL-SCALE AMENDMENT
19 APPLICATION NUMBER L-5942-24C; PUD SUBJECT TO
20 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
21 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
22 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
23 PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to
29 companion application L-5942-24C; and

30 **WHEREAS,** in order to ensure consistency of zoning district with
31 the *2045 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5942-24C, an application to rezone and reclassify from
2 Public Buildings and Facilities-1 (PBF-1) District to Planned Unit
3 Development (PUD) District was filed by Cyndy Trimmer, Esq. on behalf
4 of the owner of approximately 2.40± acres of certain real property
5 in Council District 7, as more particularly described in Section 1;
6 and

7 **WHEREAS**, the Planning and Development Department, in order to
8 ensure consistency of this zoning district with the *2045 Comprehensive*
9 *Plan*, has considered the rezoning and has rendered an advisory
10 opinion; and

11 **WHEREAS**, the Planning Commission has considered the application
12 and has rendered an advisory opinion; and

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

15 **WHEREAS**, the City Council, after due notice, held a public
16 hearing, and taking into consideration the above recommendations as
17 well as all oral and written comments received during the public
18 hearings, the Council finds that such rezoning is consistent with the
19 *2045 Comprehensive Plan* adopted under the comprehensive planning
20 ordinance for future development of the City of Jacksonville; and

21 **WHEREAS**, the Council finds that the proposed PUD does not affect
22 adversely the orderly development of the City as embodied in the
23 *Zoning Code*; will not affect adversely the health and safety of
24 residents in the area; will not be detrimental to the natural
25 environment or to the use or development of the adjacent properties
26 in the general neighborhood; and the proposed PUD will accomplish the
27 objectives and meet the standards of Section 656.340 (Planned Unit
28 Development) of the *Zoning Code* of the City of Jacksonville; now,
29 therefore

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

31 **Section 1. Subject Property Location and Description.** The

1 approximately 2.40± acres are located in Council District 7 at 0 17th
2 Street East and 1221 16th Street East, between Phoenix Avenue and
3 Martin Luther King Jr Parkway (R.E. No(s). 113566-0500 and 113567-
4 0010), as more particularly described in **Exhibit 1**, dated April 23,
5 2024, and graphically depicted in **Exhibit 2**, both of which are
6 attached hereto and incorporated herein by this reference (the
7 "Subject Property").

8 **Section 2. Owner and Applicant Description.** The Subject
9 Property is owned by Jack Sun Villas, LLC. The applicant is Cyndy
10 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida
11 32202; (904) 807-0185.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment Application L-
14 5942-24C, is hereby rezoned and reclassified from Public Buildings
15 and Facilities-1 (PBF-1) District to Planned Unit Development (PUD)
16 District. This new PUD district shall generally permit a hotel,
17 commercial and residential uses and personal property self-storage,
18 and is described, shown and subject to the following documents,
19 attached hereto:

20 **Exhibit 1** - Legal Description dated April 23, 2024.

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

22 **Exhibit 3** - Written Description dated October 21, 2024.

23 **Exhibit 4** - Site Plan dated July 19, 2024.

24 **Section 4. Rezoning Approved Subject to Conditions.** This
25 rezoning is approved subject to the following conditions. Such
26 conditions control over the Written Description and the Site Plan and
27 may only be amended through a rezoning:

28 (1) The height of the proposed new construction shall be
29 limited to sixty (60) feet.

30 (2) Construction/renovation of the former J. Allen Axson
31 Elementary School shall commence prior to the issuance of a

1 Certificate of Occupancy for the personal property self-storage
2 structure.

3 (3) Any parking that may be permitted within the right-of-way
4 is subject to review and approval by the City Traffic Engineer and
5 Transportation Planning Division upon submission of engineered plans
6 showing that such spaces can be constructed to City standards and
7 without interfering with City Standard sidewalks.

8 **Section 5. Contingency.** This rezoning shall not become
9 effective until thirty-one (31) days after adoption of the companion
10 Small-Scale Amendment; and further provided that if the companion
11 Small-Scale Amendment is challenged by the state land planning agency,
12 this rezoning shall not become effective until the state land planning
13 agency or the Administration Commission issues a final order
14 determining the companion Small-Scale Amendment is in compliance with
15 Chapter 163, *Florida Statutes*.

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

28 **Section 7. Effective Date.** The enactment of this Ordinance
29 shall be deemed to constitute a quasi-judicial action of the City
30 Council and shall become effective upon signature by the Council
31 President and the Council Secretary.

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Form Approved:

 /s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Kaysie Cox

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