

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-172-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.0± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 0 SAMARITAN
7 WAY, BETWEEN SAMARITAN WAY AND MAGNOLIA VALLEY
8 DRIVE (R.E. NO. 012919-0505), AS DESCRIBED
9 HEREIN, OWNED BY ST. AUGUSTINE DIO. SAMARITAN WAY
10 2AC TRUST UTD 9/30/2022, FROM PUBLIC BUILDINGS
11 AND FACILITIES-2 (PBF-2) DISTRICT TO COMMERCIAL
12 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT, AS DEFINED
13 AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING
14 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
15 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
16 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
17 DATE.
18

19 **WHEREAS**, St. Augustine Dio. Samaritan Way 2AC Trust UTD
20 9/30/2022, the owner of approximately 2.0± acres located in Council
21 District 12 at 0 Samaritan Way, between Samaritan Way and Magnolia
22 Valley Drive (R.E. No. 012919-0505), as more particularly described
23 in **Exhibit 1**, dated November 30, 2022, and graphically depicted in
24 **Exhibit 2**, both of which are attached hereto (the "Subject Property"),
25 has applied for a rezoning and reclassification of the Subject
26 Property from Public Buildings and Facilities-2 (PBF-2) District to
27 Commercial Community/General-1 (CCG-1) District; and

28 **WHEREAS**, the Planning and Development Department has considered
29 the application and has rendered an advisory recommendation; and

30 **WHEREAS**, the Planning Commission, acting as the local planning
31 agency, has reviewed the application and made an advisory

1 recommendation to the Council; and

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

5 **WHEREAS**, taking into consideration the above recommendations and
6 all other evidence entered into the record and testimony taken at the
7 public hearings, the Council finds that such rezoning: (1) is
8 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
9 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
10 not in conflict with any portion of the City's land use regulations;
11 now, therefore

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

13 **Section 1. Property Rezoned.** The Subject Property is
14 hereby rezoned and reclassified from Public Buildings and Facilities-
15 2 (PBF-2) District to Commercial Community/General-1 (CCG-1)
16 District, as defined and classified under the Zoning Code, City of
17 Jacksonville, Florida.

18 **Section 2. Owner and Description.** The Subject Property is
19 owned by St. Augustine Dio. Samaritan Way 2AC Trust UTD 9/30/2022 and
20 is described in **Exhibit 1**, attached hereto. The applicant is Marshall
21 Phillips, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville,
22 Florida 32207; (904) 346-5535.

23 **Section 3. Disclaimer.** The rezoning granted herein shall
24 **not** be construed as an exemption from any other applicable local,
25 state, or federal laws, regulations, requirements, permits or
26 approvals. All other applicable local, state or federal permits or
27 approvals shall be obtained before commencement of the development
28 or use and issuance of this rezoning is based upon acknowledgement,
29 representation and confirmation made by the applicant(s), owners(s),
30 developer(s) and/or any authorized agent(s) or designee(s) that the
31 subject business, development and/or use will be operated in strict

1 compliance with all laws. Issuance of this rezoning does **not** approve,
2 promote or condone any practice or act that is prohibited or
3 restricted by any federal, state or local laws.

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

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9 Form Approved:

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11 /s/ Mary E. Staffopoulos

12 Office of General Counsel

13 Legislation Prepared By: Kaysie Cox

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