

1 Introduced and Amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-609-E**

5 AN ORDINANCE REZONING APPROXIMATELY 23.51±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 7014
7 TOWNSEND ROAD AND 7080 SHAWN LANE, BETWEEN
8 TOWNSEND ROAD AND MORSE AVENUE (R.E. NOS.
9 015800-0000 AND 015801-0010), AS DESCRIBED
10 HEREIN, OWNED BY BMS DUVAL LLC, AS TRUSTEE OF
11 THE TOWNSEND ROAD LAND TRUST #7014 DATED
12 DECEMBER 11, 2019 AND BMS DUVAL LLC, AS TRUSTEE
13 OF THE TOWNSEND ROAD LAND TRUST #6751 DATED
14 DECEMBER 11, 2019, FROM RESIDENTIAL LOW DENSITY-
15 60 (RLD-60) DISTRICT AND RESIDENTIAL RURAL-ACRE
16 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT
17 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
18 THE ZONING CODE, TO PERMIT SINGLE-FAMILY
19 RESIDENTIAL USES, AS DESCRIBED IN THE RICKER-
20 TOWNSEND PUD; PUD SUBJECT TO CONDITIONS;
21 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
22 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
23 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
24 EFFECTIVE DATE.
25

26 **WHEREAS**, BMS Duval LLC, as Trustee of the Townsend Road Land
27 Trust #7014 dated December 11, 2019 and BMS Duval LLC, as Trustee of
28 the Townsend Road Land Trust #6751 dated December 11, 2019, the owners
29 of approximately 23.51± acres located in Council District 10 at 7014
30 Townsend Road and 7080 Shawn Lane, between Townsend Road and Morse
31 Avenue (R.E. Nos. 015800-0000 and 015801-0010), as more particularly

1 described in **Exhibit 1**, dated April 22, 2022, and graphically depicted
2 in **Exhibit 2**, both of which are attached hereto (the "Subject
3 Property"), have applied for a rezoning and reclassification of that
4 property from Residential Low Density-60 (RLD-60) District and
5 Residential Rural-Acre (RR-Acre) District to Planned Unit Development
6 (PUD) District, as described in Section 1 below; and

7 **WHEREAS**, the Planning Commission has considered the application
8 and has rendered an advisory opinion; and

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

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

15 **WHEREAS**, the Council finds the proposed rezoning does not
16 adversely affect the orderly development of the City as embodied in
17 the Zoning Code; will not adversely affect the health and safety of
18 residents in the area; will not be detrimental to the natural
19 environment or to the use or development of the adjacent properties
20 in the general neighborhood; and will accomplish the objectives and
21 meet the standards of Section 656.340 (Planned Unit Development) of
22 the Zoning Code; now, therefore

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

24 **Section 1. Property Rezoned.** The Subject Property is
25 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
26 60) District and Residential Rural-Acre (RR-Acre) District to Planned
27 Unit Development (PUD) District. This new PUD district shall
28 generally permit single-family residential uses, and is described,
29 shown and subject to the following documents, **attached hereto**:

30 **Exhibit 1** - Legal Description dated April 22, 2022.

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

1 **Exhibit 3** - Written Description dated April 27, 2022.

2 **Exhibit 4** - Site Plan dated April 27, 2022.

3 **Section 2. Rezoning Approved Subject to Conditions.** This
4 rezoning is approved subject to the following conditions. Such
5 conditions control over the Written Description and the Site Plan and
6 may only be amended through a rezoning:

7 (1) The developer shall construct a northbound left-turn lane
8 on Ricker Road into the site or provide a traffic study reflecting
9 that one is not warranted. If a left-turn lane will be installed,
10 it shall be constructed to Florida Department of Transportation
11 Standards with the deceleration length based on the posted speed
12 limit and a minimum queue length of 50 feet. The limits of the
13 widening on Ricker Road for the turn lane shall be resurfaced.

14 (2) The proposed street typical cross-section for the
15 development shall match that found in City Standard Details for City
16 of Jacksonville, Plate P-127.

17 (3) The minimum road centerline radius for curves in the
18 subdivision shall be 80 feet.

19 **Section 3. Owner and Description.** The Subject Property
20 is owned by BMS Duval LLC, as Trustee of the Townsend Road Land Trust
21 #7014 dated December 11, 2019 and BMS Duval LLC, as Trustee of the
22 Townsend Road Land Trust #6751 dated December 11, 2019, and is legally
23 described in **Exhibit 1**, attached hereto. The applicant is Thomas
24 Ingram, Esq., 233 East Bay Street, Suite 1113, Jacksonville, Florida
25 32202; (904) 612-9179.

26 **Section 4. Disclaimer.** The rezoning granted herein
27 shall not be construed as an exemption from any other applicable
28 local, state, or federal laws, regulations, requirements, permits or
29 approvals. All other applicable local, state or federal permits or
30 approvals shall be obtained before commencement of the development
31 or use and issuance of this rezoning is based upon acknowledgement,

1 representation and confirmation made by the applicant(s), owner(s),
2 developer(s) and/or any authorized agent(s) or designee(s) that the
3 subject business, development and/or use will be operated in strict
4 compliance with all laws. Issuance of this rezoning does **not** approve,
5 promote or condone any practice or act that is prohibited or
6 restricted by any federal, state or local laws.

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

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12 Form Approved:

13
14 /s/ Mary E. Staffopoulos

15 Office of General Counsel

16 Legislation Prepared By: Connor Corrigan

17 GC-#1528289-v1-2022-609-E