

1 Introduced by the Land Use and Zoning Committee and amended on the
2 Floor of Council:

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4
5 **ORDINANCE 2022-353-E**

6 AN ORDINANCE REZONING APPROXIMATELY 4.85± ACRES
7 LOCATED IN COUNCIL DISTRICT 10 AT 0 JACKS ROAD,
8 5710 JACKS ROAD, 5738 JACKS ROAD AND 5740 JACKS
9 ROAD, BETWEEN DAVELL ROAD AND JACKS ROAD (R.E.
10 NOS. 083352-0040, 083386-0000, 083352-0020 AND
11 083352-0000), OWNED BY TERESA EARLENE CROWDER
12 (ALSO KNOWN AS TERESA E. CROWDER), NANNETTE V.
13 RAMEY, AND BILLY LEE RHODEN AND DORIS J. RHODEN,
14 AS DESCRIBED HEREIN, FROM RESIDENTIAL LOW
15 DENSITY-60 (RLD-60) DISTRICT TO PLANNED UNIT
16 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
18 MULTI-FAMILY RESIDENTIAL USES, AS DESCRIBED IN
19 THE IRONGATE VILLAS PUD, PURSUANT TO FUTURE LAND
20 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
21 APPLICATION NUMBER L-5687-22C; PUD SUBJECT TO
22 CONDITION; PROVIDING A DISCLAIMER THAT THE
23 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
24 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
25 PROVIDING AN EFFECTIVE DATE.

26
27 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
28 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
29 portions of the Future Land Use Map series (FLUMs) in order to ensure
30 the accuracy and internal consistency of the plan, pursuant to the
31 companion land use application L-5687-22C; and

1 **WHEREAS**, in order to ensure consistency of zoning district with
2 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
3 Amendment L-5687-22C, an application to rezone and reclassify from
4 Residential Low Density-60 (RLD-60) District to Planned Unit
5 Development (PUD) District was filed by Curtis Hart on behalf of the
6 owners of approximately 4.85± acres of certain real property in
7 Council District 10, as more particularly described in Section 1; and

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

12 **WHEREAS**, the Planning Commission has considered the application
13 and has rendered an advisory opinion; and

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

17 **WHEREAS**, the City Council, after due notice, held a public
18 hearing, and taking into consideration the above recommendations as
19 well as all oral and written comments received during the public
20 hearings, the Council finds that such rezoning is consistent with the
21 *2030 Comprehensive Plan* adopted under the comprehensive planning
22 ordinance for future development of the City of Jacksonville; and

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

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

2 **Section 1. Subject Property Location and Description.** The
3 approximately 4.85± acres are located in Council District 10 at 0
4 Jacks Road, 5710 Jacks Road, 5738 Jacks Road and 5740 Jacks Road,
5 between Davell Road and Jacks Road (R.E. Nos. 083352-0040, 083386-
6 0000, 083352-0020 and 083352-0000), as more particularly described
7 in **Exhibit 1**, dated February 28, 2022, and graphically depicted in
8 **Exhibit 2**, both of which are attached hereto and incorporated herein
9 by this reference (the "Subject Property").

10 **Section 2. Owner and Applicant Description.** The Subject
11 Property is owned by Teresa Earlene Crowder (also known as Teresa E.
12 Crowder), Nannette V. Ramey, and Billy Lee Rhoden and Doris J. Rhoden.
13 The applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida
14 32216; (904) 993-5008.

15 **Section 3. Property Rezoned.** The Subject Property,
16 pursuant to adopted companion Small-Scale Amendment L-5687-22C, is
17 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
18 60) District to Planned Unit Development (PUD) District. This new
19 PUD district shall generally permit multi-family residential uses,
20 and is described, shown and subject to the following documents,
21 attached hereto:

22 **Exhibit 1** - Legal Description dated February 28, 2022.

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

24 **Exhibit 3** - Written Description dated April 11, 2022.

25 **Exhibit 4** - Site Plan dated April 11, 2022.

26 **Section 4. Rezoning Approved Subject to Condition.** This
27 rezoning is approved subject to the following condition. Such
28 condition controls over the Written Description and the Site Plan and
29 may only be amended through a rezoning.

30 (1) The proposed street typical cross section shall match that
31 found in City Standard Details for the City of Jacksonville, Plate

1 P-127, or as otherwise approved by the Planning and Development
2 Department.

3 **Section 5. Contingency.** This rezoning shall not become
4 effective until thirty-one (31) days after adoption of the companion
5 Small-Scale Amendment unless challenged by the state land planning
6 agency; and further provided that if the companion Small-Scale
7 Amendment is challenged by the state land planning agency, this
8 rezoning shall not become effective until the state land planning
9 agency or the Administration Commission issues a final order
10 determining the companion Small-Scale Amendment is in compliance with
11 Chapter 163, *Florida Statutes*.

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

24 **Section 7. Effective Date.** The enactment of this Ordinance
25 shall be deemed to constitute a quasi-judicial action of the City
26 Council and shall become effective upon signature by the Council
27 President and the Council Secretary.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

6 GC-#1506625-v1-2022-353-E