

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-782**

5 AN ORDINANCE REZONING APPROXIMATELY 6.15± ACRES,
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 PALMETTO
7 STREET, 700 PALMETTO STREET AND 817 OAKLEY
8 STREET, BETWEEN EAST UNION STREET AND ARLINGTON
9 EXPRESSWAY (R.E. NOS. 130803-0000, 130810-0000
10 AND 130817-0000), AS DESCRIBED HEREIN, OWNED BY
11 ARGOS USA LLC, SUCCESSOR BY MERGER TO ARGOS
12 READY MIX LLC, FROM RESIDENTIAL MEDIUM DENSITY-
13 A (RMD-A) DISTRICT, INDUSTRIAL LIGHT (IL)
14 DISTRICT AND COMMERCIAL COMMUNITY/GENERAL-1
15 (CCG-1) DISTRICT TO PLANNED UNIT DEVELOPMENT
16 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
17 THE ZONING CODE, TO PERMIT TOWNHOMES AND
18 COMMERCIAL AND MULTI-FAMILY RESIDENTIAL USES, AS
19 DESCRIBED IN THE PALMETTO STREET MIXED USE PUD,
20 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
21 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
22 5858-23C; PROVIDING A DISCLAIMER THAT THE
23 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
24 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
25 PROVIDING AN EFFECTIVE DATE.

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27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to
31 companion application L-5858-23C; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2045 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5858-23C, an application to rezone and reclassify from
4 Residential Medium Density-A (RMD-A) District, Industrial Light (IL)
5 District and Commercial Community/General-1 (CCG-1) District to
6 Planned Unit Development (PUD) District was filed by Robert Baynes
7 on behalf of the owner of approximately 6.15± acres of certain real
8 property in Council District 7, as more particularly described in
9 Section 1; and

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

14 **WHEREAS**, the Planning Commission has considered the application
15 and has rendered an advisory opinion; and

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

18 **WHEREAS**, the City Council, after due notice, held a public
19 hearing, and taking into consideration the above recommendations as
20 well as all oral and written comments received during the public
21 hearings, the Council finds that such rezoning is consistent with the
22 *2045 Comprehensive Plan* adopted under the comprehensive planning
23 ordinance for future development of the City of Jacksonville; and

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

1 therefore

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

3 **Section 1. Subject Property Location and Description.** The
4 approximately 6.15± acres are located in Council District 7 at 0
5 Palmetto Street, 700 Palmetto Street and 817 Oakley Street, between
6 East Union Street and Arlington Expressway (R.E. Nos. 130803-0000,
7 130810-0000 and 130817-0000), as more particularly described in
8 **Exhibit 1**, dated July 20, 2023, and graphically depicted in **Exhibit**
9 **2**, both of which are attached hereto and incorporated herein by this
10 reference (the "Subject Property").

11 **Section 2. Owner and Applicant Description.** The Subject
12 Property is owned by Argos USA LLC, successor by merger to Argos
13 Ready Mix LLC. The applicant is Robert Baynes, 24 East Drayton
14 Street, Suite 201-A, Savannah, Georgia 31401; (404) 229-1387.

15 **Section 3. Property Rezoned.** The Subject Property,
16 pursuant to adopted companion Small-Scale Amendment Application L-
17 5858-23C, is hereby rezoned and reclassified from Residential Medium
18 Density-A (RMD-A) District, Industrial Light (IL) District and
19 Commercial Community/General-1 (CCG-1) District to Planned Unit
20 Development (PUD) District. This new PUD district shall generally
21 permit townhomes and commercial and multi-family residential uses and
22 is described, shown and subject to the following documents, attached
23 hereto:

24 **Exhibit 1** - Legal Description dated July 20, 2023.

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

26 **Exhibit 3** - Written Description dated September 19, 2023.

27 **Exhibit 4** - Site Plan dated July 20, 2023.

28 **Section 4. Contingency.** This rezoning shall not become
29 effective until thirty-one (31) days after adoption of the companion
30 Small-Scale Amendment; and further provided that if the companion
31 Small-Scale Amendment is challenged by the state land planning agency,

1 this rezoning shall not become effective until the state land planning
2 agency or the Administration Commission issues a final order
3 determining the companion Small-Scale Amendment is in compliance with
4 Chapter 163, *Florida Statutes*.

5 **Section 5. Disclaimer.** The rezoning granted herein
6 shall **not** be construed as an exemption from any other applicable
7 local, state, or federal laws, regulations, requirements, permits or
8 approvals. All other applicable local, state or federal permits or
9 approvals shall be obtained before commencement of the development
10 or use and issuance of this rezoning is based upon acknowledgement,
11 representation and confirmation made by the applicant(s), owner(s),
12 developer(s) and/or any authorized agent(s) or designee(s) that the
13 subject business, development and/or use will be operated in strict
14 compliance with all laws. Issuance of this rezoning does **not** approve,
15 promote or condone any practice or act that is prohibited or
16 restricted by any federal, state or local laws.

17 **Section 6. Effective Date.** The enactment of this Ordinance
18 shall be deemed to constitute a quasi-judicial action of the City
19 Council and shall become effective upon signature by the Council
20 President and the Council Secretary.

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22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Bruce Lewis

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