

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-273-E**

5 AN ORDINANCE REZONING APPROXIMATELY 19.45±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 3 AT 0 SUTTON  
7 PARK DRIVE SOUTH AND 13901 SUTTON PARK DRIVE  
8 SOUTH, BETWEEN SUTTON PARK DRIVE NORTH AND  
9 SUTTON PARK DRIVE SOUTH (R.E. NOS. 167733-0810,  
10 167733-0820, 167773-1000, 167733-1110 AND  
11 167733-1120), AS DESCRIBED HEREIN, OWNED BY  
12 FRANK C. STEINEMANN, JR., STEINEMANN WINDSOR  
13 PARK I, LLC, AND STEINEMANN WINDSOR PARKE II,  
14 LLC, FROM PLANNED UNIT DEVELOPMENT (PUD)  
15 DISTRICT (94-842-738) TO PLANNED UNIT  
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
18 MIXED USE DEVELOPMENT, AS DESCRIBED IN THE  
19 SUTTON PARK DRIVE PUD; 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**, Frank C. Steinemann, Jr., Steinemann Windsor Park I,  
26 LLC, and Steinemann Windsor Parke II, LLC, the owners of approximately  
27 19.45± acres, located in Council District 3 at 0 Sutton Park Drive  
28 South and 13901 Sutton Park Drive South, between Sutton Park Drive  
29 North and Sutton Park Drive South (R.E. Nos. 167733-0810, 167733-  
30 0820, 167773-1000, 167733-1110 and 167733-1120), as more particularly

1 described in **Exhibit 1**, dated March 16, 2021, and graphically depicted  
2 in **Exhibit 2**, both of which are **attached hereto** (Subject Property),  
3 have applied for a rezoning and reclassification of that property  
4 from Planned Unit Development (PUD) District (94-842-738) to Planned  
5 Unit Development (PUD) District, as described in Section 1 below; and

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

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

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

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

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

23 **Section 1. Property Rezoned.** The Subject Property is  
24 hereby rezoned and reclassified from Planned Unit Development (PUD)  
25 District (94-842-738) to Planned Unit Development (PUD) District.  
26 This new PUD district shall generally permit mixed use development,  
27 and is described, shown and subject to the following documents,  
28 **attached hereto:**

29 **Exhibit 1** - Legal Description dated March 16, 2021.

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

1 **Exhibit 3** - Written Description dated April 28, 2021.

2 **Exhibit 4** - Site Plan dated March 12, 2021.

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 maximum number of parking spaces shall be limited to  
8 1.75 parking spaces per residential unit constructed with cross-  
9 parking allowed.

10 (2) Prior to vertical construction commencing on the Subject  
11 Property, the applicant shall provide funding to the City in the  
12 amount of \$25,000.00 to be deposited in the Mobility Fee Zone Special  
13 Revenue Fund account for Mobility Zone 2, to offset impacts of the  
14 development on public health, safety and welfare. These funds will  
15 not be used to pay for operational improvements required to access  
16 the development such as deceleration or acceleration lanes.

17 (3) The applicant may rely on the traffic study conducted by  
18 England, Thims, and Miller for the North Florida Transportation  
19 Planning Organization (TPO) at the request of the City relative to  
20 this area to meet the applicant's traffic analysis requirements during  
21 10-set permitting review.

22 (4) If any portion of the Property is developed as multi-family  
23 residential use, the applicant shall provide a landscape buffer along  
24 the extent of the development's frontage on Sutton Park Drive South,  
25 extending east to the existing landscape buffer fronting the office  
26 use.

27 The landscape buffer shall have a depth of twenty (20) feet and  
28 shall be composed of Live Oaks, understory trees, shrubs, and  
29 groundcover and sod, which is consistent with the surrounding  
30 landscape material along Sutton Park Drive. The Live Oaks shall be

1 a minimum of four (4) inch caliper at the time of planting spaced an  
2 average of fifty (50) feet on center, but no more than ninety (90)  
3 feet apart. Understory trees shall infill between the Live Oaks and  
4 shall be a minimum of two and one-half inch caliper at the time of  
5 planting. The understory trees shall also be spaced an average of  
6 50 feet on center. A continuous hedge consisting of evergreen shrubs  
7 shall be located within the 20-foot buffer and shall reach a height  
8 of three (3) feet and an opacity of 85 percent within two (2) years.  
9 The design of this final landscape schematic shall be subject to  
10 review and approval by a City landscape architect.

11 **Section 3. Owner and Description.** The Subject Property  
12 is owned by Frank C. Steinemann, Jr., Steinemann Windsor Park I, LLC,  
13 and Steinemann Windsor Parke II, LLC, and is legally described in  
14 **Exhibit 1, attached hereto.** The agent is Steve Diebenow, Esq., One  
15 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)  
16 301-1269.

17 **Section 4. Disclaimer.** The rezoning granted herein  
18 shall not be construed as an exemption from any other applicable  
19 local, state, or federal laws, regulations, requirements, permits or  
20 approvals. All other applicable local, state or federal permits or  
21 approvals shall be obtained before commencement of the development  
22 or use and issuance of this rezoning is based upon acknowledgement,  
23 representation and confirmation made by the applicant(s), owner(s),  
24 developer(s) and/or any authorized agent(s) or designee(s) that the  
25 subject business, development and/or use will be operated in strict  
26 compliance with all laws. Issuance of this rezoning does not approve,  
27 promote or condone any practice or act that is prohibited or  
28 restricted by any federal, state or local laws.

29 **Section 5. Effective Date.** The enactment of this Ordinance  
30 shall be deemed to constitute a quasi-judicial action of the City

1 Council and shall become effective upon signature by the Council  
2 President and the Council Secretary.

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4 Form Approved:

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6           /s/ Mary E. Staffopoulos          

7 Office of General Counsel

8 Legislation Prepared By: Erin Abney

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