

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-472-E**

5 AN ORDINANCE REZONING APPROXIMATELY 280.55±
6 ACRES IN COUNCIL DISTRICT 7, OFF OF BRADDOCK
7 ROAD, EAST OF NEW KINGS ROAD, AND WEST OF LEM
8 TURNER ROAD, OWNED BY THE W.R. BRADDOCK ESTATE,
9 ET AL., AS DESCRIBED HEREIN, FROM AGRICULTURE
10 (AGR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
11 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
12 ZONING CODE, TO PERMIT SINGLE FAMILY RESIDENTIAL
13 USES, AS DESCRIBED IN THE BRADDOCK ROAD PUD,
14 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
15 LARGE-SCALE AMENDMENT APPLICATION L-5414-19A;
16 PUD SUBJECT TO CONDITIONS; PROVIDING A
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.
21

22 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 application L-5414-19A and companion land use Ordinance 2020-471; and

27 **WHEREAS**, in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
29 Amendment L-5414-19A, an application to rezone and reclassify from
30 Agriculture (AGR) District to Planned Unit Development (PUD) District
31 was filed by Curtis L. Hart, on behalf of the W.R. Braddock Estate,

1 et al., the owners of approximately 280.55± acres of certain real
2 property in Council District 7, as more particularly described in
3 Section 1; and

4 **WHEREAS**, the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2030 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

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

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee after due notice
11 held a public hearing and made its recommendation to the Council; and

12 **WHEREAS**, the City Council after due notice held a public hearing,
13 taking into consideration the above recommendations as well as all
14 oral and written comments received during the public hearings, the
15 Council finds that such rezoning is consistent with the *2030*
16 *Comprehensive Plan* adopted under the comprehensive planning ordinance
17 for future development of the City of Jacksonville; and

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

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

28 **Section 1. Subject Property Location and Description.** The
29 approximately 280.55± acres are in Council District 7, off of Braddock
30 Road, east of New Kings Road, and west of Lem Turner Road, as more
31 particularly described in **Exhibit 1**, dated July 14, 2020, **attached**

1 **hereto** and incorporated herein by this reference (Subject Property).

2 **Section 2. Owner and Applicant Description.** The subject
3 property is owned by the W.R. Braddock Estate, et al. The applicant
4 is Curtis L. Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904)
5 993-5008.

6 **Section 3. Property Rezoned.** The Subject Property,
7 pursuant to adopted companion Large-Scale Amendment L-5414-19A, is
8 hereby rezoned and reclassified from Agriculture (AGR) District to
9 Planned Unit Development (PUD) District. This new PUD district shall
10 generally permit single family residential uses, and is described,
11 shown and subject to the following documents, **attached hereto:**

12 **Exhibit 1** - Legal Description dated July 14, 2020.

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

14 **Exhibit 3** - Written Description dated July 24, 2020.

15 **Revised Exhibit 4** - Revised Site Plan dated October 9, 2020.

16 **Section 4. Rezoning Approved Subject to Conditions.** This
17 rezoning is approved subject to the following conditions. Such
18 conditions control over the Written Description and the Site Plan and
19 may only be amended through a rezoning.

20 (1) A traffic study must be provided for the proposed
21 development. The traffic study shall determine the need for left and
22 right turn lanes on Braddock Road at the proposed entrance roads and
23 the need for left turn lanes on the entrance road at the proposed
24 internal intersections. The traffic study shall also include a traffic
25 signal warrant analysis for the intersection of Braddock Road and the
26 proposed entrance road. The traffic study shall also include a traffic
27 impact analysis/traffic signal warrant analysis for the Braddock
28 Road/Dunn Avenue intersection as well as the Braddock Road/Lem Turner
29 Road intersection. Any required turn lane shall be built to FDOT
30 standards.

31 (2) Coordination with Florida Department of

1 Transportation: the applicant has submitted a traffic analysis
2 report to the Florida Department of Transportation (FDOT) indicating
3 the potential need for turn lane and/or signalization improvements
4 at the Braddock Road/Lem Turner Road intersection as well as the
5 potential need for improvements at Braddock Road/Dunn Avenue which
6 will require contributions from the applicant to advance the
7 programming and installation of needed improvements. The applicant
8 agrees to work with FDOT on performing additional analysis of these
9 needs and will address needs generated by the proposed
10 development. Upon submittal of an application to the City for
11 Substantial Verification of the PUD, the applicant shall provide the
12 City with confirmation from FDOT that they have been notified of the
13 intent to proceed with the development subject to these agreements.

14 (3) Minimum lot width shall be 50 feet.

15 (4) Prior to the first final inspection within any phase of
16 development, the owner or their agent shall submit to the Planning
17 and Development Department for its review and approval either: (a)
18 an affidavit documenting that all conditions to the development order
19 have been satisfied; or (b) a detailed agreement for the completion
20 of all conditions to the development order.

21 **Section 5. Contingency.** This rezoning shall not become
22 effective until 31 days after adoption of the companion Large-Scale
23 Amendment unless challenged by the state land planning agency; and
24 further provided that if the companion Large-Scale Amendment is
25 challenged by the state land planning agency, this rezoning shall not
26 become effective until the state land planning agency or the
27 Administration Commission issues a final order determining the
28 companion Large-Scale Amendment is in compliance with Chapter 163,
29 *Florida Statutes*.

30 **Section 6. Disclaimer.** The rezoning granted herein
31 shall not be construed as an exemption from any other applicable

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

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

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16 Form Approved:

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18 /s/ Shannon K. Eller

19 Office of General Counsel

20 Legislation Prepared By: Erin Abney

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