

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-719**

5 AN ORDINANCE REZONING APPROXIMATELY 19.07±
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 12810
7 NORMANDY BOULEVARD AND 3727, 3801 AND 3821 ALCOY
8 ROAD, BETWEEN ALCOY ROAD AND SARROCA LANE (R.E.
9 NO(S). 002183-0100, 002183-0050, 002215-0000
10 AND 002215-0010), AS DESCRIBED HEREIN, OWNED BY
11 TD&MD PROPERTIES, LLC, MELVIN J. SELASKY, KAREN
12 NICKLAUS BROWNING, ALBERT PAUL NICKLAUS, JR.,
13 AND JOHN MONCRIEF, FROM RESIDENTIAL RURAL-ACRE
14 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT
15 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER
16 THE ZONING CODE, TO PERMIT TOWNHOMES, AS
17 DESCRIBED IN THE ALCOY ROAD PUD, PURSUANT TO
18 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
19 AMENDMENT APPLICATION NUMBER L-5952-24C;
20 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
21 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
22 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
23 EFFECTIVE DATE.
24

25 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
26 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
27 portions of the Future Land Use Map series (FLUMs) in order to ensure
28 the accuracy and internal consistency of the plan, pursuant to
29 companion application L-5952-24C; and

30 **WHEREAS**, in order to ensure consistency of zoning district
31 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale

1 Amendment L-5931-24C, an application to rezone and reclassify from
2 Residential Rural-Acre (RR-Acre) District to Planned Unit Development
3 (PUD) District was filed by M. Hayden Phillips on behalf of the
4 owners of approximately 19.07± acres of certain real property in
5 Council District 12, as more particularly described in Section 1; and

6 **WHEREAS**, the Planning and Development Department, in order to
7 ensure consistency of this zoning district with the *2045 Comprehensive*
8 *Plan*, has considered the rezoning and has rendered an advisory
9 opinion; and

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

12 **WHEREAS**, the Land Use and Zoning Committee, after due notice
13 and public hearing, has made its recommendation to the 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 *2045 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
21 affect adversely the orderly development of the City as embodied in
22 the *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 19.07± acres are located in Council District 12 at 12810

1 Normandy Boulevard and 3727, 3801 and 3821 Alcoy Road, between Alcoy
2 Road and Sarroca Lane (R.E. No(s). 002183-0100, 002183-0050, 002215-
3 0000 and 002215-0010), as more particularly described in **Exhibit 1**,
4 dated May 23, 2024, and graphically depicted in **Exhibit 2**, both of
5 which are attached hereto and incorporated herein by this reference
6 (the "Subject Property").

7 **Section 2. Owner and Applicant Description.** The Subject
8 Property is owned by TD&MD Properties, LLC, Melvin J. Selasky, Karen
9 Nicklaus Browning, Albert Paul Nicklaus, Jr., and John Moncrief. The
10 applicant is M. Hayden Phillips, 1301 Riverplace Boulevard, Suite
11 1500, Jacksonville, Florida, 32207; (904) 346-5535.

12 **Section 3. Property Rezoned.** The Subject Property,
13 pursuant to adopted companion Small-Scale Amendment Application
14 L-5952-24C, is hereby rezoned and reclassified from Residential
15 Rural-Acre (RR-Acre) District to Planned Unit Development (PUD)
16 District. This new PUD district shall generally permit townhomes, and
17 is described, shown and subject to the following documents, attached
18 hereto:

19 **Exhibit 1** - Legal Description dated May 23, 2024.

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

21 **Exhibit 3** - Written Description dated May 23, 2024.

22 **Exhibit 4** - Site Plan dated May 22, 2024.

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

31 **Section 5. Disclaimer.** The rezoning granted herein

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

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

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17 Form Approved:

18
19 /s/ Dylan Reingold

20 Office of General Counsel

21 Legislation Prepared By: Connor Corrigan

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