

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-5-E

AN ORDINANCE DENYING A REQUEST FOR REZONING APPROXIMATELY 11.38± ACRES LOCATED IN COUNCIL DISTRICT 1 AT 7535 FORT CAROLINE ROAD, BETWEEN TOWNSEND BOULEVARD AND ALLENBY DRIVE (R.E. NO(S). 109044-0290), AS DESCRIBED HEREIN, OWNED BY FORT CAROLINE CHRISTIAN CHURCH, INC., FROM RESIDENTIAL LOW DENSITY-90 (RLD-90) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT A MAXIMUM OF 69 TOWNHOMES, AS DESCRIBED IN THE FORT CAROLINE TOWNHOMES PUD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fort Caroline Christian Church, Inc., the owner of approximately 11.38± acres located in Council District 1 at 7535 Fort Caroline Road, between Townsend Boulevard and Allenby Drive (R.E. NO(S). 109044-0290), as more particularly described in **Exhibit 1**, dated May 6, 2024, and graphically depicted in **Exhibit 2**, both of which are attached hereto (the "Subject Property"), has applied for a rezoning and reclassification of the Subject Property from Residential Low Density-90 (RLD-90) District to Planned Unit Development (PUD) District, as described in Section 1 below; and

WHEREAS, the Planning Commission, acting as the local planning agency, has reviewed the application and made an advisory recommendation to the Council; and

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

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

2 **Section 1. Property Rezoning Denied.** The City Council
3 denies the rezoning of the Subject Property from Residential Low
4 Density-90 (RLD-90) District to Planned Unit Development (PUD)
5 District, which would have generally permitted a maximum of 69
6 townhomes, as set forth in the following documents submitted by the
7 applicant, attached hereto:

8 **Exhibit 1** - Legal Description dated May 6, 2024.

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

10 **Exhibit 3** - Written Description dated November 27, 2024.

11 **Exhibit 4** - Site Plan dated October 11, 2024.

12 Pursuant to section 656.341(d), *Ordinance Code*, there are
13 several criteria to be considered specifically when evaluating an
14 application for rezoning to the Planned Unit Development district.
15 One of those criteria is external compatibility. Pursuant to section
16 656.341(d)(5), *Ordinance Code*, all land uses within a proposed Planned
17 Unit Development should be compatible with existing and planned uses
18 of properties surrounding the proposed Planned Unit Development and
19 not have any avoidable or undue adverse impact on existing or planned
20 surrounding uses. The evaluation of external compatibility of a
21 proposed Planned Unit Development is based on several enumerated
22 factors, including "[t]he type, number and location of surrounding
23 external uses" and "existing zoning on surrounding lands."
24 Additionally, pursuant to section 656.125(c), *Ordinance Code*, uses
25 permitted under a proposed rezoning must be consistent or compatible
26 with the existing and proposed land uses and zoning of adjacent and
27 nearby properties or the general area or will deviate from an
28 established or developing logical and orderly development pattern.

29 The Planning Department report indicates that the Subject
30 Property is located on the northside of Fort Caroline Road. Except
31 for the adjacent church, the current uses surrounding the Subject

1 Property are all single-family subdivisions. The Planning Department
2 report shows that the Subject Property is surrounded on the west,
3 north and east by the RLD-90 zoning district. South of the property
4 is Fort Caroline Road. And the site plan depicted on an aerial
5 submitted by the applicant at the public hearing shows the Subject
6 Property is surrounded on three sides by single family homes on large
7 lots.

8 The facts set forth above are further bolstered by the extensive
9 public comment provided during the public hearing. As an example, a
10 representative of Colony Cove spoke at the public hearing and
11 explained that Colony Cove has 190 single family homes and described
12 the area surrounding the Subject Property, north of Fort Caroline
13 Road, as single family brick homes. And another speaker from Scarlet
14 Oaks, described her community as 52 single family brick homes on half
15 acre lots. The testimony is consistent with the information in the
16 Planning Department report that indicates that the Subject Property
17 is surrounded by a single family residential communities.

18 The proposed use of the Subject Property is 69 townhomes. This
19 proposed use of 69 townhomes is not consistent or compatible with the
20 existing and proposed land uses, single-family homes, and zoning,
21 RLD-90 of adjacent and nearby properties on the northside of Fort
22 Caroline Road and thus deviates from an established or developing
23 logical and orderly development pattern.

24 **Section 2. Owner and Description.** The Subject Property is
25 owned by Fort Caroline Christian Church, Inc., and is legally
26 described in **Exhibit 1**, attached hereto. The applicant is Cyndy
27 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida
28 32202; (904) 807-0185.

29 **Section 3. Effective Date.** The enactment of this Ordinance
30 shall be deemed to constitute a quasi-judicial action of the City
31 Council and shall become effective upon signature by the Council

1 President and Council Secretary.

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3 Form Approved:

4
5 /s/ Dylan Reingold

6 Office of General Counsel

7 Legislation Prepared By: Bruce Lewis

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