

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-135-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.30±
6 ACRES, LOCATED IN COUNCIL DISTRICT 6 AT 4349
7 BARKOSKIE ROAD, BETWEEN OLD ST. AUGUSTINE ROAD
8 AND MANDARIN RIDGE LANE (R.E. NO. 158947-
9 0000), AS DESCRIBED HEREIN, OWNED BY RFC
10 HOLDINGS, LLC, FROM COMMERCIAL OFFICE (CO)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT MULTI-FAMILY
14 RESIDENTIAL USES, AS DESCRIBED IN THE
15 BARKOSKIE VILLAS PUD; PUD SUBJECT TO
16 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
19 LAWS; PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, RFC Holdings, LLC, the owner of approximately 3.30±
22 acres, located in Council District 6 at 4349 Barkoskie Road,
23 between Old St. Augustine Road and Mandarin Ridge Lane (R.E. No.
24 158947-0000), as more particularly described in **Exhibit 1**, dated
25 December 23, 2019, and graphically depicted in **Exhibit 2**, both of
26 which are **attached hereto** (Subject Property), has applied for a
27 rezoning and reclassification of that property from Commercial
28 Office (CO) District to Planned Unit Development (PUD) District, as
29 described in Section 1 below; and

30 **WHEREAS**, the Planning Commission has considered the
31 application and has rendered an advisory opinion; and

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

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

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

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Commercial Office (CO)
19 District to Planned Unit Development (PUD) District. This new PUD
20 district shall generally permit multi-family residential uses, and
21 is described, shown and subject to the following documents,
22 **attached hereto:**

23 **Exhibit 1** - Legal Description dated December 23, 2019.

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

25 **Exhibit 3** - Written Description dated January 24, 2020.

26 **Exhibit 4** - Site Plan dated January 24, 2020.

27 **Section 2. Rezoning Approved Subject to Conditions.** This
28 rezoning is approved subject to the following conditions. Such
29 conditions control over the Written Description and the Site Plan
30 and may only be amended through a rezoning.

31 (1) The development shall be limited to a maximum of 48

1 multi-family units.

2 (2) The development shall be developed in accordance with the
3 Mandarin Height Overlay, which limits the height of structures to
4 35 feet.

5 (3) Any sidewalks adjacent to parking shall be six (6) feet
6 in width. Other sidewalks that are not adjacent to parking may be
7 four (4) feet in width, as long as they meet ADA requirements.

8 **Section 3. Owner and Description.** The Subject Property
9 is owned by RFC Holdings, LLC, and is legally described in **Exhibit**
10 **1, attached hereto.** The agent is Wyman Duggan, Esq., 1301
11 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
12 (904) 398-3911.

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Arimus Wells

6 GC-#1384567-v1-2020-135-E