

1 Introduced and amended by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-140-E**

5 AN ORDINANCE REZONING APPROXIMATELY 104.24±
6 ACRES LOCATED IN COUNCIL DISTRICT 7 AT 13961 NEW
7 KINGS ROAD, BETWEEN OLD KINGS ROAD AND BRADDOCK
8 ROAD (R.E. NO. 002472-0000), OWNED BY ALICE
9 BLYLER (LIFE ESTATE) AND WAYNE BLYLER, AS
10 DESCRIBED HEREIN, FROM AGRICULTURE (AGR)
11 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT SINGLE FAMILY RESIDENTIAL
14 USES, AS DESCRIBED IN BRADDOCK LAKES II PUD,
15 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
16 LARGE-SCALE AMENDMENT APPLICATION NUMBER L-
17 5577-21A; PUD SUBJECT TO CONDITIONS; PROVIDING
18 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
20 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS**, the City of Jacksonville adopted a Large-Scale
24 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
25 portions of the Future Land Use Map series (FLUMs) in order to ensure
26 the accuracy and internal consistency of the plan, pursuant to the
27 companion land use application L-5577-21A; and

28 **WHEREAS**, in order to ensure consistency of zoning district with
29 the *2030 Comprehensive Plan* and the adopted companion Large-Scale
30 Amendment L-5577-21A, an application to rezone and reclassify from
31 Agriculture (AGR) District to Planned Unit Development (PUD) District

1 was filed by Curtis Hart on behalf of Alice Blyler and Wayne Blyler,
2 the owners of approximately 104.24± acres of certain real property
3 in Council District 7, as more particularly described in Section 1;
4 and

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

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

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

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

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

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

30 **Section 1. Subject Property Location and Description.** The
31 approximately 104.24± acres are located in Council District 7, at

1 13961 New Kings Road, between Old Kings Road and Braddock Road (R.E.
2 No. 002472-0000), as more particularly described in **Exhibit 1**, dated
3 February 17, 2022, and graphically depicted in **Exhibit 2**, both of
4 which are **attached hereto** and incorporated herein by this reference
5 (the "Subject Property").

6 **Section 2. Owner and Applicant Description.** The Subject
7 Property is owned by Alice Blyler (life estate) and Wayne Blyler.
8 The applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida
9 32216; (904) 993-5008.

10 **Section 3. Property Rezoned.** The Subject Property,
11 pursuant to adopted companion Large-Scale Amendment L-5577-21A, is
12 hereby rezoned and reclassified from Agriculture (AGR) District to
13 Planned Unit Development (PUD) District. This new PUD district shall
14 generally permit single family residential uses, and is described,
15 shown and subject to the following documents, **attached hereto**:

16 **Exhibit 1** - Legal Description dated February 17, 2022.

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

18 **Exhibit 3** - Written Description dated February 17, 2022.

19 **Exhibit 4** - Site Plan dated February 17, 2022.

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

24 (1) The PUD adds 100 single family units to the previously
25 approved Braddock Lakes Subdivision. A traffic study was submitted
26 for Braddock Lakes. With this addition, the traffic study shall be
27 updated to meet current conditions and include the additional trips
28 from the 100 new units. Prior to commencement of the traffic study,
29 the traffic professional shall conduct a methodology meeting to
30 determine the limits of the study. The methodology meeting shall
31 include the Chief of the Traffic Engineering Division, the Chief of

1 the Transportation Division, and the traffic reviewer from
2 Development Services.

3 (2) The proposed street typical cross section shall match that
4 found in City of Jacksonville Standard, Residential Local Subdivision
5 Street Classification, Plate P-127 Roadway Drawing, Revised February
6 21, 2020, or as otherwise approved by the Planning and Development
7 Department.

8 (3) The minimum road centerline radius for any curves shall be
9 80 feet, or as otherwise approved by the Planning and Development
10 Department.

11 (4) The following notices shall be recorded on the Site Plan,
12 the plat, and the covenants, deeds and restrictions for the community:

13 "The St. Johns River Water Management District and the
14 City of Jacksonville co-own and co-manage Kings Road
15 Historical Park, a component of the Thomas Creek
16 Conservation Area that is immediately adjacent to the
17 Braddock Lakes II PUD. The Florida Fish and Wildlife
18 Conservation Commission manages seasonal hunts on the
19 property. Part of the management of this publicly owned
20 site may include timber harvesting and prescribed burning
21 for resource enhancement and to reduce the potential
22 impacts of wildfires. Prescribed burning will create
23 smoke, which may temporarily impact the neighborhood and
24 surrounding areas. However, such efforts are necessary to
25 the management of these lands for wildlife, resource
26 protection and recreational uses. All homeowners are
27 strongly encouraged to review and implement "Firewise"
28 management and design techniques, to the extent that these
29 are consistent with water conservation and the Florida-
30 Friendly landscape requirements set forth in the
31 Jacksonville Zoning Code. In particular, landscaping

1 should be maintained to prevent the accumulation of
2 flammable brush, dead leaves or landscaping near homes
3 where such homes are adjacent to forest areas. Please
4 consult with the Florida Forest Service's and Florida
5 Division of Emergency Management's latest guidance on home
6 and landscaping maintenance near forested lands."

7 (5) There shall be no connection points to the Kings Road
8 Historic Park trail system from the residential development, unless
9 approved by the Parks, Recreation and Community Services Department.

10 **Section 5. Contingency.** This rezoning shall not become
11 effective until thirty-one (31) days after adoption of the companion
12 Large-Scale Amendment unless challenged by the state land planning
13 agency; and further provided that if the companion Large-Scale
14 Amendment is challenged by the state land planning agency, this
15 rezoning shall not become effective until the state land planning
16 agency or the Administration Commission issues a final order
17 determining the companion Large-Scale Amendment is in compliance with
18 Chapter 163, *Florida Statutes*.

19 **Section 6. Disclaimer.** The rezoning granted herein
20 shall not be construed as an exemption from any other applicable
21 local, state, or federal laws, regulations, requirements, permits or
22 approvals. All other applicable local, state or federal permits or
23 approvals shall be obtained before commencement of the development
24 or use, and issuance of this rezoning is based upon acknowledgement,
25 representation and confirmation made by the applicant(s), owner(s),
26 developer(s) and/or any authorized agent(s) or designee(s) that the
27 subject business, development and/or use will be operated in strict
28 compliance with all laws. Issuance of this rezoning does not approve,
29 promote or condone any practice or act that is prohibited or
30 restricted by any federal, state or local laws.

31 **Section 7. Effective Date.** The enactment of this Ordinance

1 shall be deemed to constitute a quasi-judicial action of the City
2 Council and shall become effective upon signature by the Council
3 President and the Council Secretary.

4

5 Form Approved:

6

7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation Prepared By: Arimus Wells

10 GC-#1495863-v1-2022-140-E