

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

4 **ORDINANCE 2023-856**

5 AN ORDINANCE REZONING APPROXIMATELY 1.39± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 BRADLEY COVE
7 ROAD AND 0 LADY LAKE ROAD, BETWEEN LADY LAKE
8 ROAD AND DUVAL STATION ROAD (R.E. NOS.
9 106606-0000 AND 106606-5037), AS DESCRIBED
10 HEREIN, OWNED BY RBSSSS, LLC, FROM PLANNED UNIT
11 DEVELOPMENT (PUD) DISTRICT (2008-514-E AND
12 2015-49-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT COMMERCIAL USES, AS
15 DESCRIBED IN THE NORTHCREEK COMMERCIAL OUTPARCEL
16 PUD; PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, RBSSSS, LLC, the owner of approximately 1.39± acres,
22 located in Council District 8 at 0 Bradley Cove Road and 0 Lady Lake
23 Road, between Lady Lake Road and Duval Station Road (R.E. Nos.
24 106606-0000 and 106606-5037), as more particularly described in
25 **Exhibit 1**, dated August 31, 2023, and graphically depicted in **Exhibit**
26 **2**, both of which are attached hereto (the "Subject Property"), has
27 applied for a rezoning and reclassification of the Subject Property
28 from Planned Unit Development (PUD) District (2008-514-E and
29 2015-49-E) to Planned Unit Development (PUD) District, as described
30 in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the

1 application and has rendered an advisory opinion; and

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

4 **WHEREAS,** the Council finds that such rezoning is: (1)
5 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
6 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
7 not in conflict with any portion of the City's land use regulations;
8 and

9 **WHEREAS,** the Council finds the proposed rezoning does not
10 adversely affect the orderly development of the City as embodied in
11 the Zoning Code; will not adversely affect the health and safety of
12 residents in the area; will not be detrimental to the natural
13 environment or to the use or development of the adjacent properties
14 in the general neighborhood; and will accomplish the objectives and
15 meet the standards of Section 656.340 (Planned Unit Development) of
16 the Zoning Code; now therefore

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (2008-514-E and 2015-49-E) to Planned Unit Development (PUD)
21 District. This new PUD district shall generally permit commercial
22 uses, and is described, shown and subject to the following documents,
23 attached hereto:

24 **Exhibit 1** - Legal Description dated August 31, 2023.

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

26 **Exhibit 3** - Written Description dated December 1, 2023.

27 **Exhibit 4** - Site Plan dated November 10, 2023.

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by RBSSSS, LLC, and is legally described in **Exhibit**
30 **1**, attached hereto. The applicant is Thomas Ingram, Esq., 233 E. Bay
31 Street, Suite 1113, Jacksonville, Florida 32202; (904) 612-9179.

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

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

17
18 Form Approved:

19
20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Caroline Fulton

23 GC-#1601312-v1-2023-856_(Z-5192_PUD).docx