

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

4 **ORDINANCE 2022-538-E**

5 AN ORDINANCE REZONING APPROXIMATELY 46.94±
6 ACRES, LOCATED IN COUNCIL DISTRICT 8 AT 0 JONES
7 ROAD, 6410 JONES ROAD AND 6478 JONES ROAD,
8 BETWEEN CISCO DRIVE AND BEE BALM BOULEVARD (R.E.
9 NOS. 002896-0100) (PORTION), 002896-0200
10 (PORTION) AND 002896-0300), OWNED BY ESQUIRE
11 TRUSTEE SERVICE, LLC, AS TRUSTEE OF THE 0 JONES
12 ROAD LAND TRUST DATED SEPTEMBER 18, 2019, AND
13 RALPH WAYNE DAVIS AND EMILY GAIL DAVIS, AS
14 DESCRIBED HEREIN, FROM AGRICULTURE (AGR)
15 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
16 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
17 ZONING CODE, TO PERMIT SINGLE-FAMILY RESIDENTIAL
18 USES, AS DESCRIBED IN THE JONES ROAD PUD,
19 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
20 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
21 5721-22C; PUD SUBJECT TO CONDITIONS; PROVIDING
22 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
23 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
24 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
25 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 ordinance for application L-5721-22C; 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-5721-22C, an application to rezone and reclassify from
4 Agriculture (AGR) District to Planned Unit Development (PUD) District
5 was filed by William Michaelis, Esq., on behalf of the owners of
6 approximately 46.94± acres of certain real property in Council
7 District 8, 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 and public hearing, has made its recommendation to the Council;
16 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 46.94± acres are located in Council District 8 at 0
4 Jones Road, 6410 Jones Road and 6478 Jones Road, between Cisco Drive
5 and Bee Balm Boulevard (R.E. Nos. 002896-0100) (portion), 002896-0200
6 (portion) and 002896-0300), as more particularly described in **Exhibit**
7 **1**, dated May 24, 2022, and graphically depicted in **Exhibit 2**, both
8 of which are attached hereto and incorporated herein by this reference
9 (the "Subject Property").

10 **Section 2. Owner and Applicant Description.** The Subject
11 Property is owned by Esquire Trustee Service, LLC, as Trustee of the
12 0 Jones Road Land Trust dated September 18, 2019, and Ralph Wayne
13 Davis and Emily Gail Davis. The applicant is William Michaelis,
14 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida
15 32207; (904) 346-5914.

16 **Section 3. Property Rezoned.** The Subject Property,
17 pursuant to adopted companion Small-Scale Amendment L-5721-22C, is
18 hereby rezoned and reclassified from Agriculture (AGR) District to
19 Planned Unit Development (PUD). This new PUD district shall generally
20 permit single-family residential uses, and is described, shown and
21 subject to the following documents, attached hereto:

22 **Exhibit 1** - Legal Description dated May 24, 2022.

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

24 **Exhibit 3** - Written Description dated July 7, 2022.

25 **Exhibit 4** - Site Plan dated July 7, 2022.

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

30 (1) A traffic study shall be provided at Civil Site Plan Review
31 unless the Chief of the Traffic Engineering Division determines one

1 will not be required. Prior to commencement of the traffic study,
2 if required, the traffic professional shall conduct a methodology
3 meeting to determine the limits of the study. The methodology meeting
4 shall include the Chief of the Traffic Engineering Division, the
5 Chief of the Transportation Division, and the traffic reviewer from
6 Development Services.

7 (2) All dead-end roads shall terminate in a City standard cul-
8 de-sac, unless otherwise approved by the Planning and Development
9 Department.

10 (3) A revocable permit and indemnification agreement, in the
11 form required by the City of Jacksonville, shall be required for all
12 non-City standard traffic signs or identification/wayfinding signs
13 in the City right-of-way, unless the Planning and Development
14 Department, in consultation with the Office of General Counsel,
15 determines a permit or indemnification agreement will not be required.

16 (4) The proposed street typical cross section shall match that
17 found in City Standard Details for City of Jacksonville, Plate P-127,
18 unless otherwise approved by the Planning and Development Department.

19 **Section 5. Contingency.** This rezoning shall not become
20 effective until thirty-one (31) days after adoption of the companion
21 Small-Scale Amendment unless challenged by the state land planning
22 agency; and further provided that if the companion Small-Scale
23 Amendment is challenged by the state land planning agency, this
24 rezoning shall not become effective until the state land planning
25 agency or the Administration Commission issues a final order
26 determining the companion Small-Scale Amendment is in compliance with
27 Chapter 163, *Florida Statutes*.

28 **Section 6. Disclaimer.** The rezoning granted herein
29 shall not be construed as an exemption from any other applicable
30 local, state, or federal laws, regulations, requirements, permits or
31 approvals. All other applicable local, state or federal permits or

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

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

13
14 Form Approved:

15
16 _____
/s/ Mary Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Erin Abney

19 GC-#1552193-v1-2022-538-E.docx