

1 The Land Use and Zoning Committee offers the following Substitute to
2 File No. 2023-705:

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4 Introduced by the Land Use and Zoning Committee:

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7 **ORDINANCE 2023-705**

8 AN ORDINANCE REZONING APPROXIMATELY 0.45± ACRES
9 LOCATED IN COUNCIL DISTRICT 5 AT 0 ST. AUGUSTINE
10 ROAD, BETWEEN ST. AUGUSTINE ROAD AND LORIMIER
11 ROAD (R.E. NOS. 130411-0110, 130411-0120 AND
12 130411-0130), AS DESCRIBED HEREIN, OWNED BY T20
13 HOLDINGS LLC, FROM RESIDENTIAL LOW DENSITY-60
14 (RLD-60) DISTRICT TO PLANNED UNIT DEVELOPMENT
15 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
16 THE ZONING CODE, TO PERMIT COMMERCIAL USES AND
17 UP TO SIX TOWNHOMES, AS DESCRIBED IN THE ST.
18 AUGUSTINE ROAD PUD, PURSUANT TO FUTURE LAND USE
19 MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
20 APPLICATION NUMBER L-5859-23C; PROVIDING A
21 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
22 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
23 APPLICABLE LAWS; 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-5859-23C; and

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

1 Amendment L-5859-23C, an application to rezone and reclassify from
2 Residential Low Density-60 (RLD-60) District to Planned Unit
3 Development (PUD) District was filed by Cyndy Trimmer, Esq. on behalf
4 of the owner of approximately 0.45± acres of certain real property
5 in Council District 5, 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
12 application and rendered an advisory opinion; and

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

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 0.45± acres are located in Council District 5 at 0 St.

1 Augustine Road, between St. Augustine Road and Lorimier Road (R.E.
2 Nos. 130411-0110, 130411-0120 and 130411-0130), as more particularly
3 described in **Exhibit 1**, dated August 3, 2023, and graphically depicted
4 in **Exhibit 2**, both of which are attached hereto and incorporated
5 herein by this reference (the "Subject Property").

6 **Section 2. Owner and Applicant Description.** The Subject
7 Property is owned by T20 Holdings LLC. The applicant is Cyndy
8 Trimmer, Esq., One Independent Drive, Suite 1200, Jacksonville,
9 Florida 32202; (904) 807-0185.

10 **Section 3. Property Rezoned.** The Subject Property,
11 pursuant to adopted companion Small-Scale Amendment Application
12 L-5859-23C, is hereby rezoned and reclassified from Residential Low
13 Density-60 (RLD-60) District to Planned Unit Development (PUD)
14 District. This new PUD district shall generally permit commercial
15 uses and up to a maximum of 6 townhomes, and is described, shown and
16 subject to the following documents, attached hereto:

17 **Exhibit 1** - Legal Description dated August 3, 2023.

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

19 **Exhibit 3** - Written Description dated July 11, 2024.

20 **Exhibit 4** - Site Plan dated July 24, 2023.

21 **Section 4. Contingency.** This rezoning shall not become
22 effective until thirty-one (31) days after adoption of the companion
23 Small-Scale Amendment; and further provided that if the companion
24 Small-Scale Amendment is challenged by the state land planning agency,
25 this rezoning shall not become effective until the state land planning
26 agency or the Administration Commission issues a final order
27 determining the companion Small-Scale Amendment is in compliance with
28 Chapter 163, *Florida Statutes*.

29 **Section 5. Disclaimer.** The rezoning granted herein shall
30 **not** be construed as an exemption from any other applicable local,
31 state, or federal laws, regulations, requirements, permits or

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

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

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15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Jacquelyn Williams

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