

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-658-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2,235± ACRES  
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 BRADDOCK ROAD,  
7 14400 BRADDOCK ROAD, 0 LEM TURNER ROAD, 15170 LEM  
8 TURNER ROAD, 0 PARETE ROAD SOUTH, 0 YOUNIS ROAD  
9 WEST, AND 0 GERALD ROAD, BETWEEN PARETE ROAD  
10 SOUTH AND CONIFER COVE TRAIL, AS DESCRIBED  
11 HEREIN, OWNED BY WILLIAM R. BRADDOCK, ET AL.,  
12 FROM AGRICULTURE (AGR) DISTRICT TO PLANNED UNIT  
13 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
14 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT MIXED  
15 USE DEVELOPMENT PURSUANT TO SITE SPECIFIC POLICY  
16 4.3.18 OF THE FUTURE LAND USE ELEMENT OF THE 2045  
17 *COMPREHENSIVE PLAN*, AS DESCRIBED IN THE BRADDOCK  
18 FAMILY PARCEL PUD, PURSUANT TO FUTURE LAND USE  
19 MAP SERIES (FLUMS) LARGE-SCALE AMENDMENT  
20 APPLICATION L-5610-21A ADOPTED BY ORDINANCE  
21 2022-747-E; PUD SUBJECT TO CONDITIONS; ADOPTING  
22 SIGN POSTING PLAN PURSUANT TO SECTION 656.124,  
23 *ORDINANCE CODE*; PROVIDING A DISCLAIMER THAT THE  
24 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
25 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
26 PROVIDING AN EFFECTIVE DATE.  
27

28 **WHEREAS**, the City of Jacksonville adopted a Large-Scale  
29 Amendment to its *Comprehensive Plan* for the purpose of revising  
30 portions of the Future Land Use Map Series (FLUMs) in order to ensure  
31 the accuracy and internal consistency of the plan, pursuant to

1 Ordinance 2022-747-E; and

2       **WHEREAS**, in order to ensure consistency of the zoning district  
3 with the *2045 Comprehensive Plan* and Large-Scale Amendment L-5610-  
4 21A adopted by Ordinance 2022-747-E, an application to rezone and  
5 reclassify the property has been filed by Wyman Duggan, Esq. on behalf  
6 of the owners; and

7       **WHEREAS**, William R. Braddock, et al., the owners of  
8 approximately 2,235± acres located in Council District 8 at 0 Braddock  
9 Road, 14400 Braddock Road, 0 Lem Turner Road, 15170 Lem Turner Road,  
10 0 Parete Road South, 0 Younis Road West, and 0 Gerald Road, between  
11 Parete Road South and Conifer Cove Trail (R.E. Nos. 002474-0100,  
12 002475-0000, 002476-0000, 002477-0010, 002477-0100, 002480-0000,  
13 002480-0500, 019233-0000, 019234-0000, 019234-0100, 019234-0210,  
14 019234-0250, 019235-0000, 019236-0010, 019241-0010, 019241-0020,  
15 019245-0000, 019246-0000, 019247-0100, 019247-0200, 019247-0300,  
16 019248-0000, 019250-0000, 019250-0500, 019252-0000, 019254-0000,  
17 019254-1000, 019254-2000, 019254-3000, 019254-4000, 019254-5000,  
18 019255-0005, and 019437-0010), as more particularly described in  
19 **Exhibit 1**, dated September 27, 2021, and graphically depicted in  
20 **Exhibit 2**, both of which are attached hereto (the "Subject Property"),  
21 have applied for a rezoning and reclassification of the Subject  
22 Property from Agriculture (AGR) District to Planned Unit Development  
23 (PUD) District, as described in Section 1 below; and

24       **WHEREAS**, the Planning Commission, acting as the local planning  
25 agency, has reviewed the application and made an advisory  
26 recommendation to the Council; and

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

29       **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
30 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives  
31 and policies of the *2045 Comprehensive Plan*; and (3) is not in

1 conflict with any portion of the City's land use regulations; and

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

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

11       **Section 1. Property Rezoned.** The Subject Property 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 mixed use development pursuant to Site Specific  
15 Policy 4.3.18 of the Future Land Use Element of the *2045 Comprehensive*  
16 *Plan*, and is described, shown and subject to the following documents,  
17 attached hereto:

18 **Exhibit 1** - Legal Description dated September 27, 2021.

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

20 **Revised Exhibit 3** - Revised Written Description dated November 6,  
21 2023.

22 **Revised Exhibit 4** - Revised Site Plan dated November 7, 2023.

23       **Section 2. Rezoning Approved Subject to Conditions.** This  
24 rezoning is approved subject to the following conditions. Such  
25 conditions control over the Written Description and the Site Plan and  
26 may only be amended through a rezoning:

27       (1) Prior to approval of the first civil engineering (10 set)  
28 construction plans, the applicant will submit to the Florida  
29 Department of Transportation (FDOT) the Intersection Control  
30 Evaluation (ICE) analysis for the Lem Turner Road/Braddock Road  
31 intersection to determine the final approved buildout and phased

1 construction plan. The ICE analysis will also determine the  
2 subsequent proposed connections to Lem Turner Road to determine type  
3 of connection and spacing requirements.

4 (2) A signal warrant analysis shall be provided prior to  
5 approval of 10-set civil plans for the 301<sup>st</sup> dwelling unit and for  
6 every 100 subsequent dwelling units, based on dwelling units proposed  
7 during the PUD verification of substantial compliance process. The  
8 warrant analysis is to be submitted to the FDOT to determine if a  
9 signal is needed at the Lem Turner Road/Braddock Road intersection.  
10 If the signal is warranted, then the Developer will have one year to  
11 construct the signal from the date of warrant analysis approval. If  
12 the design, permitting, and construction period exceeds 12 months,  
13 the Developer shall post a bond to the City for full cost of the  
14 improvement. No building permit shall be approved if, after one  
15 year, the signal is incomplete, or a bond is not posted.

16 (3) A strip of land along Lem Turner Road abutting the project  
17 property will be reserved to accommodate the future widening. The  
18 project will reserve a strip of land for future right-of-way at a  
19 location acceptable to the FDOT and the Developer. This strip, when  
20 combined with the existing right-of-way, will create a right-of-way  
21 approximately 200 feet wide. The Developer will be allowed to clear,  
22 fill, grade, landscape, place signage, access driveways and  
23 utilities, etc., within the reserved land but will be prohibited  
24 from constructing parking, buildings and required stormwater ponds  
25 within the reserved land. The right-of-way will be purchased by the  
26 FDOT in the future, at the time of right-of-way acquisition for the  
27 widening project.

28 (4) No multi-family uses shall be allowed in the area of the  
29 Site Plan located south of Braddock Road and West of Lem Turner  
30 Road. Any new non-residential uses in this area shall also provide  
31 an appropriate buffer and visual screen between any existing

1 residential uses, including either a minimum 50-foot buffer and wall  
2 or a minimum 100-foot buffer and landscaping to achieve the visual  
3 screen.

4 (5) Any uses, other than those uses allowed in the Agriculture  
5 (AGR) Land Use Category and Zoning Category in the future, may only  
6 be permitted through a PUD Rezoning, which shall be consistent with  
7 the policies set forth in the Future Land Use Elements description  
8 of the Multi-Use (MU) Land Use Category.

9 **Section 3. Owner and Description.** The Subject Property is  
10 owned by William R. Braddock, et al., and is legally described in  
11 **Exhibit 1**, attached hereto. The applicant is Wyman Duggan, Esq.,  
12 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;  
13 (904) 398-3911.

14 **Section 4. Adopting a Sign Posting Plan Pursuant to Section**  
15 **656.124(c), Ordinance Code.** Pursuant to Section 656.124(c),  
16 *Ordinance Code*, the City Council hereby adopts the Sign Posting Plan  
17 dated September 15, 2023, attached hereto as **Exhibit 5**, and finds  
18 that the mailed letters and notices, in conjunction with the Sign  
19 Posting Plan, have provided notice to all affected property owners  
20 in compliance with all state and local laws and regulations.

21 **Section 5. Disclaimer.** The rezoning granted herein shall  
22 **not** be construed as an exemption from any other applicable local,  
23 state, or federal laws, regulations, requirements, permits or  
24 approvals. All other applicable local, state or federal permits or  
25 approvals shall be obtained before commencement of the development  
26 or use and issuance of this rezoning is based upon acknowledgement,  
27 representation and confirmation made by the applicant(s), owners(s),  
28 developer(s) and/or any authorized agent(s) or designee(s) that the  
29 subject business, development and/or use will be operated in strict  
30 compliance with all laws. Issuance of this rezoning does **not** approve,  
31 promote or condone any practice or act that is prohibited or

1 restricted by any federal, state or local laws.

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

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7 Form Approved:

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9                     /s/ Mary E. Staffopoulos          

10 Office of General Counsel

11 Legislation Prepared By: Connor Corrigan

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