

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-807**

5 AN ORDINANCE REZONING APPROXIMATELY 92.54± ACRES  
6 LOCATED IN COUNCIL DISTRICT 11 AT 0 OLD ST.  
7 AUGUSTINE ROAD, BETWEEN INTERSTATE-95 AND  
8 PHILIPS HIGHWAY (R.E. NOS. 158765-0050 AND  
9 168081-0000), OWNED BY THE ESTATE OF PHILIP B.  
10 GENOVAR, AS DESCRIBED HEREIN, FROM INDUSTRIAL  
11 BUSINESS PARK (IBP) DISTRICT TO PLANNED UNIT  
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
14 TOWNHOMES, AS DESCRIBED IN THE OLD ST. AUGUSTINE  
15 ROAD PUD, PURSUANT TO FUTURE LAND USE MAP SERIES  
16 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION NUMBER  
17 L-5628-21C; PROVIDING A DISCLAIMER THAT THE  
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
20 PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS**, the City of Jacksonville adopted a Small-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 the  
26 companion land use application L-5628-21C; and

27 **WHEREAS**, in order to ensure consistency of zoning district with  
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
29 Amendment L-5628-21C, an application to rezone and reclassify from  
30 Industrial Business Park (IBP) District to Planned Unit Development

1 (PUD) District was filed by Paul M. Harden, Esq., on behalf of the  
2 owner of approximately 92.54± acres of certain real property in  
3 Council District 11, as more particularly described in 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  
11 notice, held a public hearing and made its recommendation to the  
12 Council; and

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

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

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

29 **Section 1. Subject Property Location and Description.** The  
30 approximately 92.54± acres are located in Council District 11, at 0  
31 Old St. Augustine Road, between Interstate-95 and Philips Highway,

1 as more particularly described in **Exhibit 1**, dated June 28, 2021, and  
2 graphically depicted in **Exhibit 2**, both of which are **attached hereto**  
3 and incorporated herein by this reference (the "Subject Property").

4 **Section 2. Owner and Applicant Description.** The Subject  
5 Property is owned by the Estate of Philip B. Genovar. The applicant  
6 is Paul M. Harden, Esq., 1431 Riverplace Boulevard, Suite 901,  
7 Jacksonville, Florida 32207; (904) 396-5731.

8 **Section 3. Property Rezoned.** The Subject Property,  
9 pursuant to adopted companion Small-Scale Amendment L-5628-21C, is  
10 hereby rezoned and reclassified from Industrial Business Park (IBP)  
11 to Planned Unit Development (PUD) District. This new PUD district  
12 shall generally permit townhomes, and is described, shown and subject  
13 to the following documents, **attached hereto:**

14 **Exhibit 1** - Legal Description dated June 28, 2021.

15 **Exhibit 2** - Subject Property Map (prepared by P&DD).

16 **Exhibit 3** - Written Description dated June 28, 2021.

17 **Exhibit 4** - Site Plan dated June 2, 2021.

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

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

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

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

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14 Form Approved:

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16                     /s/ Mary E. Staffopoulos          

17 Office of General Counsel

18 Legislation Prepared By: Connor Corrigan

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